LAWS—NEW JERSEY
1945

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ACTS

OF THE

One Hundred and Sixty-ninth Legislature

OF THE

STATE OF NEW JERSEY

AND

One Hundred and First Under the New Constitution

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New Jersey State Library

The following laws, passed by the One Hundred and Sixty-ninth Legislature, are published in accordance with "An act for the publication of 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.

JOSEPH A. BROPHY,
Secretary of State.

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OF THE

One Hundred and Sixty-ninth Legislature

OF NEW JERSEY

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LAWS

ACTS

PASSED BY THE

One Hundred and Sixty-ninth Legislature

CHAPTER 1

AN ACT concerning the State Highway Department, and adding a route to the State highway system.

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

1. The State Highway Commissioner shall, as soon as practicable, and in accordance with the procedure set forth in article one of chapter seven, Title 27 of the Revised Statutes, add to the present State highway system, the following described route: Route No. . . beginning at the intersection of the Absecon boulevard and the Brigantine boulevard in the city of Atlantic City, New Jersey; thence, in and along said Brigantine boulevard across Beach thoroughfare or Inlet channel to the city of Brigantine. Description of route.

2. When this route is taken into the State highway system as provided in section one of this act, the State Highway Commissioner shall proceed to give the said route an appropriate number as provided by law. Give route number.

3. This act shall take effect immediately.

Approved January 22, 1945.

WALTER E. EDGE,
Governor.

CHAPTER 2

AN ACT concerning the municipal manager form of government, and amending section 40:85–1 of the Revised Statutes.

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

Section amended.

1. Section 40:85–1 of the Revised Statutes is amended to read as follows:

Abandon form of government.

40:85–1. Any municipality which shall have operated for more than four years under the provisions of the act entitled "An act relating to, regulating and providing for the government of municipalities, except counties, by a municipal council and a municipal manager," approved March nineteenth, one thousand nine hundred and twenty-three, or under the provisions of this subtitle, or both, may at any general election abandon such organization thereunder and may resume the form of government under the law under which it was being governed when said act or this subtitle was adopted. The procedure shall be as hereinafter in this chapter provided.

2. This act shall take effect immediately.

Approved January 23, 1945.

CHAPTER 3

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:*

1. 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 forty-five, such time shall be and the same is hereby extended to the thirtieth day of June, one thousand nine hundred and forty-seven; *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

Extending time to complete.

Proviso.

Proviso.

The waiver of exemption.

Proviso. 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.

Proviso.

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

Approved January 23, 1945.

CHAPTER 4

AN ACT for the relief of certain municipalities.

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

Receive share of principal and interest. 1. The purpose of this act is to insure that every municipality entitled to receive a share of the principal of the delinquent second-class railroad taxes, which have now been paid together with interest (according to the railroads' contention as to principal and interest due the State, although not according to the State's contention), shall receive such share of such principal in full, plus an amount which shall not in any case be less than the total amount of all interest paid by such municipality on account of borrowing against the anticipated receipt of such share.

Treasurer to pay to each municipality. 2. From the interest already received by the State on past due railroad taxes, the Treasurer, on the warrant of the Commissioner of Taxation and

Finance, shall pay to each municipality entitled to receive a share of the principal of such delinquent second-class railroad taxes, which have now been paid together with interest (according to the railroads' contention as to principal and interest due the State, although not according to the State's contention), an amount equal to three and one-half per centum (3½%) per annum on all due and unpaid balances of such share from the date when such share of second-class railroad taxes was due to such municipality until the date it was paid to such municipality; *provided, however,* that if any such municipality, within thirty days after the effective date of this act, submits proof satisfactory to the Commissioner of Taxation and Finance that it expended in interest payments on borrowing against such share an amount in excess of the amount it will be entitled to receive under the payment hereinabove authorized, such municipality shall be paid in lieu thereof such amount as is needed to reimburse it in full for all such interest so paid. Proviso.

3. This act shall take effect immediately.

Approved January 30, 1945.

CHAPTER 5

AN ACT for the relief of school districts.

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

1. From the interest already received by the State on past due railroad taxes, the Treasurer, on the warrant of the Commissioner of Taxation and Finance, shall advance to each county treasurer, for apportionment among the several school districts of such county pursuant to section 18:10–34 of the Revised Statutes, an amount equal Treasurer to advance to county treasurer.

to the amount which such county treasurer would be entitled to receive for such purpose if the principal of all past due first-, third- and fourth-class railroad taxes were paid in full to the State.

Treasurer to deposit payments.

2. If and when payments are made to the State on account of the balance of principal of now past due first-, third- and fourth-class railroad taxes, the State Treasurer shall deposit such payments in the General State Fund until the State is reimbursed for such advance.

3. This act shall take effect immediately.

Approved January 30, 1945.

CHAPTER 6

AN ACT making an appropriation to the municipalities of this State to be used for the purposes of tax reduction.

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

1. After the payments to certain municipalities provided for by "An act for the relief of certain municipalities," approved , one thousand nine hundred and forty-five, and the payments to school districts provided for by "An act for the relief of school districts," approved , one thousand nine hundred and forty-five, the State Treasurer, on the warrant of the Commissioner of Taxation and Finance, shall pay from the interest already received by the State on past due railroad taxes the sum of four million dollars ($4,000,000.00) to the municipalities of this State to provide for a tax reduction therein.

Treasurer pay interest received.

Municipalities to receive same proportion.

2. The four million dollars ($4,000,000.00) shall be distributed among the municipalities of this State so that each municipality will receive the

same proportion of this appropriation as the number of resident pupils of such municipality in average daily attendance in the free public schools of this State, whether in such municipality or any other municipality bears to the total number of resident pupils in average daily attendance in the free public schools in all the municipalities of this State.

Commissioner of education to certify.

3. To enable the Commissioner of Taxation and Finance to determine the amount that each municipality will receive, the Commissioner of Education shall certify to him as to each municipality the number of resident pupils of such municipality in average daily attendance in the free public schools of this State, whether in such municipality or in any other municipality and the total number of resident pupils in average daily attendance in the free public schools in all the municipalities of this State, according to the latest available records, and the Commissioner of Taxation and Finance shall use the figures so certified in making distribution. The Commissioner of Education shall, in the case of combined districts, prorate the average daily attendance among the component municipalities when making such certification.

Commissioner to certify to county board.

4. On or before April first, one thousand nine hundred and forty-five, the Commissioner of Taxation and Finance shall certify to each county board of taxation the sum of money which each municipality in such county will receive pursuant to the provisions of this act, and shall also certify to the municipal clerk of each municipality the sum of money which such municipality will receive pursuant to the provisions of this act.

County board to compute rate.

5. Each county board of taxation shall compute the rate of State school tax to be levied in the year one thousand nine hundred and forty-five in each municipality in such county by deducting from the amount to be raised for such State school tax in each municipality the amount as certified by the Commissioner of Taxation and Finance which such municipality will receive pursuant to the provisions of this act.

Each municipality to pay State school tax.

6. Each municipality for the year one thousand nine hundred and forty-five shall pay as its State school tax the amount which is levied in such municipality at the State school tax rate fixed for one thousand nine hundred and forty-five by the county board of taxation, plus an amount equal to that received by it from the State pursuant to the provisions of this act.

7. This act shall take effect immediately.

Approved January 30, 1945.

CHAPTER 7

AN ACT concerning elections, supplementing Title 19 of the Revised Statutes, and repealing "An act concerning elections, and supplementing Title 19 of the Revised Statutes," approved April fourteenth, one thousand nine hundred and forty-four (P. L. 1944, c. 141).

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

C. 19:2-2.3. Date of primary election.

1. The primary election for the general election shall be held for all political parties upon the second Tuesday in June in each year between the hours of 7 A. M. and 8 P. M., eastern war time, so long as this act shall be in effect.

C. 19:23-14.1. Date petitions to be filed.

2. Petition nominating candidates to be voted for at the primary election for the general election to be held in each year, including those nominating candidates for election as delegates or alternates to the national conventions of political parties in any year in which such candidates are to be so voted for, shall be filed with the respective officers with whom they are by law required to be filed on or before the seventy-fifth day prior to the second

Tuesday in June so long as this act shall be in effect.

C. 19:55-29. Filing of petitions.

3. In order to conform to such change of dates for the holding of the primary elections for the general elections, and the filing of petitions of nominations of candidates to be voted for at the primary elections for the general elections, to be held while this act shall be in effect, the actions hereinafter described shall be taken by the persons and officers required by law to take the same at the times hereinafter designated, while this act shall be in effect, instead of at the times otherwise provided by law.

C. 19:55-30. Chairman to give notice.

4. The chairman of the State Committee of each political party shall give the notices required by sections 19:23–1 and 19:24–1 of the Revised Statutes on or before the fifteenth day of February in each year in which such notices are required to be given.

C. 19:55-31. Secretary of State shall certify.

5. The Secretary of State shall make the certifications required by section 19:24–2 of the Revised Statutes on or before the twentieth day of February in each year in which such certifications are required to be made.

C. 19:55-32. Secretary of State shall deliver notices.

6. The Secretary of State shall cause to be delivered the notices required by the second paragraph of section 19:12–1 and by section 19:12–2 of the Revised Statutes between the fifteenth day of February and the first day of March in each year.

C. 19:55-33. Chairman of county committee shall file information.

7. The chairman of each county committee shall file the information required by the second paragraph of section 19:23–1 of the Revised Statutes on or before the first day of March in each year.

C. 19:55-34. Secretary of State prepare supplies.

8. The Secretary of State shall prepare and distribute the information and election supplies as required by section 19:9–2 of the Revised Statutes on or before the first day of April in each year.

C. 19:55-35. Chairman of county committee shall make certifications.

9. The chairman of each county committee shall make the certifications required by the fourth paragraph of section 19:5–3 of the Revised Statutes on or before the fifteenth day of March in each year.

C. 19:55-36. County clerks to make certifications.

10. The several county clerks shall make the certifications required by the second paragraph of section 19:12–3 and by section 19:12–5 of the Revised Statutes not later than the fifteenth day of March in each year.

C. 19:55-37. Municipal clerks to make certifications.

11. The several municipal clerks shall make the certifications required by section 19:12–6 of the Revised Statutes not later than the first day of March in each year.

C. 19:55-38. No division of election districts.

12. No division of any election district shall be made, pursuant to section 19:4–6 of the Revised Statutes, between the seventy-fifth day prior to the second Tuesday in June, and the day of the general election, in any year.

C. 19:55-39. Officer to file determination.

13. The officer with whom any objection to the validity of any petition of nomination is filed, in accordance with section 19:13–10 of the Revised Statutes, shall file his determination in the manner required by section 19:13–11 of the Revised Statutes on or before the sixty-ninth day prior to the second Tuesday in June in each year.

C. 19:55-40. Time to make application.

14. Any candidate making application or complaint to the Chief Justice or a Justice of the Supreme Court under section 19:13–12 of the Revised Statutes shall make such application or complaint on or before the seventy-second day prior to said second Tuesday in June and such application or complaint shall be heard, and the order made thereon, within two days after the filing of such application or complaint.

C. 19:55-41. Vacancies.

15. Vacancies occurring in the manner described in sections 19:23–12 and 19:23–13 of the Revised Statutes may be filled in the manner therein provided for, provided the certification or new petition, as the case may be, is filed on or before the sixty-ninth day prior to said second Tuesday in June in each year.

C. 19:55-42. Amended petition.

16. Any candidate desiring to amend his petition of nomination, or affidavit or affidavits thereto, in the manner and in the particulars specified in section 19:13–13 of the Revised Statutes shall make such amendments on or before the sixty-ninth day prior to the second Tuesday in June in each year.

C. 19:55-43. Secretary of State to make certifications.

17. The Secretary of State shall make the certifications required by section 19:23–21 and the third paragraph of section 19:24–4 of the Revised Statutes on or before the sixty-ninth day prior to said second Tuesday in June in each year.

C. 19:55-44. County clerks to make certifications.

18. The several county clerks shall make the certifications required by section 19:23–22 of the Revised Statutes on or before the sixty-seventh day prior to said second Tuesday in June in each year.

C. 19:55-45. Municipal clerks to make certifications.

19. The several municipal clerks shall make the certifications required by the second paragraph of section 19:23–14 of the Revised Statutes on or before the sixty-seventh day prior to said second Tuesday in June in each year.

C. 19:55-46. County clerks and municipal clerks to determine position.

20. The several county clerks and the several municipal clerks shall determine the positions which the candidates and the bracketed groups of candidates shall have upon the primary election ballots in each year, in the manner prescribed by section 19:23–24 of the Revised Statutes, on the sixty-eighth day prior to said second Tuesday in June at three o'clock in the afternoon.

C. 19:55-47. Repealer.

21. "An act concerning elections, and supplementing Title 19 of the Revised Statutes," approved April fourteenth, one thousand nine hundred and forty-four, is repealed.

C. 19:55-48. Effective date.

22. This act shall take effect immediately, but shall remain in effect only during the present war.

Approved February 5, 1945.

CHAPTER 8

AN ACT to amend the commission form of government law, and amending section 40:75–3 of the Revised Statutes.

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

Section amended.

1. Section 40:75–3 of the Revised Statutes is amended to read as follows:

Time for filing.

40:75–3. The names of the candidates for commissioners shall be filed with the municipal clerk in the manner and form and under the conditions set forth in this section and sections 40:75–4 and 40:75–5 of this Title; said filing to be at least forty days prior to such municipal election, except that during the present war such filing shall be at least seventy-five days prior to such municipal election. The petition of nomination shall consist of individual certificates equal in number to at least one-half of one per centum (½ of 1%) of the entire vote cast at the last preceding general election, but in no event less than twenty-five.

Each certificate a separate paper.

Each certificate shall be a separate paper and shall contain the name of but one signer and the name of but one candidate. No signer shall, at the time of filing the certificate, have signed more certificates for candidates for that office than there are places to be filled. If an elector has signed two or more conflicting certificates all such certificates shall be rejected.

2. This act shall take effect immediately.

Approved February 5, 1945.

CHAPTER 9

AN ACT to amend the municipal manager form of government law, and amending section 40:84–5 of the Revised Statutes.

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

1. Section 40:84–5 of the Revised Statutes is amended to read as follows: Section amended.

40:84–5. At least fifteen days prior to such election, the names of candidates for councilmen shall be filed with the municipal clerk in the manner and form and under the conditions hereinafter set forth; except that for the duration of the present war and six months thereafter the petition of nominations shall be filed seventy-five days prior to such election. The petition of nominations shall consist of individual certificates, equal in number to at least one-half of one per centum (½ of 1%) of the number of persons who voted at the last preceding general election and shall read substantially as follows: Time for filing.

Form of petition. a. "I, the undersigned, a qualified elector of the municipality of ....., residing at ....., certify that I do hereby join in a petition for the nomination of ....., whose residence is at ....., for the office of councilman, to be voted for at the election to be held in such municipality on the ....., 19...., and I further certify that I know this candidate to be a qualified elector of said municipality and a man of good moral character, and qualified, in my judgment, to perform the duties of such office and I further certify that I have not signed Form of petition.

more petitions or certificates of nominations than there are places to be filled for the above office.

(Signed) ....."

Signatures and affidavit.

Signatures and affidavit. b. The signatures of the petition need not all be appended to one paper but each signer shall add to his signature his place of residence, giving the street and number, if any. One of the signers of each such paper shall make an oath before an officer competent to administer oaths that the statements therein made are true to his best knowledge and belief, and that each signature to the paper appended is the genuine signature of the person whose name it purports to be.

Blank petitions.

Blank petitions furnished. c. The municipal clerk shall furnish, upon application, a reasonable number of forms of individual certificates of the above character.

Rejection of petition.

Rejection of petition. d. Each certificate shall contain the name of one candidate, and no more. Each signer must not, at the time of signing the certificate, have signed more certificates for candidates for that office than there are places to be filled for such office, and all certificates of an elector whose certificate or certificates have not complied substantially with the foregoing provisions shall be rejected.

Defective and amended petition.

Defective and amended petition. e. When such a petition of nomination is presented for filing to the municipal 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 to the person making the oath. Such petition may again be presented when properly amended if this can be done at least fifteen days before the election; except that for the duration of

the present war and six months thereafter such amended petition of nominations shall be filed seventy-five days prior to such election.

2. This act shall take effect immediately.
Approved February 5, 1945.

CHAPTER 10

AN ACT relating to workmen's compensation, amending sections 34:15–94 and 34:15–95, and supplementing chapter fifteen of Title 34 of the Revised Statutes.

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

1. Section 34:15–94 of the Revised Statutes is amended to read as follows: Section amended.

34:15–94. Each mutual association or stock company writing compensation or employers' liability insurance in this State, and each self-insurer, shall annually, on or before March first in each year, pay to the Commissioner of Labor a sum equal to one per centum (1%) of the total compensation paid out by such mutual association, stock company or self-insurer during the calendar year next preceding the due date of such payment. Such sum shall be paid by the Commissioner of Labor to the State Treasurer. Payments made to commissioner.

When the total amount of all such payments into the fund, together with the accumulated interest thereon, equals or exceeds one and one-half million dollars ($1,500,000.00), no further contributions to said fund shall be required to be made; but whenever, thereafter, the amount of such sum shall be reduced below one and one-half million dollars ($1,500,000.00) by reason of payments out of such Amount of fund.

funds pursuant to section 34:15–95 of this Title, then such contributions to such fund shall be resumed forthwith, and shall continue until such sum shall again amount to one and one-half million dollars ($1,500,000.00), together with accumulated interest thereon.

Section amended.

2. Section 34:15–95 of the Revised Statutes is amended to read as follows:

Sums collected to constitute fund.

34:15–95. The sums collected under section 34:15–94 of this Title shall constitute a fund out of which a sum shall be set aside each year by the Commissioner of Labor from which compensation payments in accordance with the provisions of paragraph (b) of section 34:15–12 of this Title shall be made to persons totally disabled, as a result of experiencing a subsequent permanent injury under conditions entitling such persons to compensation therefor, when such persons had previously been permanently and partially disabled from some other cause; *provided, however,* that, notwithstanding the time limit fixed therein, the provisions of paragraph (b) of said section 34:15–12 relative to extension of compensation payments beyond four hundred weeks shall, with respect to payments from the fund constituted pursuant to the provisions of this section, apply to any accident occurring since June twenty-seventh, one thousand nine hundred and twenty-three; *provided further, however,* that no person shall be eligible to receive payments from such fund:

Proviso.

Proviso.

Disability.

(a) If the disability resulting from the injury caused by his last compensable accident in itself and irrespective of any previous condition or disability constitutes total and permanent disability within the meaning of this Title.

Permanent total disability.

(b) If permanent total disability results from the aggravation, activation or acceleration, by the last compensable injury, of a preexisting noncompensable disease or condition.

(c) If the disease or condition existing prior to the last compensable accident is not aggravated or accelerated but is in itself progressive and by reason of such progression subsequent to the last compensable accident renders him totally disabled within the meaning of this Title. Totally disabled.

(d) If a person who is rendered permanently partially disabled by the last compensable injury subsequently becomes permanently totally disabled by reason of progressive physical deterioration or pre-existing condition or disease. Permanent totally disabled.

Nothing in the provisions of said paragraphs a, b, c and d, however, shall be construed to deny the benefits provided by this section to any person who has been previously disabled by reason of total loss of, or total and permanent loss of use of, a hand or arm or foot or leg or eye, when the total disability is due to the total loss of, or total and permanent loss of use of, two or more of said major members of the body, or to any person who in successive accidents has suffered compensable injuries, each of which, severally, causes permanent partial disability, but which in conjunction result in permanent total disability. Nor shall anything in paragraphs a, b, c and d, aforesaid apply to the case of any person who is now receiving or who has heretofore received payments from such fund. Not to be construed to deny benefits.

Upon the approval of an application for benefits, the compensation payable from such fund shall be made from the date when the final payment of compensation by the employer is or was payable for the injury or injuries sustained in the employment wherein the employee became totally and permanently disabled; *provided,* that no payment from such fund shall be made for any period prior to the date of filing of application therefor; *provided, however,* that a person who has received compensation payments from said fund and who is reinstated or ordered placed on said fund shall receive payments from the date of last payment from said Approval of application for benefits. Proviso. Proviso.

fund, save only in the case of a person to whom payments have been made and then discontinued or suspended because of the rehabilitation of such person in accordance with the provisions of paragraph (b) of section 34:15–12 of this Title, in which case payments from said fund shall be made from the date of filing application for reinstatement. Payments to such totally disabled employees shall be made from said fund by the State Treasurer upon warrants of the Commissioner of Labor. This section shall be applicable to any accident occurring since June twenty-seventh, one thousand nine hundred and twenty-three, insofar as the eligibility of and benefits payable to such employee of this class is concerned; *provided, however,* that nothing contained herein shall limit or deprive those persons now receiving or who have received the benefits under this section from participating in said fund.

Proviso.

Payments semimonthly installments.

All payments from the fund herein created shall be made by semimonthly installment payments. From the fund herein created the Commissioner of Labor may use in any one fiscal year a sum not to exceed the sum of twelve thousand five hundred dollars ($12,500.00) for the cost of administration of the fund including personnel, printing, professional fees, and expenses incurred by the Commissioner of Labor in the prosecution of defenses in the bureau, and of appeals and proceedings for review of decisions on applications for benefits from said fund. No costs or counsel fee for the applicant shall be allowed against the fund.

Submit accounting.

The Commissioner of Labor shall annually submit an accounting of the fund to the State Comptroller.

Payments confirmed.

3. All payments into the fund established by section 34:15–95 of the Revised Statutes which may have heretofore been made or required at any time or times are hereby validated and confirmed, notwithstanding that at the time of such payment or payments the fund may have equalled or exceeded the sum of two hundred thousand dollars ($200,000.00).

4. This act shall take effect immediately.

Approved February 9, 1945.

CHAPTER 11

AN ACT to afford certain voters of this State, who are in the military service and in certain services auxiliary to and associated therewith, and in certain veterans' hospitals, in time of war, an opportunity to vote in certain elections to be held in this State notwithstanding that such voters may be absent on election day from the respective election districts in which they reside, and supplementing Title 19 of the Revised Statutes.

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

1. Whenever used in this act, the following terms shall, unless the context indicates otherwise, be construed to have the following meaning:

Election.

"Election" means any general election, primary election for the general election or municipal election, as herein defined, to be held in this State while this act is in effect.

Municipal election.

"Municipal election" means any election to be held, in this State while this act is in effect, for the election of commissioners in any municipality governed by the Commission Form of Government Law or for the election of members of the Municipal Council in municipalities governed by the Municipal Manager Form of Government Law, other than an election to be held under said laws for the first members of a Municipal Commission or of a Municipal Council.

Military service.

"Military Service" means active service by any person, as a member of the National Guard, State Guard or of any branch or department of the United States Army, Navy or Marine Corps or Merchant Marine or of any auxiliaries thereof, or as a Reservist absent from his place of residence and undergoing training under Army or Navy di-

rection, or in the American Red Cross, the Society of Friends, the Women's Auxiliary Service Pilots or the United Service Organizations, when attached to, and serving with, the armed forces, of the United States or of this State, at a place other than that of such person's residence.

Military service voter.

"Military Service Voter" means any person in the military service, or any patient in any veterans' hospital, located in any place other than the place of his residence, having served as a soldier, sailor, marine or nurse in the armed forces of the United States in any war in which the United States has been engaged and having been honorably discharged from said armed forces, who prior to entering the military service or prior to being admitted as a patient in such hospital, was a resident of this State and who, at the time of the holding of any election in this State, while this act is in effect, is a resident of the United States, is of the age of twenty-one years or more, is not disqualified by reason of conviction of crime from voting in this State and has resided in the State at least one year and in the county in which he claims the right to vote at least five months counting the time he has been in the military service or a patient in said veterans' hospital, in said periods of residence;

Military service ballot.

"Military service ballot" means a ballot for use by a military service voter as prescribed by this act.

Purpose of act.

2. The purpose of this act is to afford every voter of this State who is in the military service or is a military service voter in time of war the opportunity to vote in any election to be held in this State while this act is in effect, notwithstanding the fact that such person may be absent on the day in which said election is held from the election district in which he resides, whether such person is within or without this State, or within or without the United States, and this act shall be liberally construed to effectuate such purpose.

Provisions.

3. The provisions of this act shall be supplemented by the provisions of any legislation enacted

by the Congress of the United States for the furnishing of information necessary to ascertain military service addresses and the voting qualifications of persons claiming to be entitled to vote in elections in this State by military service ballots, and the Adjutant-General, the county boards of elections, and all other appropriate officers of the State hereby are directed to comply with the provisions of such legislation, if and when the same is enacted, as nearly as may be practicable.

Adjutant-General to ascertain names.

4. The Adjutant-General shall make every reasonable effort to ascertain the names, home addresses and service or veterans' hospital addresses of the residents of this State who will be qualified military service voters on the day of each election to be held in this State, while this act is in effect, but whose names do not appear upon the lists of military service voters furnished by him to the several county clerks pursuant to the provisions of chapter nine of the laws of one thousand nine hundred and forty-four, and also to obtain such information as may be requisite to correct such lists, and he shall certify such additional names, home addresses and service or veterans' hospital addresses, and such other corrective information, to the respective county clerks immediately after the passage of this act, and from time to time thereafter as he is able to obtain the same.

County clerk to notify municipal clerk.

5. Each county clerk shall certify to the municipal clerk of each municipality in the county, as soon as possible after the passage of this act, a list of the names, home addresses and service or veterans' hospital addresses, of the military service voters in said municipality, which have been certified to him by the Adjutant-General pursuant to the provisions of chapter nine of the laws of one thousand nine hundred and forty-four and shall likewise certify, thereafter and from time to time, such additions to, and corrections in, said lists as shall be furnished to him by the Adjutant-General under the provisions of this act, and in making such certifications said county clerks shall first certify such lists to the

municipal clerks of the municipalities in which municipal elections are to be held in the year one thousand nine hundred and forty-five.

Ascertain change in addresses.

6. The governing body of each municipality in this State shall, as soon as possible after the passage of this act and thereafter from time to time, cause to be made such investigation by canvass, circularization, advertisement or other means, as shall be practicable for the purpose of ascertaining what changes should be made in the service or veterans' hospital addresses appearing on the lists of military service voters, certified from time to time to the clerk of the municipality under the provisions of this act, in order to correct such service or veterans' hospital addresses and make them available for use in any election to be held while this act is in effect.

Municipal clerk to notify county clerk.

The clerk of each municipality shall certify to the county clerk of the county, from time to time as said information is received during each year while this act is in effect, such changes in service or veterans' hospital addresses as shall be so ascertained, and each county clerk shall correct the service or veterans' hospital addresses appearing upon the list of military service voters in his office in accordance with the information so received from the several municipal clerks.

Number of ballots to be printed.

7. Each municipal clerk shall have printed and shall furnish to the county clerk of the county, not later than the sixty-fifth day preceding each municipal election to be held in the municipality, one and one-fifth times as many military service ballots for use in such election, as there are names of military service voters upon the lists furnished to him by the county clerk of the county as supplemented and corrected, prior to said day.

Form of ballot.

The form of such military service ballots shall be prescribed by the county clerk and shall conform with the provisions of this act.

Expenses to be paid by municipality.

All necessary expenses incurred in carrying out the provisions of this act in connection with any municipal election shall be paid by the municipal-

ity, and the county clerk, the county board of elections and the commissioner of registration shall be entitled to be reimbursed by the municipality for any expenses incurred by him in so doing.

County clerk to forward ballot.

8. Each county clerk shall, as soon as practicable after the sixty-seventh day preceding the day upon which any municipal election is to be held while this act is in effect, and after the sixty-seventh day preceding the day upon which any primary election for the general election is to be held while this act is in effect, and after the fifteenth day of August preceding the day upon which any general election is to be held in each year while this act is in effect, forward a military service ballot for use in such municipal election, or in such primary election for the general election, or in the general election to be held in such year, as the case may be, by first-class mail to each person whose name and home address, and service or veterans' hospital address appears upon the list of military service voters of the county certified to him pursuant to the provisions of chapter nine of the laws of one thousand nine hundred and forty-four, as such lists have been supplemented and corrected to that day pursuant to the provisions of this act, as a military service voter of the municipality in the case of municipal elections, or of the county in the case of primary elections for the general elections, or general elections, as the case may be, to the service or veterans' hospital address so appearing and all ballots to be forwarded to persons whose service or veterans' hospital addresses, as so appearing, are without the limits of the forty-eight States and the District of Columbia shall be forwarded by air mail.

Supplemental lists.

As supplemental lists are certified to each county clerk, he shall, in like manner but not later than five days before any such municipal election, or any such primary election for the general election, or any such general election, as the case may be, forward military service ballots for use in such elections to the persons certified upon said lists as such military service voters.

Form of ballot.

9. Each military service ballot to be used at any general election to be held while this act is in effect shall conform generally to the ballot to be used at said election in the military service voter's election district and shall be so prepared that the military service voter may indicate thereon his choice of such of the candidates for the offices to be filled, and as to such public questions to be voted upon, at said election by the voters of the entire State or of the county in which such military service voter's election district is situated, as shall be ascertained and known on the first day of August preceding such election and sufficient space shall be provided thereon for such military service voter to write in the name of and vote for any candidate for, or his personal choice for, any public office to be voted for at such election in such election district. A list of the candidates for the offices to be filled in each election district in the county, whose names are known and ascertained on said first day of August but do not appear upon said ballot, with a statement of the office for which each is a candidate, shall be forwarded with such ballot.

Preparation of military ballots.

In the preparation of military service ballots the name of any candidate who has been nominated for any office prior to the first day of August in any year in which this act is in effect shall be placed upon the military service ballot or list of candidates, as the case may be, to be used in the general election to be held in said year in each election district in which he is a candidate, whether or not such candidate has accepted such nomination prior to said date; *provided,* that he has not prior to said date declined the same.

Form of ballot.

10. Each military service ballot to be used at any municipal election to be held while this act is in effect shall conform generally to the ballot to be used at said election in the military service voter's election district and shall be so prepared that the military service voter may indicate thereon his choice of the candidates for the offices to be filled at said election, and sufficient space shall be pro-

vided to write in the name of, and vote for, any candidate for, or the military service voter's personal choice for the offices to be filled at such election, if similar provision is made on the ballots to be used in such election district.

Form of ballot.

11. Each military service ballot to be used at any primary election for the general election to be held while this act is in effect shall conform to the ballot to be used at said election in the military service voter's election district and to the form herein prescribed for military service ballots to be used in such general elections except that it shall be so prepared that the military service voter may indicate thereon his choice of the candidates of one political party for each of the officers to be voted upon at said election by the voters of said election district and shall be separated into party ballots, which shall all be printed upon one sheet and shall be printed in such order as shall be determined at a drawing to be held by the county clerk on the sixty-sixth day prior to the holding of such primary election for the general election at eleven o'clock ante meridian in manner similar to that provided in section 19:23–24 of the Revised Statutes for the drawing for positions of candidates upon primary ballots.

Ballot to contain.

Each such military service ballot shall contain at the end of the list of candidates for each different office blank squares and spaces, or lines equal to the number of persons to be elected to the office to allow the military service voter to write in and vote for the name of any person for whom he desires to vote for such office.

Ballot to indicate but one ballot to be voted.

Each such military service ballot shall be plainly marked to indicate that but one party ballot is to be voted by each military service voter and that the party ballot to be voted must conform to the name of the political party indicated on the certificate on the flap of the inner envelope in which the military service ballot is to be enclosed and there shall also be indicated upon said ballot the qualifying statement appearing in said certificate and governing

such military service voter's choice of the party ballot.

Printed directions.

12. Each county clerk shall send, with each military service ballot, printed directions for the preparation in transmitting of military service ballots as required by this act (which may be printed upon the inner envelope) together with two envelopes of such sizes that one will contain the other.

Outer envelope.

The outer envelope shall be addressed to the county board of elections of the county in which is located the home address of the person to whom the ballot is sent, as certified by the Adjutant-General.

Inner envelope.

The inner envelope shall be so designed that it can be sealed after the military service ballot has been placed therein and the flap thereof shall be of such length and size as to leave sufficient margin, after sealing, for the printing thereon of the certificate hereinafter described. The flap shall be so arranged, that the margin containing the certificate can be so folded, after the inner envelope has been sealed, that the certificate can be contained, with the said inner envelope, in the outer envelope, and that the margin containing the certificate can be detached without unsealing the inner envelope.

Printed on margin of flap of envelope.

13. Upon said margin of said flap there shall be printed a certificate in the following form:

I hereby certify that

1. I am a citizen of the United States;

2. The date of my birth was .....;

3. On the date of the [*Description of election in which ballot is to be used to be printed here.*] election I will have resided in New Jersey for ..... and in .....
(Years and months)
county for .....;
(Years and months)

4. My home address is at .....
(Street and number, if any, or rural route)
in .....;
(City, borough, town, township or village)

5. My military service address or veterans' hospital address is

.....

.....

(Write your usual signature above)

.....

(Print your name clearly above)

Witnessed by me this .....

day of .....

.....

(Signature and rank of officer)

14. In addition to the foregoing, the certificate to be used on the margin of the flap of the inner envelope forwarded with any military service ballot intended to be voted in any primary election for the general election shall contain the following statement above the place left for signature:

I intend to vote at the next ensuing general election for the nominees of the .....political party, whose
(Name of Party)
ballot is marked herein, and I am not a member of, or identified with, any other political party or any political organization espousing the cause of candidates of any other political party. I have not voted in a primary election of any other political party in the last two primary elections or contributed to the campaign funds of any other political party within one year prior to the primary election at which this ballot is to be voted.

Envelopes and contents.

15. The military service ballots, together with the printed directions for the preparing and transmitting of the same and the inner envelopes with their certificates and the outer envelopes to be used therewith, shall conform as nearly as may be practicable to any specifications as to weight and size, which may be made by the War, Navy and Post-

Office Departments of the United States, in connection with transporting the same.

Printed on envelope "Official Election War Ballot."

On the outside of each envelope in which a military service ballot is sent to a military service voter, and of each outer envelope for the return of such a ballot, there shall be printed or stamped the words "Official Election War Ballot," and the several county clerks shall take advantage of any provision for transmission, free of postage, of ballots and the envelopes containing the same provided by the Acts of the Congress of the United States but if no such provision is made, proper first-class postage and air-mail postage, as required by this act, shall be prepaid thereon.

County clerk to prepare lists.

16. Each county clerk shall, from time to time, prior to each election, to be held while this act is in effect certify in writing, under oath, to the commissioner of registration of the county, the names and home addresses of the persons to whom military service ballots to be voted at such election have been forwarded pursuant to this act.

Duties of commissioner of registration.

17. The commissioner of registration upon receipt of such information from the county clerk shall remove the permanent registration form of each such person from the permanent registration binders, if it appears therein, and file such forms in a special file designated "Military File."

Voter entitled to mark any military service ballot.

18. Any military service voter shall be entitled to mark any military service ballot, so forwarded to him, for voting at any election by indicating his choice of candidates for the offices named, and as to public questions, if any, stated, thereon in accordance with election laws of this State, except that in such ballots to be voted in any primary election for the general election his choice shall be limited to the candidates of his political party or to any person or persons whose names are written thereon by him and, when so marked, such ballot shall be placed in said inner envelope, which shall then be sealed, and the voter shall then fill in the form of certificate attached to said inner envelope, at the end of which he shall sign and print his name in

his own handwriting, and his signature thereto shall be witnessed by a commissioned officer, non-commissioned officer, or petty officer in the armed forces of the United States and said inner envelope with the certificate shall then be placed in said outer envelope which shall then be sealed. Signature.

Said sealed outer envelope with the inner envelope and the ballot enclosed therein shall then be mailed to the county board of elections to which it is addressed. Ballot mailed to county board of elections.

19. The county board of elections shall, promptly after receiving each military service ballot, remove the inner envelope, containing the ballot, from the outer envelope and ascertain through the commissioner of registration whether or not the name of the person, whose name appears following the certificate on the flap of said inner envelope, has been certified by the county clerk to the commissioner of registration of the county as a person to whom a military service ballot, to be voted at the election at which it is intended to be voted, has been forwarded pursuant to this act and, in the case of a military service ballot to be voted at a primary election for the general election, whether or not the military service voter has indicated in said certificate his intention to vote it in the primary election of any political party in which he is not entitled to vote it according to the registration records of the county, and if it shall appear from said records that he is not entitled to vote said military service ballot in the primary election of the political party which has been so indicated, such military service ballot shall be rejected. Should any dispute arise as to whether or not such person's name has been so certified or as to whether or not or how any military service ballot shall be counted, the county board shall refer the matter to the court of common pleas for determination. County board to ascertain if name appears on list certified by county clerk.

After such investigation the county board of elections shall detach or separate the certificate from the inner envelope containing the military service ballot, unless it has been rejected by it or by the

court of common pleas, marking the envelope so as to identify the election district in which the ballot contained therein is to be voted as indicated by the military service voter's home address appearing on the certificate attached to or accompanying said inner envelope and, in the case of ballots to be voted at a primary election for a general election, so as to identify the political party in the primary election of which it is to be voted.

Not necessary to qualify if name certified.

20. It shall not be necessary to qualify any military service voter to vote by a military service ballot in any county, that he shall be or shall have been registered to vote in any election district of this State at the time of any election or at any other time, if his name has been certified by the county clerk of the county to the commissioner of registration of the county as hereinbefore provided. Any military service ballot returned to any county board of elections in the envelopes required by this act shall be counted in determining the result of any election in which it is to be voted in the election district indicated by the military service voter's home address appearing on the certificate attached to or accompanying the inner envelope, containing such military service ballot, if such certificate contains information which would qualify the military service voter to vote in said election district if he were registered to vote therein, and if said certificate has been filled in and purports to have been executed and witnessed in the manner required by this act and if such military service ballot has been so marked as to comply with the requirements of the election laws of this State and in computing the length of residence, in the county and State, of any military service voter the time which shall have elapsed during his military service or while a patient in any such veterans' hospital shall be counted. All ballots received by the county boards prior to the time designated for the closing of the polls for said election shall be counted.

Ballot not to be rejected.

21. No military service ballot shall be rejected or declared invalid because it does not contain all

of the names of the candidates or all of the public questions to be voted for or upon in the election district in the election in which it is to be counted, and any military service ballot shall be counted in determining the result of said election as to any office if the designation of the office and the name of the candidate for election to said office are written thereon so as to indicate the voter's choice and that, notwithstanding that such designation and name may be or should have been printed upon such military service ballot in the regular manner.

Return of military service votes.

22. Any military service voter who returns to his place of residence within this State, within thirty days before any election, and who has not received a military service ballot, may appear in person before, and apply in writing to, the proper county clerk for a military service ballot and, if his name has been certified as a military service voter by the Adjutant-General to such county clerk, he shall be entitled to receive a military service ballot upon being properly identified and to cast the same by presenting it in person to the proper county board of elections, properly marked, enclosed and sealed in the inner envelope provided for that purpose, with the certificate on the flap of the inner envelope duly filled in and signed as required by this act, upon being properly identified, at any time before the closing of the polls on the day of such election, and if the ballot is properly marked, it shall be counted at the election.

Ballots to be opened.

23. On the day of each election to be held in this State while this act is in effect each county board of elections shall open in the presence of the commissioner of registration or his assistant or assistants the inner envelopes in which the military service ballots, returned to it, to be voted in such election, are contained, except those containing the ballots which the board or the court of common pleas of the county has rejected, and shall remove from said inner envelopes the military service ballots and shall then proceed to count and canvass the votes cast on such military service ballots, but no

military service ballot shall be counted in any primary election for the general election if the ballot of the political party marked for voting thereon differs from the designation of the political party in the primary election of which such ballot is intended to be voted as marked on said envelope by the county board of elections. Immediately after the canvass is completed, the county boards of election shall certify the result of such canvass to the county clerk showing the result of the canvass by ward and district, and the votes so counted and canvassed shall be counted in determining the result of said election.

Return ballots for one year.

24. The county board of elections shall keep, for a period of one year, all of the ballots, and all of the certificates which have been detached or separated by them from said inner envelopes, and all inner envelopes together with their certificates and together with their contents, which have not been opened because the county board or the court of common pleas rejected them.

Voter in veterans' hospital.

25. Any elector who has been in the military service or a patient in any such veterans' hospital, but who has been honorably discharged from such service or discharged from said hospital too late to register at the last registration day before any election, may obtain an emergency voting form at the office of the proper commissioner of registration if he has been previously permanently registered, and upon presentation of such emergency voting form to the proper district board he shall be permitted to vote. In the event that he has not been permanently registered, upon exhibiting his honorable discharge to such commissioner of registration such commissioner shall require such honorably discharged elector to register notwithstanding any provisions of law prohibiting the taking of registrations at such time, before issuing such emergency voting form.

Secretary of State to transmit ballots received

26. The Secretary of State, upon receiving any "Official Federal War Ballot" provided for by the Acts of the Congress of the United States, shall

transmit the same, without opening the outer envelope containing it, to the county board of elections of the county in which the voter's residence or home address, designated on the said outer envelope, is located.

27. Any military service voter who does not vote by a "military service ballot" at any election to be held while this act is in effect, in the election district in which he claims his residence or home address, pursuant to the provisions of this act, may vote in such election by an "Official Federal War Ballot," notwithstanding that he is not registered to vote therein or in any other election district, and the same shall be cast and counted by the proper county board of elections in determining the result of said election in said election district if, under the provisions of the Acts of the Congress of the United States, such person is eligible to vote by such a ballot and if his "Official Federal War Ballot" is valid under, and the method of transmitting the same complies with, the provisions of said Acts of the Congress and if such ballot has been so marked as to comply with the requirements of said Acts of the Congress and is received by the proper county board of elections at any time before the closing of the polls on the day of such election.

"Official Federal War Ballot."

28. No person other than the members of the proper county board of elections shall open any official outer or inner envelope purporting to contain an "Official Federal War Ballot," and the members of the county boards of elections, before opening any envelope containing an "Official Federal War Ballot," shall take oath that they will not disclose to anyone (unless required by law) how any absentee shall have voted, and shall determine that the oath or any other means of authentication required by the Acts of the Congress of the United States has been executed and that it is in order, pursuant to such Acts of the Congress, to open the official inner envelope containing the same, and such county board shall compile a voting list of

County boards to open "Official Federal War Ballot."

names appearing on all such inner envelopes received from the Secretary of State.

Secretary of State to comply with act.

29. The Secretary of State and all other appropriate State officials shall comply so far as practicable with all of the provisions of this act and of the Acts of the Congress of the United States relating to the receipt, transmission, casting and counting of "Official Federal War Ballots" and the disposition of such ballots received but which cannot be cast or counted for any reason, and shall take all necessary steps to prevent fraud, to protect voters against coercion of any sort and to safeguard the integrity and secrecy of such ballots cast.

Secretary of State to prepare report.

30. The Secretary of State shall prepare a report of all "Official Federal War Ballots" received by him and transmitted to the various county boards of elections, and within thirty days after the day of said election shall transmit such report to the United States War Ballot Commission at Washington, and each county board of elections.

Secretary of State to furnish information.

31. The Secretary of State shall furnish to the United States War Ballot Commission such information as the commission shall request for compiling a list of candidates and their parties in any general election for President and Vice-President, and for Senators and Representatives in the Congress, to be held while this act is in effect.

County boards and superintendent of elections to exercise powers.

32. The county board of elections, the superintendent of elections and the commissioner of registration shall exercise the same powers over military service voting as over other voting in elections except as otherwise provided in this act.

Information necessary in preparing ballots.

33. In order to make available the information necessary for the making up of military service ballots for use in the elections to be held in any year while this act is in effect;

Filing dates of certificates.

(a) All certificates or requests required to be made and filed under sections 19:13–9, 19:13–15, 19:13–22, 19:37–1 and 19:37–2 of the Revised Statutes shall be made and filed by the officers required

by said sections to make and file the same on or before July fifteenth in each such year,

Filling vacancies.

(b) All vacancies in any nomination for any office to be voted upon at any general election shall be filled whenever practicable on or before July fifteenth of the year in which it is to be held,

Objections to petitions.

(c) The validity of all objections to direct petitions of nomination made in any year shall be determined not more than fifteen days after the day of the primary election in such year,

Applications to justices of Supreme Court.

(d) All applications to any of the justices of the Supreme Court setting forth any invasion or threatened invasion of a person's rights under a direct petition of nomination made in any year, as provided for by section 19:13–12 of the Revised Statutes, shall be made not more than fifteen days after the day of the primary election in such year,

Drawing for positions.

(e) The drawing of lots for positions on the ballots to be used at the general election in any year, required by section 19:14–12 of the Revised Statutes, shall take place at three o'clock in the afternoon on the twenty-first day succeeding the day of the primary election in such year,

Secretary of State to certify.

(f) The Secretary of State shall certify to the several county clerks each of the public questions to be voted upon by the voters or electors of the entire State at any election to be held in any year which then are known to, or are ascertainable by, him on June fifteenth of said year.

Election not invalid.

34. No election shall be held to be invalid by reason of any irregularity or failure in the preparation or forwarding of any military service ballots pursuant to the provisions of this act.

35. This act shall take effect immediately.

Approved February 12, 1945.

CHAPTER 12

AN ACT to repeal "An act concerning elections, and supplementing Title 19 of the Revised Statutes and repealing chapter thirty-five of Title 19 of the Revised Statutes; and repealing 'An act to regulate elections, and supplementing Title 19 of the Revised Statutes, and making an appropriation therefor,' approved September twenty-third, one thousand nine hundred and forty (P. L. 1940, c. 194); and repealing 'An act to regulate elections and to enable persons absent for active military service during a period of national emergency to vote at certain municipal elections, and supplementing Title 19 of the Revised Statutes and chapter one hundred ninety-four of the laws of one thousand nine hundred and forty,' approved April fourteenth, one thousand nine hundred and forty-one (P. L. 1941, c. 44); and repealing 'An act to regulate elections, and supplementing Title 19 of the Revised Statutes,' approved August eleventh, one thousand nine hundred and forty-one (P. L. 1941, c. 361)," approved March sixteenth, one thousand nine hundred and forty-two (P. L. 1942, c. 18) and "An act to afford certain voters of this State, who are in the military service and in certain services auxiliary to and associated therewith, in time of war, an opportunity to vote in the general election to be held in this State in the year one thousand nine hundred and forty-four notwithstanding that such voters may be absent on election day from the respective election districts in which they reside, and supplementing Title 19

of the Revised Statutes," approved February twenty-third, one thousand nine hundred and forty-four (P. L. 1944, c. 9).

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

Acts repealed.

1. "An act concerning elections, and supplementing Title 19 of the Revised Statutes and repealing chapter thirty-five of Title 19 of the Revised Statutes; and repealing 'An act to regulate elections, and supplementing Title 19 of the Revised Statutes, and making an appropriation therefor,' approved September twenty-third, one thousand nine hundred and forty (P. L. 1940, c. 194); and repealing 'An act to regulate elections and to enable persons absent for active military service during a period of national emergency to vote at certain municipal elections, and supplementing Title 19 of the Revised Statutes and chapter one hundred ninety-four of the laws of one thousand nine hundred and forty,' approved April fourteenth, one thousand nine hundred and forty-one (P. L. 1941, c. 44); and repealing 'An act to regulate elections, and supplementing Title 19 of the Revised Statutes,' approved August eleventh, one thousand nine hundred and forty-one (P. L. 1941, c. 361)," approved March sixteenth, one thousand nine hundred and forty-two, is repealed.

Acts repealed.

2. "An act to afford certain voters of this State, who are in the military service and in certain services auxiliary to and associated therewith, in time of war, an opportunity to vote in the general election to be held in this State in the year one thousand nine hundred and forty-four notwithstanding that such voters may be absent on election day from the respective election districts in which they reside, and supplementing Title 19 of the Revised Statutes," approved February twenty-third, one thousand nine hundred and forty-four, is repealed.

3. This act shall take effect immediately but shall not operate to revive any act repealed by any of the acts repealed herein.

Approved February 12, 1945.

CHAPTER 13

AN ACT concerning the practice of nursing in the State of New Jersey, amending section 45:11–7 and repealing section 45:11–11 of the Revised Statutes.

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

Section amended.

1. Section 45:11-7 of the Revised Statutes is amended to read as follows:

Qualifications of applicant.

45:11–7. Every applicant for a certificate of registration shall be of good moral character; shall hold a diploma from an approved four-year high school or the equivalent thereof as determined by the New Jersey State Department of Public Instruction; shall be a graduate in good standing and holding a diploma from: (a) an approved school of nursing, which school of nursing gives a course of not less than three years in an accredited public or private hospital having a daily average of at least fifty patients and treating medical, surgical, obstetrical cases and cases of children's diseases, or the equivalent thereof as determined by the board; or (b) an approved university or college school of nursing associated with an accredited public or private hospital having a daily average of at least fifty patients, and treating medical, surgical, obstetrical cases and cases of children's diseases, or the equivalent thereof as determined by the board. No applicant for examination for certificate of registration shall be considered ineligible for the reason that he or she lacks any of the above

educational or school of nursing qualifications, if he or she shows by proof satisfactory to the board that he or she at the time of application for examination possesses the educational and school of nursing qualifications which were sufficient for application for examination in New Jersey at the time of his or her graduation from an approved school of nursing; *provided, however,* that any person who shall have graduated from a school of nursing prior to April first, one thousand nine hundred and fourteen, shall be eligible for application for examination if he or she shows by proof satisfactory to the board that at the time of application for examination he or she possesses the educational and school of nursing qualifications which were sufficient for application for examination in New Jersey after April first, one thousand nine hundred and fourteen. Proviso.

2. Section 45:11–11 of the Revised Statutes is repealed.

3. This act shall take effect immediately.

Approved February 12, 1945.

CHAPTER 14

A SUPPLEMENT to "An act concerning county and municipal finances, and supplementing chapter two of Title 40 of the Revised Statutes," approved May thirteenth, one thousand nine hundred and forty-two (P. L. 1942, c. 187).

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

1. Any moneys in the capital account resulting from appropriations made under the caption of "Public Works Reserve" shall be immediately available for any cost or expense in connection with Money in "Public Works Reserve" available immediately.

any proposed post-war capital purpose when such cost or expense is approved in writing by the Director of the Division of Local Government and by the Commissioner of the State Department of Economic Development.

2. This act shall take effect immediately.

Approved February 16, 1945.

CHAPTER 15

AN ACT to amend an act entitled "An act concerning the civil service of the State and of counties, municipalities and school districts operating under the provisions of Title 11 of the Revised Statutes, and supplementing Title 11 of the Revised Statutes," approved April fifth, one thousand nine hundred and forty-four (P. L. 1944, c. 64).

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

Section amended.

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

Effective date.

Proviso.

4. This act shall take effect immediately and shall continue to be operative until June thirtieth, one thousand nine hundred and forty-six; *provided, however,* that the Governor, by proclamation, may at any time suspend the operation of this statute whenever he may consider such action to be advisable and in the public interest.

2. This act shall take effect immediately.

Approved February 16, 1945.

CHAPTER 16

AN ACT concerning county and municipal finances.

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

Director of local government given authority.

1. The director of local government is hereby given authority, and it shall be his duty, to receive for examination and certification the budget of any county or municipality for the year one thousand nine hundred and forty-five not filed within the time limit prescribed by statute, even though such budget may not have been introduced or approved within the time limits prescribed; *provided,* such budget be accompanied by a statement setting forth the reason for such delay in introduction or approval within the statutory period. All actions subsequently taken by the director of local government and the county or municipality with respect to certification, public hearing and adoption are to be taken forthwith and as if the introduction, approval or filing was within the date prescribed by statute.

Proviso.

2. This act shall take effect immediately.

Approved February 16, 1945.

CHAPTER 17

AN ACT to validate certain municipal budgets adopted by municipalities for the fiscal year one thousand nine hundred and forty-five.

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

Budget validated and ratified.

1. Any budget heretofore adopted by any municipality for the fiscal year one thousand nine hundred and forty-five is hereby validated, ratified and confirmed, notwithstanding any defect, omission or irregularity in the acts done or proceedings taken for the adoption of said budget; *provided,* such budget substantially complies with the provisions of the local budget law constituting chapter two of Title 40 of the Revised Statutes; *and provided,* that the validity of such budget or of the proceedings taken for the adoption of such budget shall not have been questioned in any action or proceeding heretofore instituted in any court.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved February 16, 1945.

CHAPTER 18

AN ACT concerning elections, and amending section 19:31–15 of the Revised Statutes.

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

1. Section 19:31–15 of the Revised Statutes is amended to read as follows: Section amended.

19:31–15. For the purpose of preventing fraudulent voting and of eliminating names improperly registered, the commissioner in counties of the first class, and the county board in all other counties, shall within ninety days after each general election send by government reply postal card to each registrant who failed to vote at such election, at his registered address, a notice substantially as follows: Send post card notice.

"Please answer the question as to residence and removal as indicated on attached reply card.

.....

Commissioner of Registration"

The reply card shall be addressed to the commissioner and shall bear substantially the following questions with appropriate spaces for answers: Reply card.

"(1) Do you still reside at the address to which this notice has been mailed?

(2) If not, where do you now reside? (Stating street address and city or town to which you have moved.)

(Signed).....'"

The county board in counties other than counties of the first class, may also, and in addition to the method hereinbefore provided, direct at any time an authorized clerk or clerks to make any personal investigation which the commissioner or county Personal investigation.

board may deem necessary to establish the fact of continued residence or of removal of any registrant.

List investigated once during four years.

The commissioner in counties of the first class, and the county board in all other counties, shall, in addition to the method hereinbefore provided, at least once during every four years and as often as the commissioner in counties of the first class or the county board in all other counties, may deem necessary cause the entire registry list to be investigated by house-to-house canvass to establish the fact of continued residence, removal, death, disqualification or improper registration.

Registration forms transferred.

In case of registrants who have been found to the satisfaction of the commissioner in counties of the first class and to the county board in all other counties, to have moved from one address to another within the same county, the commissioner in counties of the first class, and the county board in all other counties, shall cause the permanent registration forms of said registrants to be transferred to the proper registers, upon receipt of a change of residence notice duly executed by such registrants, as provided by law.

Registrants moved transferred to inactive files.

In case of registrants so found to have moved to any place outside the county or State, the commissioner in counties of the first class, and the county board in all other counties shall cause the permanent registration forms of such persons to be transferred to the inactive file. Such persons upon return to any municipality within the county shall be required to reregister before being allowed to vote.

Registrants disqualified transferred to inactive files.

In case of registrants so found to have died, been disqualified or improperly registered, the county board in counties other than counties of the first class shall cause the permanent registration forms of such persons to be transferred to the inactive or death file as the case may be.

The county board in counties other than counties of the first class before removing, for any reason whatsoever, the permanent registration forms of

any registrant from the signature copy registers, or before transferring such forms to the inactive file shall cause to be published a notice setting forth the proposed action of the county board. This notice shall contain the list of the names and registered addresses of all registrants to be affected by the proposed action. Such notice and list shall be published at least two entire days prior to the removal of such names and shall be published in two or more newspapers published within the county, one of which newspapers, at least, shall be published in the municipality affected. At least one of such newspapers shall be a daily newspaper, but if there be no daily newspapers published in the county then such notices shall be published as above provided in weekly papers. The notice and list shall in addition specify the reason or reasons for the contemplated removal or transfer of the permanent registration forms of the registrants affected. The notice and list shall be published in the manner above provided prior to the second Tuesday preceding any election.

Notice of transfer published.

Any person affected by any action of the county board in counties other than counties of the first class, shall, during the two weeks immediately preceding any election and on election day, have the right to make application to any judge of the court of common pleas of that county, for the purpose of obtaining an order entitling him to vote in the district in which he actually resides. The burden of proof shall be upon the applicant. The judge of the court of common pleas, if satisfied that the applicant is entitled, under the law, to vote at such election, and after determining the election district in which such person actually resides, may issue an order directing the district board of that district to permit such person to vote. Such person must reregister before voting at any subsequent election by court order or otherwise. If the applicant shall be refused the right to vote, due to the inability of the district board or of the commissioner or of the county board to find the permanent registration forms of such applicant, then in addition such

Application of persons affected.

Person must reregister.

New Jersey State Library

applicant shall establish by reference to the registry lists of former elections, that he was previously registered. Such evidence shall be deemed sufficient to establish the fact that the applicant was formerly registered. If the order is directed to a district board, the district board shall certify and return the order at the close of the election to the commissioner.

Transferred to inactive files.

In counties of the first class, any registrant so found to have died, or been disqualified by conviction of a crime which would disfranchise a person under the laws of this State, or never has resided at the place of registry or is registered from some place other than his actual residence, or does not possess the qualifications to vote required by the Constitution of this State, or is otherwise not entitled to vote, the commissioner shall cause the permanent registration forms of such registrant to be transferred to the inactive or death file as the case may be.

Serve order in writing.

The commissioner in counties of the first class, before transferring such forms to the inactive file or death file, shall serve an order in writing, signed by him, upon the proper district board, ordering it to refuse to allow such person to vote at the next election.

Notice.

The commissioner in counties of the first class, before signing such order in writing to any district board, shall give notice of his proposed action to such registered person, (1) personally, or (2) by leaving the same at the person's registered place of residence with a person above the age of fourteen years, if any such person can be found, and if not, by affixing the same to the outer door of such place of residence or to any other portion of such premises if no building be found thereon, or (3) by sending the same by mail addressed to the person at his registered place of residence at least two entire days before the issuance of the order and the commissioner shall cause a list of the names of such persons, with their registry addresses, to be published at least two entire days before the issu-

ance of the order in two or more newspapers published within the county, at least one of which shall be a daily newspaper. Such published notice, in addition to containing the names and addresses of such persons, shall give notice to them of the proposed action of the commissioner. No such order in writing shall be signed by the commissioner subsequent to the Tuesday preceding an election.

When the transfer of any person's permanent registration form is to be made to the death file or is to be made to the inactive file because such person did not vote at a general election during four consecutive years, or because the name of such person has been ordered stricken from the register by the court, or because such person has changed his or her name by decree of court, or because such person is a woman who changed her name due to marriage or divorce and neglected to reregister in accordance with law, or because the information which forms the basis of such proposed action in making such transfer was received from such person directly, no notice of such proposed action need be given to such registered person and such person's name and registered address need not be published as required in this paragraph.

Names not published in certain cases.

The commissioner in counties of the first class, shall cause such order to be delivered to the district board at the same time as the challenge lists are delivered, which order shall be receipted for by the judge of the district board, who shall use the order in conjunction with the registry list, so that no person whose name appears upon the order shall be allowed to vote. Such order shall be signed and certified to by each member of the district board to the effect that no person whose name appears therein has been allowed to vote. The order shall be returned to the commissioner at the same time and together with the challenge lists. Upon receipt of such order the commissioner shall thereupon transfer the permanent registration forms of the person named in such order to the inactive, death

Order delivered to district board.

or conviction file, as the case may be, and he shall not be permitted to vote at any subsequent election, by court order or otherwise, unless he has reregistered.

Right to make application to judge.

Any person affected by the action of the commissioner in counties of the first class shall, during the week immediately preceding the election and on the election day have the right to make application to a judge of the court of common pleas of the county for the purpose of obtaining an order entitling him to vote in the district in which he actually resides. The burden of proof shall be upon the applicant. The judge of the court of common pleas, if satisfied that the applicant is entitled under the law to vote at such election and after determining the election district in which the person actually resides may issue an order directing the district board of that district to permit such person to vote. If the applicant shall be refused the right to vote, due to the inability of the district board or of the commissioner or of the county board to find the permanent registration forms of such applicant, then in addition such applicant shall establish by reference to the registry lists of former elections, that he was previously registered. Such evidence shall be deemed sufficient to establish the fact that the applicant was formerly registered. The district board shall certify and return the order to the commissioner at the close of the election, who thereupon shall restore the permanent registration forms of such person to the active file. Before the issuance of such order, the commissioner shall be heard personally, or by his chief deputy or assistants, as to the reasons why he has issued an order denying such person the right to vote. The commissioner or anyone representing him shall have full power to cross-examine any witness. The judge of the court of common pleas making such order shall cause a full record of the proceedings of the application to be taken stenographically, transcribed and filed in the office of the county clerk of the county, which record shall be open and public

Judge may issue order.

Restoration to permanent registration forms.

record. All costs and expense of such proceedings shall be paid by the county.

Names not transferred unless published.

In no event shall the permanent registration forms or voting record of any registrant be removed or transferred to the inactive file subsequent to the second Tuesday preceding any election, until after such election; nor shall the permanent registration forms or voting record of any registrant in counties other than counties of the first class be removed or transferred to the inactive file if the name of such registrant is not first published in the manner above described, except as herein otherwise provided.

Guilty of misdemeanor.

Any commissioner who, after ascertaining that a person has died, been disqualified, moved out of the permanent registration area or has been improperly registered, and who willfully or fraudulently refuses to cause to transfer the permanent registration forms of such persons to the proper file shall be guilty of a misdemeanor.

2. This act shall take effect immediately.

Approved February 21, 1945.

CHAPTER 19

AN ACT concerning elections, and amending section 19:32–17 of the Revised Statutes.

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

Section amended.

1. Section 19:32–17 of the Revised Statutes is hereby amended to read as follows:

Order delivered to district board.

19:32–17. The superintendent shall cause such order to be delivered to the district board at the same time as the challenge lists are delivered, which order shall be receipted for by the judge of the district board, who shall use the order in conjunction with the registry list, so that no person

whose name appears upon the order shall be allowed to vote. Such order shall be signed and certified to by each member of the district board to the effect that no person whose name appears therein has been allowed to vote. The order shall be returned to the superintendent at the same time and together with the challenge lists.

Deliver copy of order to commissioner.

The superintendent, concurrently with the return of such order, shall deliver to the commissioner a true copy, certified by him as correct, of each order delivered by him pursuant to this section to each district board. Upon receipt of such copy the commissioner shall thereupon transfer the permanent registration forms of the person named in such order to the inactive, death or conviction file, as the case may be, and he shall not be permitted to vote at any subsequent election, by court order or otherwise, unless he has reregistered.

2. This act shall take effect immediately.

Approved February 21, 1945.

CHAPTER 20

AN ACT concerning the State Highway Department and adding an additional route to the State highway system.

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

State highway commissioner to add route.

1. The State Highway Commissioner shall, as soon as practicable and in accordance with the procedure set forth in article one of chapter seven of Title 27 of the Revised Statutes, add to the present State highway system the following described route:

Description.

Route No. ... Being all that certain road or highway, now known as a county highway, situate,

lying and being in the county of Cape May, State of New Jersey, known as route or highway No. 17 as shown and designated on a map of Cape May County, showing "Improved Highway System," revised to January first, nineteen hundred and forty-two, and more particularly described as follows:

Beginning at a point along the northeasterly line of State Highway Route No. 49, at approximately North Dennis, in the county of Cape May, thence in a general northeasterly direction along that said county highway known as Highway No. 17 and for the full width thereof, to a point in the southwesterly line of State Highway No. 47; excepting therefrom such extended portions of said route or highway as shown on said map running through the borough of Woodbine.

2. When this route is taken into the State highway system as provided in section one of this act, the State Highway Commissioner shall proceed to give the said route an appropriate number as provided by law.

3. This act shall take effect immediately.

Approved February 21, 1945.

CHAPTER 21

AN ACT concerning education, and amending section 18:13–30 of the Revised Statutes.

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

1. Section 18:13–30 of the Revised Statutes is amended to read as follows: Section amended.

18:13–30. An annual convention of the retirement system shall be held at the State House in Trenton, at eleven o'clock ante meridian on the Annual convention held at State House.

third Saturday in October of each year, for the purpose of electing a member of the board of trustees, receiving the report of the board of trustees and for the transaction of such other business as may properly be within its jurisdiction. The convention shall be composed of delegates from each county in the State, selected as provided in section 18:13–31 of this Title. The convention shall be called to order by a member of the board of trustees, designated by the board, and shall organize by the election of a chairman and a secretary. A majority of all the delegates entitled to seats in the convention shall constitute a quorum for the transaction of business.

2. This act shall take effect immediately.

Approved February 21, 1945.

CHAPTER 22

AN ACT relating to conservation, providing for the establishment, in the Executive Branch of the State Government, of a State Department of Conservation, defining its organization, functions, powers and duties, providing for the consolidation and co-ordination of conservation activities; establishing in the State Department of Conservation a Division of Water Policy and Supply, a Division of Fish and Game, a Division of Shell Fisheries, a Division of Forestry, Geology, Parks and Historic Sites, and a Division of Navigation; transferring to, and vesting in, said Division of Water Policy and Supply, the functions, powers and duties of the Department of Conservation and Development and of the Board of Conservation and Development exercised and

used in the management, maintenance, operation and control of the Delaware and Raritan canal, and the functions, powers and duties of the State Water Policy Commission and of the Passaic Valley Flood Control Commission; transferring to, and vesting in, said Division of Fish and Game, the functions, powers and duties of the Board of Fish and Game Commissioners; transferring to, and vesting in, said Division of Shell Fisheries, the functions, powers and duties of the Department of Shell Fisheries and of the Board of Shell Fisheries; transferring to, and vesting in, said Division of Forestry, Geology, Parks and Historic Sites, certain functions, powers and duties of the Department of Conservation and Development and of the Board of Conservation and Development, and the functions, powers and duties of the Commission on Historic Sites, of the board of commissioners known as Commissioners of Edison Park, of the board of commissioners known as Commissioners of High Point Park, of the Grover Cleveland Birthplace Association, and of the New Jersey Veterans of All Wars Memorial Association; and transferring to, and vesting in, said Division of Navigation, the functions, powers and duties of the Department of Commerce and Navigation and of the Board of Commerce and Navigation; and repealing sections 12:2–1 to 12:2–5, inclusive, 12:2–16, 13:1–1, 13:1–2, 13:1–10, 13:4–1, 13:4–4, 13:4–6, 13:5–1 to 13:5–3, inclusive, 13:5–12, 23:2–1, 28:1–1 to 28:1–3, inclusive, 28:1–12, 28:2–2 to 28:2–6, inclusive, 28:2–15, 28:2–16, 50:1–1 to 50:1–4, inclusive, 58:1–1 and 58:16–2 of the Revised Statutes.

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

ARTICLE I

DEFINITIONS

C. 13:1A-1. Definitions.

1. As used in this act, unless otherwise specifically indicated:

"Department of Conservation," "department" and "State Department" means the State Department of Conservation herein established.

"Commissioner" means the State Commissioner of Conservation.

"Council" means the council of an indicated division herein established in the State Department of Conservation.

ARTICLE II

C. 13:1A-2. State department of conservation established.

2. There is hereby established in the Executive Branch of the State Government a State Department of Conservation which shall consist of a State Commissioner of Conservation and such divisions, councils, officers and employees as are specifically referred to in this act and as may be constituted or employed by virtue of the authority conferred by this act and by any other law.

C. 13:1A-3. State commissioner of conservation appointed.

3. The State Commissioner of Conservation shall be appointed by the Governor, by and with the advice and consent of the Senate, and shall hold office until the next Governor shall be elected and qualified and until the commissioner's successor shall be appointed and qualified.

Salary.

He shall devote his entire time and attention to the duties of his office and shall receive an annual compensation of twelve thousand dollars ($12,000.00). He may be removed from office by the Governor, for cause.

Vacancy.

Any vacancy occurring in the office of commissioner shall be filled in the same manner as the original appointment, but for the unexpired term only.

4. The following are hereby established as divisions in the department: C. 13:1A-4. Divisions.

The Division of Water Policy and Supply.
The Division of Fish and Game.
The Division of Shell Fisheries.
The Division of Forestry, Geology, Parks and Historic Sites.
The Division of Navigation.

5. Except as otherwise provided in this act or by any other law, the commissioner shall, in addition to other powers and duties specifically conferred and imposed upon him: C. 13:1A-5. Duties of commissioner.

a. Exercise all powers of the department.
b. Administer the work of the department.
c. Execute and enforce all laws relating to the conservation of the natural resources of the State.
d. Maintain liaison with local and Federal officers and agencies concerned with matters of conservation of natural resources or otherwise related to the functions of the department.
e. Report to the Governor and the Legislature, with respect to the work of the department, on January fifteenth of each year and at such other times as he may deem in the public interest.
f. Make such rules and regulations governing the work of the department and the conduct of its employees as, in his opinion, may be necessary to conserve, develop and promote the interest of the State, in all matters within the jurisdiction of the department.

6. Except as otherwise provided in this act or by any other law, the commissioner shall appoint such personnel as he may consider necessary for the efficient performance of the work of the department. He shall prescribe the duties of all such person thus appointed and shall fix their compensation within the limits of available appropriations. C. 13:1A-6.

C. 13:1A-7.

7. The commissioner shall co-ordinate the activities of the various divisions established by this act. He shall be the request officer of the department within the meaning of such term as defined in chapter one hundred twelve of the laws of one thousand nine hundred and forty-four.

ARTICLE III

DIVISION OF WATER POLICY AND SUPPLY

C. 13:1A-8. Division of water policy and supply.

8. There shall be within the Division of Water Policy and Supply a Water Policy and Supply Council which shall consist of nine members. Each member shall be appointed by the Governor, by and with the advice and consent of the Senate, for a term of five years and shall serve until his successor has been appointed and qualified, except that the five persons in office as appointed members of the State Water Policy Commission upon the effective date of this act shall constitute five of the first members of the Water Policy and Supply Council and shall continue in office as such for the remainder of the respective terms for which they were appointed as members of the State Water Policy Commission, and that, of the remaining four members to be appointed to initial membership in said council, one shall be appointed for a term of one year, one for a term of two years, one for a term of three years, and one for a term of four years. Any vacancy in the membership of said council, occurring other than by expiration of term, shall be filled by the Governor, by and with the advice and consent of the Senate, for the unexpired term only. Any member of the council may be removed from office by the Governor, for cause.

Water policy and supply council.

Members to serve without compensation.

The members of the council shall serve without compensation, but shall be reimbursed for necessary expenses incurred in the performance of their duties.

C. 13:1A-9. Power of council.

9. The functions, powers and duties, records and property of the Department of Conservation and Development and the Board of Conservation and

Development exercised and used in the management, maintenance, operation and control of the Delaware and Raritan canal, and the functions, powers and duties, records and property of the State Water Policy Commission and of the Passaic Valley Flood Control Commission are hereby transferred to and vested in the Division of Water Policy and Supply established under this act, to be exercised and used by the council thereof, in accordance with the provisions of this act. No action shall be taken by said council except upon approval by the Commissioner of Conservation.

C. 13:1A-10.

10. The council, in addition to other powers and duties vested in it by this act, shall, subject to the approval of the commissioner:

Formulate policies.

a. Formulate comprehensive policies for the preservation and improvement of the water supply facilities of the State.

Survey needs for water supply.

b. Survey the needs of the State for additional water supply facilities and formulate plans for the development of such facilities.

C. 13:1A-11. Employees.

11. The employees of the Department of Conservation and Development and of the Board of Conservation and Development engaged in the management, maintenance, operation and control of the Delaware and Raritan canal, and the employees of the State Water Policy Commission are hereby transferred to the Division of Water Policy and Supply established under this act, without diminution in salary or change in civil service status. Persons thus transferred shall be assigned such duties as the Water Policy and Supply Council shall, subject to the approval of the commissioner, determine.

C. 13:1A-12. Appropriations.

12. All appropriations available and to become available to the Department of Conservation and Development and to the Board of Conservation and Development for the management, maintenance, operation and control of the Delaware and Raritan canal, and all appropriations available and to be-

come available to the State Water Policy Commission are hereby transferred to the Division of Water Policy and Supply established under this act, to be used for the purposes for which said appropriations were or shall be made.

ARTICLE IV

DIVISION OF FISH AND GAME

C. 13:1A-13. Division of fish and game.

13. There shall be within the Division of Fish and Game a Fish and Game Council which shall consist of nine members. Each member shall be appointed by the Governor, by and with the advice and consent of the Senate, for a term of five years and shall serve until his successor has been appointed and qualified, except that the nine persons in office as appointed members of the Board of Fish and Game Commissioners upon the effective date of this act shall constitute the first members of the Fish and Game Council and shall continue in office as such for the remainder of the respective terms for which they were appointed as members of the Board of Fish and Game Commissioners. Any vacancy in the membership of said council, occurring other than by expiration of term, shall be filled by the Governor, by and with the advice and consent of the Senate, for the unexpired term only. Any member of the council may be removed from office by the Governor, for cause.

Fish and game council.

Vacancy.

The members of the council shall serve without compensation, but shall be reimbursed for necessary expenses incurred in the performance of their duties.

C. 13:1A-14. Powers and duties.

14. The functions, powers and duties, records and property of the Board of Fish and Game Commissioners are hereby transferred to and vested in the Division of Fish and Game established under this act, to be exercised and used by the council thereof, in accordance with the provisions of this act. No action shall be taken by said council except upon approval by the Commissioner of Conservation.

15. The council, in addition to other powers and duties vested in it by this act, shall, subject to the approval of the commissioner: C. 13:1A-15.

a. Formulate comprehensive policies for the protection and propagation of fish, birds, and game animals and for the propagation and distribution of food fish and the keeping up of the supply thereof in the waters of the State. Formulate policies.

b. Establish and maintain State game refuges or sanctuaries for the protection, preservation or propagation of game birds, animals or fish on all or any portion of lands or waters held in fee, or trust, or under lease by the State; and game birds, animals or fish shall not be hunted, pursued, disturbed or molested thereon at any time. Maintain game refuges.

16. The employees of the Board of Fish and Game Commissioners are hereby transferred to the Division of Fish and Game established under this act, without diminution in salary or change in civil service status. Persons thus transferred shall be assigned such duties as the Fish and Game Council shall, subject to the approval of the commissioner, determine. C. 13:1A-16. Employees.

17. All appropriations available and to become available to the Board of Fish and Game Commissioners are hereby transferred to the Division of Fish and Game established under this act, to be used for the purposes for which such appropriations were or shall be made. C. 13:1A-17. Appropriations.

Article V

Division of Shell Fisheries

18. There shall be within the Division of Shell Fisheries a Shell Fisheries Council which shall consist of nine members. Each member shall be appointed by the Governor, by and with the advice and consent of the Senate, for a term of five years and shall serve until his successor has been ap- C. 13:1A-18. Division of shell fisheries.

pointed and qualified, except that the eight persons in office as appointed members of the Board of Shell Fisheries upon the effective date of this act shall constitute eight of the first members of the Shell Fisheries Council and shall continue in office as such for the remainder of the respective terms for which they were appointed as members of the Board of Shell Fisheries, and that the remaining member to be appointed to initial membership in said council, shall be appointed for a term of four years. The residence qualifications heretofore required for membership in the Board of Shell Fisheries shall apply with respect to membership in the Shell Fisheries Council, except that such restrictions shall not apply to the member of said council appointed pursuant to the provisions of this section for a term of four years nor to any successor of such member. Any vacancy in the membership of said council, occurring other than by expiration of term, shall be filled by the Governor, by and with the advice and consent of the Senate, for the unexpired term only. Any member of the council may be removed from office by the Governor, for cause.

Shell fisheries council.

Residence qualifications.

Vacancy.

The members of the council shall serve without compensation, but shall be reimbursed for necessary expenses incurred in the performance of their duties.

C. 13:1A-19. Powers and duties.

19. The functions, powers and duties, records and property of the Department of Shell Fisheries and of the Board of Shell Fisheries are hereby transferred to and vested in the Division of Shell Fisheries established under this act, to be exercised and used by the council thereof, in accordance with the provisions of this act. No action shall be taken by said council except upon approval by the Commissioner of Conservation.

C. 13:1A-20. Formulate policies.

20. The council, in addition to other powers and duties vested in it by this act shall, subject to the approval of the commissioner, formulate comprehensive policies for the preservation and improvement of the shellfish industry of the State.

21. The employees of the Department of Shell Fisheries and of the Board of Shell Fisheries are hereby transferred to the Division of Shell Fisheries established under this act, without diminution in salary or change in civil service status. Persons thus transferred shall be assigned such duties as the Shell Fisheries Council shall, subject to the approval of the commissioner, determine. C. 13:1A-21. Employees.

22. All appropriations available and to become available to the Department of Shell Fisheries and to the Board of Shell Fisheries are hereby transferred to the Division of Shell Fisheries established under this act, to be used for the purposes for which such appropriations were or shall be made. C. 13:1A-22. Appropriations.

ARTICLE VI

DIVISION OF FORESTRY, GEOLOGY, PARKS AND HISTORIC SITES

23. There shall be within the Division of Forestry, Geology, Parks and Historic Sites a Forestry, Geology, Parks and Historic Sites Council which shall consist of nine members. Each member shall be appointed by the Governor, by and with the advice and consent of the Senate, for a term of five years and shall serve until his successor has been appointed and qualified, except that the eight persons in office as appointed members of the Board of Conservation and Development upon the effective date of this act shall constitute eight of the first members of the Forestry, Geology, Parks and Historic Sites Council and shall continue in office as such for the remainder of the respective terms for which they were appointed as members of the Board of Conservation and Development, and that the remaining member to be appointed to initial membership in said council shall be appointed for a term of four years. Any vacancy in the membership of said council, occurring other than by expiration of term, shall be filled by the Governor, by and with the advice and consent of the Senate, for the unexpired term only. Any mem- C. 13:1A-23. Division of forestry, geology, parks and historic sites council. Vacancy.

ber of the council may be removed from office by the Governor, for cause.

The members of the council shall serve without compensation, but shall be reimbursed for necessary expenses incurred in the performance of their duties.

C. 13:1A-24. Powers and duties.

24. The functions, powers and duties, records and property of the Department of Conservation and Development and of the Board of Conservation and Development, except as otherwise provided by this act and except such, if any, as have been transferred to the Division of the State Museum of the State Department of Education, and the functions, powers and duties, records and property of the Commission on Historic Sites, of the board of commissioners known as Commissioners of Edison Park, of the board of commissioners known as Commissioners of High Point Park, of the Grover Cleveland Birthplace Association, and of the New Jersey Veterans of All Wars Memorial Association are hereby transferred to and vested in the Division of Forestry, Geology, Parks and Historic Sites, to be exercised and used by the council thereof, in accordance with the provisions of this act. No action shall be taken by said council except upon approval by the Commissioner of Conservation.

C. 13:1A-25.

25. The council, in addition to other powers and duties vested in it by this act shall, subject to the approval of the commissioner:

Formulate policies.

a. Formulate comprehensive policies for the preservation and conservation and use of all State forests and State parks, except those regulated by interstate compact, and of all historic sites within the State.

Supervision of parks.

b. Have charge and supervision of all forests and parks now owned or hereafter acquired by the State and of all lands which the State has acquired or may hereafter acquire for State forests and parks.

Formulate plans.

c. Formulate plans for the improvement, use and extension of the State forests, parks and historic sites under the jurisdiction of the divi-

sion, and for the establishment of a uniform forest and park policy by the State, so far as the character and use of such forests and parks will permit.

Provide information.

d. Provide information on park planning and make available information on parks and historic sites to all municipalities of the State.

Formulate plans to reforest.

e. Formulate plans for and so far as it can, promote and put in operation the best methods to reforest cut-over, denuded, waste and other lands and to prevent injury of forests, brush land and salt marshes by fire; and promote and provide for the administering and care of all forests and forest lands in accordance with the best practices of forestry management, and encourage and assist private owners in conserving and growing timber for commercial purposes.

Study mineral resources.

f. Map the geology and topography; and study the mineral resources of the State, determining where they occur, their chemical and physical properties, what commercial uses they may have, and statistics of their production; establish and maintain a system of monumented control data for the accurate description of land boundaries and the ready determination of elevations; and make all such information readily available in the form of maps and reports.

State tree expert bureau.

g. Maintain and operate the State Tree Expert Bureau.

C. 13:1A-26. Employees.

26. The employees of the Department of Conservation and Development and of the Board of Conservation and Development, except as otherwise provided by this act and except as have been or shall be transferred to the Division of the State Museum of the State Department of Education, and the employees of the Commission on Historic Sites, of the board of commissioners known as Commissioners of Edison Park, of the board of commissioners known as Commissioners of High Point Park, of the Grover Cleveland Birthplace

Association, and of the New Jersey Veterans of All Wars Memorial Association are hereby transferred to the Division of Forestry, Geology, Parks and Historic Sites established under this act, without diminution in salary or change in civil service status. Persons thus transferred shall be assigned such duties as the Forestry, Geology, Parks and Historic Sites Council shall, subject to the approval of the commissioner, determine.

C. 13:1A-27. Appropriations.

27. All appropriations available and to become available to the Department of Conservation and Development and to the Board of Conservation and Development, except as otherwise provided by this act and except as have been or shall be transferred to the Division of the State Museum of the State Department of Education, and all appropriations available and to become available to the Commission on Historic Sites, to the board of commissioners known as Commissioners of Edison Park, to the board of commissioners known as Commissioners of High Point Park, to the Grover Cleveland Birthplace Association, and to the New Jersey Veterans of All Wars Memorial Association are hereby transferred to the Division of Forestry, Geology, Parks and Historic Sites established under this act, to be used for the purposes for which said appropriations were or shall be made.

Article VII

DIVISION OF NAVIGATION

C. 13:1A-28. Division of navigation.

28. There shall be within the Division of Navigation a Navigation Council which shall consist of nine members. Each member shall be appointed by the Governor, by and with the advice and consent of the Senate, for a term of five years and shall serve until his successor has been appointed and qualified, except that the eight persons in office as appointed members of the Board of Commerce and Navigation upon the effective date of this act shall constitute eight of the first members of the Navigation Council and shall continue in office as such for

Terms.

the remainder of the respective terms for which they were appointed as members of the Board of Commerce and Navigation, and that the remaining member to be appointed to initial membership in said council shall be appointed for a term of four years. Any vacancy in the membership of said council, occurring other than by expiration of term, shall be filled by the Governor, by and with the advice and consent of the Senate, for the unexpired term only. Any member of the council may be removed from office by the Governor, for cause.

Vacancy.

The members of the council shall serve without compensation but shall be reimbursed for necessary expenses incurred in the performance of their duties.

Members serve without compensation.

C. 13:1A-29. Functions and powers.

29. The functions, powers and duties, records and property of the Department of Commerce and Navigation and of the Board of Commerce and Navigation are hereby transferred to and vested in the Division of Navigation established under this act, to be exercised by the council thereof, in accordance with the provisions of this act. No action shall be taken by said council except upon the approval of the Commissioner of Conservation.

Riparian leases.

No riparian leases or grants shall hereafter be allowed by less than a majority of the council and no such leases or grants shall hereafter in any case be allowed by the council except when approved and signed by the Governor and the Commissioner of Conservation.

C. 13:1A-30. Formulate policies.

30. The council, in addition to other powers and duties vested in it by this act shall, subject to the approval of the commissioner, formulate comprehensive policies for the prevention and control of beach erosion.

C. 13:1A-31. Employees.

31. The employees of the Department of Commerce and Navigation and of the Board of Commerce and Navigation are hereby transferred to the Division of Navigation established under this act, without diminution in salary or change in civil service status. Persons thus transferred shall be assigned such duties as the Navigation Council

shall, subject to the approval of the commissioner, determine.

C. 13:1A-32. Appropriations.

32. All appropriations available and to become available to the Department of Commerce and Navigation and to the Board of Commerce and Navigation are hereby transferred to the Division of Navigation established under this act, to be used for the purposes for which said appropriations were or shall be made.

Article VIII

General

C. 13:1A-33. Authorized to accept grants.

33. Any of the divisions established under this act is authorized to accept for and in the name of the State, subject to approval of the Governor and the Commissioner of Conservation, grants, conveyances and devises of land, and bequests and donations of money or other personal property to be used for the maintenance and use of any service in or activity of such division, if such grants, conveyances, devises, bequests or donations are unconditional or are subject to such conditions as the commissioner and the council of such division find are reasonable and not inconsistent with the use of such property for such service or activity; *provided, however,* that prior to the acceptance of any such grant, conveyance or devise due notice and hearing has been granted by the commissioner and such council to the municipality or municipalities which may be affected thereby.

C. 13:1A-34. Attorney-General to examine title.

34. Before any of the divisions established under this act shall purchase or acquire any property by condemnation or otherwise, pursuant to the provisions of this act or any other law, the commissioner shall request the Attorney-General to make an examination of the title of such property and render a report thereon in writing. At least one copy of such report shall be kept on file in the office of the State Department of Conservation at Trenton and at least one other copy thereof shall be kept on file in the office of the Department of

Report filed.

Law at Trenton. Such reports shall be appropriately indexed, and shall be subject to public inspection at reasonable times.

C. 13:1A-35. May accept grants from federal government.

35. Any of the divisions established under this act may, on recommendation of the council of such division and subject to the approval of the Governor and the Commissioner of Conservation, apply for and accept grants from the Federal Government or any agency thereof, and may comply with the terms, conditions and limitations thereof, for any of the purposes of such division. Any moneys so received may be expended by such division, subject to any limitation imposed in such grants, to effect any of the purposes of such division upon warrant of the Commissioner of Taxation and Finance on vouchers certified and approved by the Commissioner of Conservation.

C. 13:1A-36. Chairman.

36. Each council established by this act shall elect one of its members chairman thereof. Each council chairman thus elected shall hold office for one year and until his successor is elected. The respective councils established hereunder shall have power to appoint and fix the compensation of the officers and employees of the respective divisions established hereunder, subject to the approval of the commissioner.

C. 13:1A-37. May accept services of federal or local official.

37. The commissioner, in addition to other powers and duties vested in him by this act, may accept the services of any local or Federal official or agency in such manner and in such capacities as he may deem appropriate. He may also authorize any officer or employee of the department to act for him and in his place, as his deputy, during his absence or disability.

C. 13:1A-38. Approval in writing.

38. In any case where approval of the commissioner is required under the provisions of this act, such approval shall, when granted, be reduced to writing and filed in the office of said commissioner at Trenton. In the event that the commissioner shall disapprove any action of any of the councils established hereunder, or shall fail to act thereon within ten days after its submission to

him, such council may request the Governor to approve its said action. In the event that the Governor shall, in writing, grant such approval, said action of such council shall take effect in the same manner as if approved by the commissioner.

C. 13:1A-39. Eligibility of members.

39. No person shall be eligible to or shall continue to hold the office of commissioner who is engaged in any business in which water is distributed or sold under any public franchise, or who is engaged in the shellfish business in this State, or who is engaged in the business of lumbering in any forest preserve in this State. No person shall be eligible for any employment in any capacity in the Division of Water Policy and Supply who is engaged in any business in which water is distributed or sold under any public franchise. No person shall be eligible for any employment in any capacity in the Division of Shell Fisheries who is engaged in the shellfish business in this State. No person shall be eligible for any employment in any capacity in the Division of Forestry, Geology, Parks and Historic Sites who is engaged in the business of lumbering in any forest preserve in this State.

C. 13:1A-40. Not to be construed to change acts.

40. This act shall not be construed as authorizing the department, the commissioner or any of the councils established by this act to change any penalty for violating any game law or regulation, or to change the fee for any license established by the Legislature, or to extend any open season or bag limits on migratory birds prescribed by Federal law or regulations, or to contract any indebtedness or obligation in excess of appropriations made by the Legislature.

C. 13:1A-41. Rules and regulations.

41. The rules and regulations heretofore promulgated by any of the departments, boards, commissions, authorities, or other agencies, the functions, powers and duties of which have been herein transferred to any of the divisions established hereunder, shall continue with full force and effect until amended or repealed by the council of such division, subject to the approval of the Commissioner of Conservation.

C. 13:1A-42. Terms of office.

42. The terms of office of the Commissioners of Edison Park, of the Commissioners of High Point Park, of the Board of Trustees of the Grover Cleveland Birthplace Association, of the Board of Trustees of the New Jersey Veterans of All Wars Memorial Association, of the members of the Commission on Historic Sites and of the members of the Passaic Valley Flood Control Commission shall expire on the thirtieth day of June, one thousand nine hundred and forty-five.

C. 13:1A-43. Act not to deprive person of protection.

43. Nothing in this act shall be construed to deprive any person of any right or protection provided him by Title 11 of the Revised Statutes or by any pension law or retirement system.

C. 13:1A-44. Sections repealed.

44. The following sections of the Revised Statutes are hereby repealed:

Revised Statutes sections 12:2–1 to 12:2–5, inclusive, 12:2–16, 13:1–1, 13:1–2, 13:1–10, 13:4–1, 13:4–4, 13:4–6, 13:5–1 to 13:5–3, inclusive, 13:5–12, 23:2–1, 28:1–1 to 28:1–3, inclusive, 28:1–12, 28:2–2 to 28:2–6, inclusive, 28:2–15, 28:2–16, 50:1–1 to 50:1–4, inclusive, 58:1–1 and 58:16–2. In addition thereto, all acts and parts of acts inconsistent with any of the provisions hereof are hereby repealed.

C. 13:1A-45. Effective.

45. This act shall take effect on the first day of July, one thousand nine hundred and forty-five, except that any appointment and any confirmation of any appointment permitted by this act may be made prior to such date.

Approved February 21, 1945.

CHAPTER 23

AN ACT concerning investments by insurance companies, and amending section 17:24–10 of the Revised Statutes.

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

Section amended.

1. Section 17:24–10 of the Revised Statutes is amended to read as follows:

May invest funds.

17:24–10. Any insurance company of this State lawfully doing business in any foreign country may also invest its funds, to an amount not exceeding the value of its outstanding policies of insurance issued or delivered in the foreign country, in securities issued by any governing body or agency or any corporation of the foreign country or in obligations secured upon property therein, otherwise of the same character as that prescribed for authorized investments for the funds of the company under the laws of this State; *provided,* that any loan secured by first mortgage on unencumbered real estate in the Dominion of Canada, authorized and placed under any act of that Dominion by virtue of which it assumes liability for all or a substantial portion of any loss resulting from the liquidation of such investment after the foreclosure of the mortgage securing the same, or by virtue of which it guarantees the payment of such loan, shall be construed as being of such character. Any investment hereby authorized shall be subject to all other limitations imposed by the laws of this State.

Proviso.

2. This act shall take effect immediately.

Approved February 23, 1945.

CHAPTER 24

AN ACT appropriating one hundred and sixty thousand dollars ($160,000.00) to the Board of Commerce and Navigation for certain purposes.

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

1. There is appropriated to the Board of Commerce and Navigation, if and when included in any appropriation act, the sum of one hundred and sixty thousand dollars ($160,000.00) for the purpose of dredging a beach channel in Barnegat bay between the borough of Seaside Park and the borough of Lavallette in the county of Ocean, and providing the necessary spoil areas. Appropriation for dredging.

2. This act shall take effect immediately.

Approved February 26, 1945.

CHAPTER 25

AN ACT concerning building and loan associations, and supplementing chapter twelve of Title 17 of the Revised Statutes.

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

1. Notwithstanding any other provision of law, any building and loan association of this State is authorized to make any loan which is guaranteed as provided by the Servicemen's Readjustment Act of 1944 (58 Statutes at Large 284; 38 U. S. Code 693 et seq.) or as the same may hereafter be amended or supplemented or for which there is a commitment to so guarantee or for which a condi- C. 17:12-43.1. Authorized to make loan.

Proviso.

tional guarantee has been issued; *provided,* that the proceeds of such loan are to be used for the purchase, construction, repair, alteration or improvement of a residential property, situated in New Jersey or for the payment of and to replace a mortgage indebtedness on such a property. Such loan may be made upon such security, if any, as may be required by the Servicemen's Readjustment Act of 1944. Any association is authorized to accept as the appraisal of the value of the real estate offered as security for a loan made in accordance with this act, the appraisal made by an appraiser designated to do so by the United States or by an instrumentality or agency thereof.

2. This act shall take effect immediately.

Approved February 26, 1945.

CHAPTER 26

AN ACT concerning the issuance of bonds and other obligations and the incurring of indebtedness by counties, cities, boroughs, towns, townships, villages and other municipalities other than school districts, and amending section 40:1–63 of the Revised Statutes.

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

Section amended.

1. Section 40:1–63 of the Revised Statutes is amended to read as follows:

Refunding bonds authorized by resolution or ordinance.

40:1–63. All refunding bonds shall be authorized in the case of a county by a county bond resolution, and in the case of a municipality by a municipal bond ordinance, finally passed in the method or mode of procedure prescribed by this article on or before December thirty-first, one thousand nine hundred and forty-seven. No supplemental debt

statement need be made or filed prior to the introduction or final passage of any county bond resolution or municipal bond ordinance authorizing refunding bonds. The powers granted by sections 40:1–61 to 40:1–74 of this Title shall not be affected by any limitations of indebtedness or by the requirements of any other law, except as expressly provided in said sections 40:1–61 to 40:1–74. The powers granted by sections 40:1–61 to 40:1–74 of this Title shall not be affected by the invalidity of or any irregularity in any proceedings for incurring the indebtedness or issuing the outstanding obligations to be paid, funded or refunded by refunding bonds.

2. This act shall take effect immediately.

Approved February 26, 1945.

CHAPTER 27

AN ACT to amend "An act to provide for the funding or refunding of notes or bonds of school districts governed by chapter seven of Title 18 of the Revised Statutes of New Jersey," approved April sixth, one thousand nine hundred and forty (P. L. 1940, c. 29), as heretofore amended.

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 amended to read as follows:

C. App. A:4-13. Section amended.

1. The board of education of any school district which is governed by chapter seven of Title 18 of the Revised Statutes of New Jersey shall have power to issue its negotiable bonds (hereinafter

Power to issue refunding bonds.

described as "refunding bonds") for the purpose of paying, funding or refunding either the principal of or interest on any bonds or notes heretofore or hereafter issued by such board of education and to pay the cost of issuing such refunding bonds including printing, advertising, accounting, financial and legal expenses. Such refunding bonds shall bear interest at a rate which shall not exceed six per centum (6%) per annum. The issuance of such bonds shall be authorized by resolution or resolutions adopted on or before December thirty-first, one thousand nine hundred and forty-seven, by the vote of two-thirds of the members of such board of education. The power and obligation of the board of education of any school district to pay any refunding bonds issued by it pursuant to this act shall be unlimited and the school district shall levy ad valorem taxes upon all the taxable property within the school district for the payment of such refunding bonds and interest thereon, without limitation of rate or amount and provision shall be made for the payment of such bonds and interest in accordance with the requirements of article seven of chapter seven of Title 18 of the Revised Statutes.

Issuance of bonds authorized by resolution.

2. This act shall take effect immediately.

Approved February 26, 1945.

CHAPTER 28

AN ACT concerning elections in municipalities operating under the municipal manager form of government law, and supplementing chapter eighty-four of Title 40 of the Revised Statutes.

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

C. 40:84-11.1. Municipal clerk to prepare military service ballots.

1. The municipal clerk shall cause the military service ballots, for use in any election under the act to which this act is a supplement, to be printed as required by the provisions of Title 19 of the Revised Statutes, but he shall not cause any municipal election ballots to be printed for use in the polling places in such municipality before the thirtieth day preceding such municipal election.

2. This act shall take effect immediately.

Approved February 26, 1945.

CHAPTER 29

AN ACT concerning elections in municipalities operating under the commission form of government law, and supplementing chapter seventy-five of Title 40 of the Revised Statutes.

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

C. 40:75-11.1. Municipal clerk to prepare military service ballots.

1. The municipal clerk shall cause the military service ballots, for use in any election under the act to which this act is a supplement, to be printed as required by the provisions of Title 19 of the Revised Statutes, but he shall not cause any

municipal election ballots to be printed for use in such election in the polling places in such municipality before the thirtieth day preceding such municipal election.

2. This act shall take effect immediately.

Approved February 26, 1945.

CHAPTER 30

AN ACT concerning municipal finances.

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

Emergency appropriation for canvassing.

1. In the year one thousand nine hundred and forty-five, before or after the final adoption of the budget of any municipality, said municipality may, by resolution declaring the existence of an emergency brought about by the necessity of canvassing all persons connected with the armed services, adopted by a vote of two-thirds of all the members of the governing body, make any emergency appropriations for such purpose; *provided,* such resolution receives the approval of the director of local government. The amount of all such appropriations shall be included in the budget of such municipality as finally adopted or, if too late for inclusion in the final budget, shall be certified to the county board of taxation and included by said county board of taxation in the amount to be raised by taxation for purposes of the taxing district.

Proviso.

2. This act shall take effect immediately.

Approved February 26, 1945.

CHAPTER 31

AN ACT authorizing and directing the State Highway Department to operate, maintain and eventually demolish the Rutherford avenue bridge across the Passaic river between Passaic and Bergen counties under certain circumstances.

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

Convey title to State highway department.

1. When the counties of Passaic and Bergen convey title to the State Highway Department in and to the Rutherford avenue bridge, herein more particularly described, then the State Highway Department shall be and it is hereby empowered and directed to accept such conveyance and to enter upon and take possession of all the Rutherford avenue bridge which crosses over the Passaic river, the easterly end of said bridge being located in the borough of Rutherford and the township of Lyndhurst, in Bergen county, and the westerly end thereof being located in the city of Clifton, in Passaic county.

State highway department to operate bridge.

2. The State Highway Department upon receiving title to the Rutherford avenue bridge shall maintain and operate and continue to maintain and operate said Rutherford avenue bridge, and pay all the costs and expenses in the maintenance and operation of said bridge and its employees, for the use of traffic over and across said bridge, until a new bridge is built, constructed and placed in operation for the use of pedestrian and vehicular traffic over and across the Passaic river, which is to be part of Route S-3 of the State highway system and is to replace the present Rutherford avenue bridge.

State highway department to remove bridge.

3. When the new bridge aforesaid is placed in operation for the use of pedestrian and vehicular traffic, the State Highway Department shall there-

after forthwith remove, take down and demolish the present Rutherford avenue bridge at the cost and expense of the State.

4. This act shall take effect immediately.

Approved February 26, 1945.

CHAPTER 32

AN ACT to amend and supplement "An act to promote the mediation, conciliation and arbitration of labor disputes and the creation of a board of mediation for the promotion thereof," approved April thirtieth, one thousand nine hundred and forty-one (P. L. 1941, c. 100).

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

Section amended.

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

C. 34:13A-4. State Board of Mediation.

4. State Board of Mediation; establishment; membership. There is hereby established in the Department of Labor a board to be known as the New Jersey State Board of Mediation. The membership of such board shall consist of seven persons to be appointed by the Governor, by and with the advice and consent of the Senate. Of such members, two shall be representative of employees, two shall be representative of employers and three shall be representative of the public. Of the members first appointed, one shall be appointed for a term of one year; two for a term of two years and two for a term of three years. Of the two additional members provided for by this amendment, the original appointees shall hold office for two years. Their successors shall be appointed for terms of three years. The chairman of the board shall be a member who shall have been designated a represen-

Membership.

tative of the public and who shall be named as chairman by the Governor: the chairman so named shall serve as chairman during his term as a member of the board. A vacancy occurring in the membership of the board for any cause, other than expiration of term, shall be filed by the Governor and the person so appointed shall hold office for the unexpired term of the member whose office has become vacant.

Governor to designate.

Of the members whose terms have not expired, the Governor shall designate each as a representative of either employees or employers or the public, which designation shall be filed with the Secretary of State, and all appointments hereafter made shall include a designation indicating that such appointee is to be a representative of employees, employers or the public, as the case may be.

Section amended.

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

C. 34:13A-9. Personnel.

9. Personnel; compensation. (1) For the performance of its work, under this act, the board may request and shall avail itself of and utilize the service of any officer or employee of the Department of Labor who shall render such assistance as the board may require without additional compensation. The board may, within the amount available therefor by appropriation, appoint a secretary and such other assistants and employees as it may require for the consummation of its work, prescribe their duties and fix their compensation. (2) Each member of the board shall be entitled to be reimbursed for his traveling and other expenses actually and necessarily incurred by him in the performance of his duties, and, in addition, shall receive a per diem allowance of twenty-five dollars ($25.00) for each day, or part thereof, spent in the rendition of service to or for the board under this act; *provided, however,* that no member shall in any case receive per diem compensation as such member in an amount in excess of five thousand dollars ($5,000.00) for any one fiscal year.

Compensation.

C. 34:13A-10.1. No member to take part in any proceeding.

3. No member of the board shall take any part, directly or indirectly, in any proceeding involving any relation between employees and employers before any board, bureau, commission, officer or court, unless such member in such proceeding takes the part of the same group whether employees, employers, or the public, as he represents on the Board of Mediation.

Member not to be member of or employee of any other public board.

No member of the board shall be a member or employee of any other public board, body, commission, bureau or agency which deals with employer and employee relations, whether Federal, State or local, except that he may be a member of any such board, body, commission, bureau or agency if his membership thereon is as a representative of the same group, whether employees, employers or the public, as it is on the Board of Mediation.

4. This act shall take effect immediately.

Approved March 13, 1945.

CHAPTER 33

AN ACT concerning State finances.

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

C. 52:9H-1. One budget.

1. The budget message of the Governor shall contain his budget recommendations for all appropriations to be made from State revenues under one budget.

C. 52:9H-2.

2. All State revenues which are now payable into the General State Fund and all State revenues which are now payable into the State Highway Fund shall after June thirtieth, one thousand nine hundred and forty-five, be payable and be paid into the General State Fund. All uncommitted balances as of July first, one thousand nine hundred and forty-five, in the State Highway Fund shall be paid

All revenues payable into General State Fund.

into the General State Fund. All lapses in the State Highway Fund after June thirtieth, one thousand nine hundred and forty-five, shall be paid into the General State Fund.

C. 52:9H-3. One general appropriation law.

3. So far as known or can be reasonably foreseen, all needs for the support of the State Government and for all other State purposes shall be provided for in one general appropriation law covering one and the same fiscal year except that, if change in fiscal year is made, necessary provision may be made to effect the transition.

C. 52:9H-4. "Mandatory dedications."

4. Nothing in this act shall be construed to change or affect in any way the payment or the amount of payment of moneys now or heretofore made under any items designated in former State highway appropriation acts as "mandatory dedications" or the payment or amount of payment of any moneys into or out of any dedicated fund.

5. This act shall take effect immediately.

Approved March 13, 1945.

CHAPTER 34

AN ACT concerning the disposition of certain moneys received and to be received by the State as interest on past due railroad taxes.

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

Moneys received as interest retained in State treasury.

1. All moneys received by the State as interest on past due railroad taxes and held by the State Treasurer on January thirtieth, one thousand nine hundred and forty-five, shall be retained in the State Treasury as part of the general State funds, subject to appropriation hereafter by the Legislature; *provided, however,* that moneys may be withdrawn therefrom without further appropriation, Proviso.

pursuant to the provisions of "An act for the relief of certain municipalities," approved January thirtieth, one thousand nine hundred and forty-five (P. L. 1945, c. 4), "An act for the relief of school districts," approved January thirtieth, one thousand nine hundred and forty-five (P. L. 1945, c. 5), and "An act making an appropriation to the municipalities of this State to be used for the purposes of tax reduction," approved January thirtieth, one thousand nine hundred and forty-five (P. L. 1945, c. 6).

Moneys received as interest after January 30, 1945.

2. All moneys received and which shall be received by the State after January thirtieth, one thousand nine hundred and forty-five, as interest on past due railroad taxes shall be retained in the State Treasury as part of the general State funds, subject to appropriation hereafter by the Legislature.

3. This act shall take effect immediately.

Approved March 13, 1945.

CHAPTER 35

AN ACT concerning townships, and amending section 40:150–1 of the Revised Statutes.

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

Section amended.

1. Section 40:150–1 of the Revised Statutes is amended to read as follows:

Township committee may provide for removal of snow.

40:150–1. The township committee of any township may, at the expense of the township, repair and maintain, provide for the removal of snow, ice and other obstructions from, and provide for lighting of, any roads or streets upon which the public travel is sufficient, in the opinion of said township committee, to warrant such expenditures, even

though such roads or streets shall not have been taken over by said township or dedicated and accepted as public highways.

2. This act shall take effect immediately.

Approved March 14, 1945.

CHAPTER 36

AN ACT concerning elections, and amending sections 19:31–6 and 19:31–7 of the Revised Statutes.

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

1. Section 19:31–6 of the Revised Statutes is amended to read as follows: Section amended.

19:31–6. In counties of the first class the members of the county board may, and the commissioner or a duly authorized clerk or clerks acting for him shall, up to and including the fortieth day preceding any election, and in counties other than counties of the first class up to and including the fortieth day preceding any election, and after any such election, receive the application for registration of all eligible voters who shall personally appear for registration during office hours, at the office of the commissioner or at such other place or places as may from time to time be designated by him for registration, and who have the qualifications as herein provided. Any eligible voter who applies for registration shall subscribe to the following oath or affirmation, viz.: Application for registration.

"You do solemnly swear (or affirm) that you will fully and truly answer such questions as shall be put to you touching your eligibility as a voter under the laws of this State." Oath.

Applicant to answer questions.

Upon being sworn the applicant shall answer such questions as are provided for in the original and duplicate permanent registration forms hereinbefore set forth, and the person receiving the application shall fill out the forms which the applicant shall sign. If an eligible voter is unable to write his name, he shall be required to make a cross, which shall be followed by the writing of the words "his or her mark," as the case may be, by the person receiving the application, and such applicant shall answer the additional questions required under this Title. Such additional questions shall be sworn to or affirmed in the manner above provided. Registration by mail is specifically prohibited.

If eligible voter unable to write.

Section amended.

2. Section 19:31–7 of the Revised Statutes is amended to read as follows:

19:31–7. For the convenience of the voters the respective municipal clerks or their duly authorized clerk or clerks in all municipalities, with the exception of those municipalities in which the county seat of such county is located, shall also be empowered to register applicants for permanent registration at their respective offices, up to and including the fortieth day preceding any election in counties of the first class, and up to and including the fortieth day preceding any election in counties other than counties of the first class and after any such election, in the manner indicated above, subject to such rules and regulations as may be prescribed by the commissioner. For this purpose the commissioner shall forward to each municipal clerk a sufficient supply of the original and duplicate permanent registration forms. The commissioner shall keep a record of the serial numbers of these forms and shall periodically make such checks as are necessary to accurately determine if all such forms are satisfactorily accounted for. Each municipal clerk shall transmit daily to the commissioner in a stamped envelope to be prepared and supplied by the commissioner all of the filled out registration forms that he may have in his office at the time.

Persons empowered to register applicants.

Commissioner to supply forms.

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

4. This act shall take effect immediately.

Approved March 14, 1945.

CHAPTER 37

AN ACT concerning municipalities, and supplementing chapter sixty-two of Title 40 of the Revised Statutes.

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

May provide by ordinance for construction of extension of water system.

1. The governing body of any municipality, not owning a water system, may, by ordinance, provide for the construction, at the expense of the municipality generally, of an extension to any then existing water system for the purpose of supplying water service to any public school or municipal building within said municipality and for the furnishing of water service to such public school or municipal building by means of such extension.

2. This act shall take effect immediately.

Approved March 14, 1945.

CHAPTER 38

AN ACT concerning oysters and clams, and amending sections 50:2–10 and 50:3–6 of the Revised Statutes.

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

Section amended.

1. Section 50:2–10 of the Revised Statutes is amended to read as follows:

Power boats.

50:2–10. No boat, or vessel, propelled wholly or in part by steam, naphtha, gasoline, electricity or any other mechanical motive power, shall engage in the catching or taking of shellfish from any of the natural beds, under the tidal waters of this State, while so mechanically propelled, except as otherwise specifically provided in section 50:3–6 of this Title.

Section amended.

2. Section 50:3–6 of the Revised Statutes is amended to read as follows:

50:3–6. No boat or vessel, propelled wholly or in part by mechanical power, shall be operated in the catching or taking of oysters or clams from any of the natural beds under the tidal waters of the Delaware river, Delaware bay, and their tributaries, in this State, without first detaching and removing the propeller, or wheel, from the driving shaft thereof; except that any licensed vessel equipped with not more than two dredges at any one time may be propelled wholly or in part by steam, naphtha, gasoline, electricity or any other mechanical motive power, while being used in the catching or taking of oysters and clams from the oyster beds under the tidal waters of this State in Delaware river, Delaware bay, Maurice River cove and Cohansey river, except the beds, creek and rivers, excluding the Cohansey river, described in section 50:3–14 of this Title, and the lands under the waters of Delaware bay southwesterly of a line northwest

Removal of propeller.

Exceptions.

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 and oysters and clams may be caught and taken therefrom by means of such boats and dredges beginning at 6:00 Ante Meridian Standard Time, quitting at 2:30 Post Meridian Standard Time, each day, except on Saturdays, during the months of May and June, subject to the power of said Board of Shell Fisheries, by rule and regulation, to prohibit the taking or catching of oysters and clams in such manner from such of said beds and for such time as, in the judgment of said board, may be necessary in order to close said beds for purposes of conservation.

3. This act shall take effect immediately.

Approved March 19, 1945.

CHAPTER 39

AN ACT for the preservation and improvement of certain of the natural oyster beds and seed grounds of this State; providing for the issuance of licenses to persons engaging in the business of opening, shucking, processing, and packing oysters taken from the tidal waters of the Delaware river, Delaware bay, the Maurice river cove and their tributaries, and of persons engaging in the business of planting and growing oysters originating in the said tidal waters and of selling the same in the shells to certain other persons and of persons engaging in the business of purchasing oysters so originating in the shells from planters or growers of such oysters for the

purpose of resale, or shipment for resale, or for use other than the use of themselves and their families, in the shells; providing for the compensation to be made for the issuance of such licenses and for the method of payment or delivery of the same; providing penalties for violations; limiting the right of the Board of Shell Fisheries to lease lands of the State lying under said tidal waters; supplementing Title 50 of the Revised Statutes, and repealing "An act for the preservation and improvement of certain of the natural oyster beds and seed grounds of this State and providing for the issuance of licenses to persons engaged in the business of opening, shucking, processing and packing of oysters, taken from the tidal waters of the Delaware river, the Delaware bay, the Maurice river cove and their tributaries, for sale, within this State and persons engaged in the business of purchasing oysters so taken in the shells from growers within this State for the purpose of resale or shipment for resale or use other than the use of such persons and their families and of persons engaged in the business of packing and shipping oysters, grown by them in said tidal waters, in the shells for resale or such use; providing for the compensation to be paid for the issuance of such licenses and for the method of calculating the same and providing penalties for violations, and supplementing Title 50 of the Revised Statutes," filed April twelfth, one thousand nine hundred and forty-three (P. L. 1943, c. 182).

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

1. As used in this act, the terms: C. 50:3-20.10.

"Oyster shucking house" means a plant for the opening, shucking, processing and packing of oysters which originate on the natural oyster beds in the tidal waters of the Delaware river, the Delaware bay or the Maurice river cove or any of their tributaries; Oyster shucking house.

"Oyster planter" means any person who plants and grows oysters so originating and who sells oysters so planted and grown, in the shells, to persons required to be licensed under this act; Oyster planter.

"Oyster dealer" means any person who, for himself or as an agent or broker, purchases from oyster planters, within this State, oysters so originating, in the shells, for purpose of resale or shipment for resale or for use other than the use of himself and his family, in the shells, and, also, any person who plants and grows oysters so originating and packs and ships or otherwise sells oysters so originating, in the shells, to persons not required to be licensed under this act. Oyster dealer.

2. It shall be unlawful for any person to operate within this State an oyster shucking house or to engage in or carry on the business of an oyster planter or an oyster dealer, as defined in this act, without first obtaining a license so to do from the Board of Shell Fisheries as provided in this act. C. 50:3-20.11. License required.

3. Such license, when issued, shall authorize the licensee to operate the oyster shucking house therein named or to engage in and conduct the business of an oyster planter or an oyster dealer, as the case may be, for the term of one year beginning on the fifteenth day of August and ending on the fourteenth day of August following. C. 50:3-20.12. Term of license.

4. The license to conduct an oyster shucking house shall be issued upon the payment of a license fee of ten dollars ($10.00). C. 50:3-20.13.

5. The license to engage in the business of an oyster planter shall be issued in consideration of the agreement of the licensee to deliver to the C. 50:3-20.14. License of oyster planter.

Board of Shell Fisheries, at the times and in the manner prescribed in this act, the shells taken, in the process of opening or shucking, from sixty per centum (60%) of all of the oysters which originate on the natural oyster beds under the tidal waters of the Delaware river, Delaware bay or the Maurice river cove or any of their tributaries, and delivered by the licensee or for his account to shucking houses licensed under this act.

C. 50:3-20.15. License of oyster dealer.

6. The license to engage in the business of an oyster dealer shall be issued in consideration of the agreement of the licensee to pay to the Board of Shell Fisheries the sums prescribed to be paid by this act in lieu of the delivery of oyster shells.

C. 50:3-20.16. Oyster shells returned to State.

7. Said oyster shells so to be returned to the State shall be returned by the respective oyster planters by whom or for whose account they are delivered to the respective oyster shucking houses and shall be stored and loaded on boats, to be furnished by such oyster planters by the operators of such oyster shucking houses and shall be planted or spread upon said natural oyster beds, at the cost and expense of said oyster planters, at times and places to be designated by the Board of Shell Fisheries after consultation with representatives of the Delaware Bay Oyster Planters Association.

C. 50:3-20.17. Costs.

8. The cost of storage and loading of such shells upon boats shall be paid to the operators of the respective oyster shucking houses by the State through the Board of Shell Fisheries at a price to be fixed by said board, but not to exceed four cents ($0.04) per bushel.

C. 50:3-20.18. Oysters sold in shells.

9. In the case of oysters packed and shipped or otherwise sold in the shells by oyster dealers to persons not required to be licensed under this act, the respective oyster dealers shall pay to the State of New Jersey the true, fair, cash, market value of the oyster shells so packed and shipped and otherwise sold, as fixed by the Board of Shell Fisheries, under the provisions of this act, on the basis of one bushel of shells for each bushel of oysters so sold or shipped which payments shall be made as statements are submitted.

C. 50:3-20.19. File monthly report.

10. Every operator of an oyster shucking house licensed under this act shall submit, in writing, monthly, a verified statement or report of the number of bushels of oysters so originating, purchased from each oyster planter or oyster dealer licensed under this act during the preceding month and every oyster dealer licensed under this act shall likewise submit, in writing, each month, a verified statement or report of the number of bushels of oysters so originating, purchased from each oyster planter or oyster dealer licensed under this act and the number of bushels of oysters packed and shipped and otherwise sold, in the shells, to persons not licensed under this act and the number of bushels of oysters so originating, packed and shipped and otherwise sold to persons licensed under this act, which statement or report shall be furnished on or before the fifteenth day of the month following the month for which such statement is made.

C. 50:3-20.20. Board of shell fisheries to make survey.

11. The Board of Shell Fisheries shall, between June first and July first of each year, make a survey and determine the locations in which, in the judgment of the board, oyster shells should be returned to the natural oyster beds lying within said tidal waters within the year beginning on said first day of July in order to prevent depletion of said natural oyster beds and seed grounds and in order to improve the same and effectuate an increase in the nation's food supply, and shall, at the same time, ascertain the number of bushels of oyster shells to be returned to the State by each licensed oyster planter, and to be stored and loaded on boats by the operators of the respective oyster shucking houses, as required by this act, and, at the same time, shall fix the price to be paid to the operators of the respective oyster shucking houses by the State for storing and loading such shells and shall ascertain the true, fair, cash, market value of oyster shells per bushel to be paid in lieu of the return of oyster shells under this act during said year.

C. 50:3-20.21. Moneys to be used by board.

12. All moneys received as license fees and in lieu of the return of oyster shells under the provisions of this act shall be used by the Board of Shell Fisheries for the purchase of oyster shells and oysters which shall be spread over and planted in said natural oyster beds and seed grounds of the State and to establish and maintain oyster sanctuaries.

C. 50:3-20.22. Board to make rules.

13. The Board of Shell Fisheries shall have power to make rules and regulations for the carrying out of the purposes of, and enforcement of, the provisions of this act.

C. 50:3-20.23. Penalty.

14. Any person violating any of the provisions of this act or the terms of any license issued hereunder or any regulation of the board made pursuant hereto shall be liable to a penalty of not less than one hundred dollars ($100.00) nor more than three hundred dollars ($300.00) for the first offense, and not less than two hundred dollars ($200.00) nor more than five hundred dollars ($500.00) for any subsequent offense, which penalties shall be enforced and recovered in the manner prescribed by chapter five of Title 50 of the Revised Statutes, to which Title this act is a supplement.

C. 50:3-20.24. License suspended or revoked.

15. In addition to the penalties prescribed by the preceding section of this act, the license of any licensee may be suspended or revoked by the board for violation of any of the provisions of this act, or the terms of any license issued hereunder or any rule or regulation of the board made pursuant hereto. Before any license shall be suspended or revoked a notice shall be served upon the licensee, which notice shall specify the grounds for such proposed suspension or revocation and shall fix a time and place for hearing. Such notice shall be served upon the licensee either personally or by leaving the same at his place of business or residence at least ten days before the time fixed for the hearing. At the time and place fixed in the notice, or at any time and place to which the hearing shall be adjourned, the board shall hear the matter in a summary way. The accused person

Notice.

Service of notice.

shall have the right to be represented by counsel of his own selection. The president and the director of the board shall have the right to administer oaths to witnesses, and the board may issue subpœnas, signed by its president and secretary, for compulsory attendance of witnesses at such hearing. Upon the request of the accused licensee or his counsel, the board shall issue subpœnas to compel the attendance of witnesses in behalf of the accused licensee, which subpœnas when issued shall be delivered to the accused licensee or his counsel. Process for the compulsory attendance of witnesses shall be effective if served upon the person named therein anywhere within this State, if, at the time of such service, the fees provided by law for witnesses in civil cases are paid or tendered to such person. Any person upon whom a subpœna shall have been served and to whom a fee has been so paid or tendered, who shall not appear according to the command thereof, having no lawful or reasonable excuse for such default, shall be liable to a penalty of fifty dollars ($50.00) which shall be sued for and recovered by the board in the manner herein provided for the recovery of penalties incurred under this act.

Board may issued subpœnas.

Penalty for not appearing.

C. 50:3-20.25. Certain persons not required to obtain license.

16. No person, to whom the Board of Shell Fisheries has leased lands of the State, under the tidal waters thereof, to be exclusively used and enjoyed by such lessee for the planting and cultivation of oysters and clams, shall be required to obtain a license under this act for the carrying on of the business of an oyster planter or oyster dealer on said lands, so long as such lease shall be in effect, but no lease of any such lands under the tidal waters of the Delaware river, the Delaware bay, the Maurice river cove, or their tributaries shall be made hereafter by said board except to a person having a license as an oyster planter or oyster dealer under this act and the Board of Shell Fisheries may grant such licenses to lessees under such existing leases who shall apply for the same and such licenses shall be valid and the licensees there-

under shall be subject to the terms of this act notwithstanding that the licensees are the holders of such subsisting leases.

C. 50:3-20.26. Act repealed.

17. "An act for the preservation and improvement of certain of the natural oyster beds and seed grounds of this State and providing for the issuance of licenses to persons engaged in the business of opening, shucking, processing and packing of oysters, taken from the tidal waters of the Delaware river, the Delaware bay, the Maurice river cove and their tributaries, for sale, within this State and persons engaged in the business of purchasing oysters so taken in the shells from growers within this State for the purpose of resale or shipment for resale or use other than the use of such persons and their families and of persons engaged in the business of packing and shipping oysters, grown by them in said tidal waters, in the shells for resale or such use, providing for the compensation to be paid for the issuance of such licenses and for the method of calculating the same and providing penalties for violations, and supplementing Title 50 of the Revised Statutes," filed April twelfth, one thousand nine hundred and forty-three, is repealed.

18. This act shall take effect immediately.

Approved March 19, 1945.

CHAPTER 40

AN ACT concerning elections, and amending section 19:32–16 of the Revised Statutes.

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

1. Section 19:32–16 of the Revised Statutes is amended to read as follows: Section amended.

19:32–16. The superintendent, before signing such order in writing to any district board, shall give notice of his proposed action to such registered person, (1) personally or (2) by leaving the same at the person's registered place of residence with a person above the age of fourteen years, if any such person can be found, and if not, by affixing the same to the outer door of such place of residence or to any other portion of such premises if no building be found thereon, or (3) by sending the same by mail addressed to the person at his registered place of residence at least two entire days before the issuance of the order. The superintendent also shall cause a list of the names of such persons, with their registry addresses, to be published at least two entire days before the issuance of the order in two or more newspapers published within the county, at least one of which shall be a daily newspaper. Superintendent to give notice. List of names published.

Such published notice, in addition to containing the names and addresses of such persons, shall give notice to them of the proposed action of the superintendent. No such order in writing shall be signed by the superintendent subsequent to the Tuesday preceding an election.

2. This act shall take effect immediately.

Approved March 21, 1945.

CHAPTER 41

AN ACT to confirm and validate discharges or satisfactions of mortgages made by building and loan associations or savings and loan associations.

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

Validating.

1. Any discharge or satisfaction of mortgage heretofore made by a building and loan association or savings and loan association affecting lands, tenements or hereditaments situated in this State is hereby validated and confirmed, notwithstanding that there has not been attached thereto an affidavit stating that the original mortgage had been lost or destroyed in compliance with section 46:18–8 of the Revised Statutes of New Jersey; *provided,* such discharge or satisfaction of mortgage was executed by the person who was the president or a vice-president thereof, or by duly authorized officers, representatives or agents thereof, or by the trustees in voluntary dissolution and liquidation, or by the Commissioner of Banking and Insurance, in possession of such association pursuant to the statute in such case made and provided, and the said discharge or satisfaction of mortgage has been recorded for at least two years; and any and all such discharges or satisfactions of mortgages and the record thereof shall be as valid and effectual in law and in equity as if there had been attached thereto an affidavit stating that the original mortgage had been lost, or destroyed.

Proviso.

2. This act shall take effect immediately.

Approved March 21, 1945.

CHAPTER 42

AN ACT to amend "An act concerning the compensation of teachers in the public schools, and supplementing chapter thirteen of Title 18 of the Revised Statutes," approved June nineteenth, one thousand nine hundred and forty-two (P. L. 1942, c. 256).

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 is amended to read as follows: Section amended.

1. Female teachers in the public schools shall be paid compensation equal to that paid to male teachers holding similar positions and employments with similar training and terms of service. C. 18:13-10.1. Compensation paid to female teachers.

2. This act shall take effect July first, one thousand nine hundred and forty-five. C. 18:13-10.1A.

Approved March 21, 1945.

CHAPTER 43

AN ACT concerning county hospitals for communicable diseases, and amending section 30:9–40 of the Revised Statutes.

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

1. Section 30:9–40 of the Revised Statutes is amended to read as follows: Section amended.

30:9–40. The board of managers or hospital committee, through its employees, shall remove and convey to the county hospital for communicable diseases each person within the county afflicted with a contagious or infectious disease, or showing pro- Removal of persons with contagious disease.

nounced symptoms thereof, whenever the disease is of such character, or the residential conditions are such that removal to the hospital is necessary to prevent contagion or infection, under such suitable regulations as the board of managers or hospital committee may prescribe, with the purpose of preventing the spread of disease. The board of managers or hospital committee, through its employees, shall have authority to admit and treat, under suitable restrictions prescribed by the management, persons suffering with rheumatic fever.

2. This act shall take effect immediately.

Approved March 21, 1945.

CHAPTER 44

AN ACT concerning counties of the first class, and amending section 30:8–15 of the Revised Statutes.

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

Section amended.

1. Section 30:8–15 of the Revised Statutes is amended to read as follows:

Appointment of warden of county jail.

30:8–15. The board of chosen freeholders of each county of the first class shall appoint for a term of three years a warden of the penitentiary, a warden of the county jail, a physician for the penitentiary and a physician for the county jail. The terms of office of all such officers now holding office shall expire on January first, one thousand nine hundred and forty-six, and thereafter all appointments shall be made for the term of three years. All vacancies in said offices caused by death, resignation or otherwise shall be filled by the board of chosen freeholders for the unexpired terms.

2. This act shall take effect immediately.

Approved March 21, 1945.

CHAPTER 45

AN ACT concerning municipalities, and supplementing chapter forty-eight of Title 40 of the Revised Statutes.

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 municipality to make appropriations, not to exceed two thousand dollars ($2,000.00) in any one year, to any military service organizations, or organizations to honor and assist men and women serving in the armed forces of the United States for the purpose of defraying the expense of maintaining such organizations in whole or in part. C. 40:48-9.2. Appropriation to military service organizations.

2. This act shall take effect immediately, and shall remain in effect so long as the United States of America continues in the present war. C. 40:48-9.3.

Approved March 21, 1945.

CHAPTER 46

AN ACT to provide for the receiving as evidence in any court, office or other place in this State, official findings, records, reports, or certified copies thereof, of death, presumed death, missing or other status, of any person, issued by the Secretaries of War and Navy, the United States Maritime War Emergency Board, and other Federal officers and employees.

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

1. A written finding of presumed death, made by the Secretary of War, the Secretary of the Navy, the United States Maritime War Emergency Board, C. 2:101-1.1. Written finding of presumed death.

or other officer or employee of the United States authorized to make such finding, pursuant to the Federal Missing Persons Act, as now or hereafter amended, or a duly certified copy of such finding, shall be received in any court, office or other place in this State as presumptive evidence of the death of the person therein found to be dead, and the date, circumstances and place of his disappearance.

C. 2:101-1.2. Written report received in any court.

2. An official written report or record, or duly certified copy thereof, that a person is missing, missing in action, interned in a neutral country, or beleaguered, besieged or captured by an enemy, or is dead, or is alive, made by such board or by any officer or employee of the United States authorized by the act referred to in section one or by any other law of the United States to make same, shall be received in any court, office or other place in this State as presumptive evidence that such person is missing, missing in action, interned in a neutral country, or beleaguered, besieged or captured by an enemy, or is dead, or is alive, as the case may be.

C. 2:101-1.3. Prima facie evidence.

3. For the purposes of section one and section two of this act any finding, report or record, or duly certified copy thereof, purporting to have been signed by such board, or by such an officer or employee of the United States, as is described in said sections, shall prima facie be deemed to have been signed and issued by such an officer or employee pursuant to law, and the person signing same shall prima facie be deemed to have acted within the scope of his authority. If a copy purports to have been certified by a person authorized by law to certify the same, such certified copy shall be prima facie evidence of his authority so to certify.

C. 2:101-1.4. Provisions of act severable.

4. If any provision of this act or the application thereof to any person or circumstance be held invalid, such invalidity shall not affect any other provision or application of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

5. This act shall take effect immediately.

Approved March 21, 1945.

CHAPTER 47

AN ACT empowering the governing bodies of municipalities and boards of commissioners of fire districts to pay the premiums and costs in connection with group forms of life insurance covering members of volunteer fire departments and incorporated fire companies in such municipalities and fire districts, and further empowering said municipalities and boards of commissioners of fire districts to effect, maintain and continue policies of insurance for the protection, health, safety and welfare of the members of such volunteer fire departments and incorporated fire companies, and to pay the premiums therefore.

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

C. 40:47-30.1. Groups formed for this purpose of group plan of life insurance.

1. In any municipality or fire district in this State maintaining a volunteer fire department, or wherein there shall exist one or more incorporated volunteer fire companies affording fire protection to said municipality or fire district, the membership whereof are serving under the jurisdiction of and with the consent of said municipality or fire district and have formed, or may hereafter form themselves into a group or groups, for the purpose of obtaining the advantages of the group plan of life insurance, in any of the plans now in vogue, or any plan which may hereafter be inaugurated, it shall be lawful for the governing body of such municipality, or the board of commissioners of such fire district, by resolution, to appropriate moneys for the purpose of defraying the cost of such insurance and to pay the premiums therefor.

Premiums.

No governing body of any municipality or commissioners of any fire district shall pay any pre-

miums on account of any policy of group life insurance as provided in this act, where the amount payable upon the death of each assured under the terms of said policy exceeds the sum of two thousand five hundred dollars ($2,500.00).

C. 40:47-30.2. Governing body may continue form of insurance.

2. In any municipality, or fire district in this State maintaining a volunteer fire department, or wherein there shall exist one or more incorporated volunteer fire companies affording fire protection to said municipality or fire district, it shall be lawful for the governing body of such municipality, or the board of commissioners of such fire district, to effect, maintain and continue any and all forms of insurance covering the members of said volunteer fire department or incorporated volunteer fire company or companies, other than that provided for in section one hereof, which, in the estimation of said governing body, or board of fire commissioners may be necessary or desirable for the protection, safety and welfare of the members of said volunteer fire department, or incorporated volunteer fire company or companies, or for the protection of said municipality, or fire district, and by resolution, to appropriate from time to time, and pay, such sums of money as may be required to cover the premiums and costs of said insurance, or such portion of the same as said governing body, or board of fire commissioners, in its discretion, may consider proper and advisable.

C. 40:47-30.3. Member not to be considered ineligible.

3. No member of any volunteer fire department or of any incorporated volunteer fire company included within the meaning of this act shall be considered ineligible to receive any of the benefits hereof because he may otherwise receive any form of compensation, wage or salary from said municipality or fire district for any services rendered.

C. 40:47-30.4. Payment of premium.

4. All moneys required and appropriated for the payment of any premiums or costs of insurance as herein provided, shall be raised, collected and paid as other moneys to maintain the fire department, or otherwise providing for the fire protection in

said municipality, or fire district, are raised, collected and paid.

5. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed and this act shall take effect immediately. C. 40:47-30.5.

Approved March 21, 1945.

CHAPTER 48

AN ACT concerning municipal manager form of government, and amending section 40:81–2 of the Revised Statutes.

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

1. Section 40:81–2 of the Revised Statutes is amended to read as follows: Section amended.

40:81–2. The members of the municipal council, except in cities of the fourth class, shall receive the following annual compensation, payable in equal monthly installments: In every such municipality having less than five thousand inhabitants, not less than one hundred and fifty dollars ($150.00) nor more than three hundred dollars ($300.00); five thousand or more and less than ten thousand inhabitants, not less than three hundred dollars ($300.00) nor more than six hundred dollars ($600.00); ten thousand or more and less than forty thousand inhabitants, not less than five hundred dollars ($500.00) nor more than one thousand dollars ($1,000.00); forty thousand or more and less than fifty thousand inhabitants, not less than seven hundred and fifty dollars ($750.00) nor more than one thousand five hundred dollars ($1,500.00); fifty thousand or more and less than one hundred thousand inhabitants, not less than one thousand dollars ($1,000.00) nor more than two thousand dollars Compensation.

($2,000.00); one hundred thousand or more inhabitants, not less than twelve hundred dollars ($1,200.00) nor more than two thousand four hundred dollars ($2,400.00).

Cities of the fourth class.

In cities of the fourth class the members of the municipal council shall receive the following annual compensation, payable in equal monthly installments: In every such municipality having less than five thousand inhabitants, six hundred dollars ($600.00); five thousand or more and less than ten thousand inhabitants, nine hundred dollars ($900.00); ten thousand or more and less than twenty-five thousand inhabitants, twelve hundred dollars ($1,200.00); twenty-five thousand or more and less than fifty thousand inhabitants, fifteen hundred dollars ($1,500.00); fifty thousand or more and less than one hundred thousand inhabitants, two thousand dollars ($2,000.00); one hundred thousand or more inhabitants, two thousand five hundred dollars ($2,500.00).

Except in cities of the fourth class.

Except in cities of the fourth class, the amount of the annual compensation to be paid to each member of the municipal council shall be fixed from time to time by ordinance between the minimum and maximum amounts prescribed by this section, but until such an ordinance has been adopted each such member shall receive the minimum compensation herein provided.

2. This act shall take effect immediately.

Approved March 21, 1945.

CHAPTER 49

AN ACT designating the State College for the Benefit of Agriculture and the Mechanic Arts, the Agricultural Experiment Station, the New Jersey Agricultural Experiment Station, the New Jersey College for Women and the other departments of higher education maintained by the Trustees of Rutgers College in New Jersey collectively as the State University of New Jersey, providing for participation by the State of New Jersey in the management of the State University of New Jersey through ex-officio trustees and through public trustees and for the utilization of its educational facilities for public higher education by the State of New Jersey by appropriation and by contract, extending the visitorial powers of the Board of Visitors and transferring its powers to the State Board of Education, and permitting membership by employees of the State University of New Jersey in the State Employees' Retirement System.

Preamble.

WHEREAS, the Trustees of Queen's College in New Jersey was created a body corporate and politic by royal charter granted November tenth, one thousand seven hundred and sixty-six, which was amended by a royal charter granted March twentieth, one thousand seven hundred and seventy, which also established a college called "Queen's College"; and

Preamble.

WHEREAS, The charter was altered, amended and confirmed by the Council and General Assembly of this State by an act adopted June fifth, one

thousand seven hundred and eighty-one, and again by an act adopted May thirty-first, one thousand seven hundred and ninety-nine; and

Preamble. WHEREAS, the name of Queen's College was changed to "Rutgers College" and the name of the Trustees of Queen's College in New Jersey was changed to "The Trustees of Rutgers College in New Jersey" by an act of the Legislature of this State adopted November thirtieth, one thousand eight hundred and twenty-five; and

Preamble. WHEREAS, the United States of America by an act approved July second, one thousand eight hundred and sixty-two, known as the "First Morrill Act," granted public lands and land scrip to the several States for "the endowment, support and maintenance of at least one college" by each State "where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts, in such manner as the Legislatures of the States may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life," the colleges so endowed, supported and maintained in the several States being known as "Land Grant Colleges"; and

Preamble. WHEREAS, it was provided by the First Morrill Act that no State should be entitled to the benefits thereof unless it should express its acceptance thereof by its Legislature within two years from the date of its approval by the President; and

Preamble. WHEREAS, the State of New Jersey, by an act approved March twenty-first, one thousand eight hundred and sixty-three, accepted the grant of land and land scrip under the First Morrill Act and appointed commissioners to receive from the

Secretary of the Interior of the United States the land scrip to which the State was entitled and, by an act approved April fourth, one thousand eight hundred and sixty-four, directed that the commissioners semiannually pay over to the Trustees of Rutgers College in New Jersey the interest of the fund which might result from the sale of said scrip to be devoted "wholly and exclusively to the maintenance in that department of Rutgers College known as Rutgers Scientific School, of such courses of instruction as (including the courses of instruction already established by said trustees) shall carry out the intent of said Act of Congress in the manner specifically prescribed" by the First Morrill Act, thereby designating Rutgers Scientific School, a Department of Rutgers College maintained by the Trustees of Rutgers College in New Jersey, the Land Grant College in New Jersey, with the direction that the Trustees of Rutgers College in New Jersey should "furnish gratuitous education in said courses of instruction to pupils of said school in such manner as the Legislature shall prescribe" provided that the Trustees of Rutgers College in New Jersey should obligate itself "to erect additional and adequate buildings as soon as the same may become necessary without charge to or upon the State, and in like manner to furnish and provide a suitable tract of land conveniently located for an experimental farm"; and

Preamble.

WHEREAS, the State of New Jersey, by an act approved April fourth, one thousand eight hundred and sixty-four, provided for the appointment by the Governor with the advice and consent of the Senate of a Board of Visitors "to visit the said school at least twice in each year, and to make report thereon to the Legislature" * * * "with general powers of supervision and control"; and

Preamble. WHEREAS, the Trustees of Rutgers College in New Jersey, by resolution dated April thirteenth, one thousand eight hundred and sixty-four, accepted the grant made by the First Morrill Act and the act of the Legislature approved April fourth, one thousand eight hundred and sixty-four, and has since fulfilled and complied with the provisions thereof; and

Preamble. WHEREAS, the commissioners for the sale of the land scrip donated to the State by the United States and for the investment of the proceeds thereof were designated "The Commissioners of the Agricultural College Fund" by an act approved April thirteenth, one thousand eight hundred and sixty-four; and

Preamble. WHEREAS, the United States of America, by an act approved August thirtieth, one thousand eight hundred and ninety, known as the "Second Morrill act," made additional appropriations for "the more complete endowment and maintenance" of Land Grant Colleges established under the act approved July second, one thousand eight hundred and sixty-two, for "instruction in agriculture, the mechanic arts, the English language and the various branches of mathematical, physical, natural and economic science with special reference to their applications in the industries of life, and to the facilities for such instruction," which was accepted by the State of New Jersey by an act of the Legislature approved February tenth, one thousand eight hundred and ninety-one, by which it was directed that moneys received and to be received under the Second Morrill Act should be paid over "to the Treasurer of Rutgers College, for the more complete endowment and maintenance of the Agricultural College or Agricultural Department of the College established" in accordance with the First and Second Morrill Acts; and

WHEREAS, the United States of America, by an Act of Congress approved March fourth, one thousand nine hundred and seven, known as the "Nelson Amendment," made additional appropriations for the endowment and maintenance of Land Grant Colleges; and Preamble.

WHEREAS, the State of New Jersey, by an act approved June thirteenth, one thousand eight hundred and ninety-five, transferred the proceeds of the sale of the land scrip received under the First Morrill Act to the sinking fund of the State and provided for the payment of the income conformably to the First Morrill Act; and Preamble.

WHEREAS, the Charter of March twentieth, one thousand seven hundred and seventy, provided that, in addition to the other trustees therein named, the Governor, the President of the Council, the Chief Justice and the Attorney-General of the Province of New Jersey, for the time being should be ex-officio Trustees of Queen's College and the number of ex-officio trustees was increased by an amendment of the Charter adopted February eighteenth, one thousand nine hundred and twenty-seven, and filed with the Secretary of State February twenty-first, one thousand nine hundred and twenty-seven, so as to include the Chancellor, the President of the Senate, the President of the State Board of Education and the Commissioner of Education during the terms of their respective offices; and Preamble.

WHEREAS, the Charter originally provided that the Governor of the Province of New Jersey should be president of the trustees at their first and every meeting and the Charter was amended by acts of the Legislature adopted June fifth, one thousand seven hundred and eighty-one and May thirty-first, one thousand seven hundred and ninety-nine, so as to provide that the Governor Preamble.

of this State, for the time being, shall, when attending, be president of the trustees at their meetings; and

Preamble. WHEREAS, the State of New Jersey by an act approved March tenth, one thousand eight hundred and eighty, established the New Jersey Agricultural Experiment Station "for the benefit of practical and scientific agriculture, and for the development of our unimproved lands" under the direction and management of a Board of Managers consisting of the Governor of the State, the Board of Visitors of the State Agricultural College, together with the President and the Professor of Agriculture of that College, which was located on the experimental farm acquired by the Trustees of Rutgers College in New Jersey pursuant to the act of the Legislature approved April fourth, one thousand eight hundred and sixty-four, designating the department of Rutgers College known as Rutgers Scientific School as the Land Grant College of New Jersey under the First Morrill Act; and

Preamble. WHEREAS, the United States of America, by an act approved March second, one thousand eight hundred and eighty-seven, known as the "Hatch Act," established in each Land Grant College established under the First and Second Morrill Acts, and appropriated funds therefor, a department to be known and designated as an "Agricultural Experiment Station" "to aid in acquiring and diffusing among the people of the United States useful and practical information on subjects connected with agriculture, and to promote scientific investigation and experiment respecting the principles and applications of agricultural science," which was accepted by the State of New Jersey by an act approved March sixteenth, one thousand eight hundred and eighty-seven, pursuant to which the State by an act approved March fifth, one thousand eight

hundred and eighty-eight, designated that department of Rutgers College known as "Rutgers Scientific School, being said State Agricultural College of New Jersey maintained by the 'Trustees of Rutgers College in New Jersey,' and at which the State Agricultural Experiment Station is established and located," as the college to receive the benefit of the Hatch Act; and

Preamble.

WHEREAS, the United States of America increased the appropriations for agricultural experiment stations established by the Hatch Act by an act approved March sixteenth, one thousand nine hundred and six, known as the "Adams Act," which was accepted by the State of New Jersey by an act approved May third, one thousand nine hundred and six, and by an act approved February twenty-fourth, one thousand nine hundred and twenty-five, known as the "Purnell Act," which was accepted by the State of New Jersey by an act approved March eighteenth, one thousand nine hundred and twenty-five; and

Preamble.

WHEREAS, it was recited in the act of the State of New Jersey approved March fifth, one thousand eight hundred and eighty-eight that the State Agricultural Experiment Station created and established by the act of the State of New Jersey approved March tenth, one thousand eight hundred and eighty, had been located by the Board of Managers thereof, "by the authority given them in the law, * * * at the said State Agricultural College as a part of the agricultural educational system of the State"; and

Preamble.

WHEREAS, the State of New Jersey subsequently established at the New Jersey Agricultural Experiment Station specific research activities in oyster propagation, sewage disposal and poultry husbandry and has charged it with the analysis of milk, butter and other farm products for the Department of Health of the State of New Jersey; and

Preamble. WHEREAS, the United States of America, by an act approved May eighth, one thousand nine hundred and fourteen, known as the "Smith-Lever Act," provided for co-operative extension work in agriculture and home economics by Land Grant Colleges established by the First and Second Morrill Acts "to persons not attending or resident in said colleges" which was accepted by the State of New Jersey by an act approved April sixth, one thousand nine hundred and fifteen, by which it was provided that the extension work should "be carried on in connection with the State College for the Benefit of Agriculture and Mechanic Arts of Rutgers College" and which was further developed by the United States of America by an act approved May twenty-second, one thousand nine hundred and twenty-eight, known as the "Capper-Ketcham Act" which was accepted by the State of New Jersey by an act approved April second, one thousand nine hundred and twenty-nine, by which the Trustees of Rutgers College in New Jersey was authorized and empowered to receive the grants of money appropriated thereby and "to organize and conduct Extension Work in Agriculture and Home Economics in connection with the New Jersey State College of Agriculture, in accordance with the terms and conditions" thereof; and

Preamble. WHEREAS, the United States of America by an act approved June twenty-ninth, one thousand nine hundred and thirty-five, known as the "Bankhead-Jones Act," provided additional support for the instructional work established by the First Morrill Act and supplementary legislation, for the research program established by the Hatch Act and supplementary legislation, and for the co-operative extension work established by the "Smith-Lever Act" and supplementary legislation, which was accepted by the State of New Jersey by Assembly Concurrent Resolution No. 2 of the Session of one thousand nine hundred and thirty-six; and

Preamble. WHEREAS, the State of New Jersey has established at the State Agricultural College of New Jersey by legislative enactment a Department of Ceramics and short courses in agriculture and has provided in whole or in part buildings or equipment for courses of study in engineering, chemistry, physics, biology, agricultural science, home economics and other subjects; and

Preamble. WHEREAS, the State of New Jersey provided by the act approved April fourth, one thousand eight hundred and sixty-four, that pupils gratuitously received into the Rutgers Scientific School pursuant to the First Morrill Act should "be citizens of this State" and should "be admitted into said school upon the same terms, and subject to the same rules and disipline which shall apply to all other pupils of said school, with the single exception that they shall not be required to pay anything for their instruction" and the State of New Jersey has by legislative enactment from time to time since one thousand eight hundred and sixty-six provided free scholarships at the State Agricultural College in order to increase the efficiency of the public school system of the State and has from time to time purchased scholarships from the Trustees of Rutgers College in New Jersey; and

Preamble. WHEREAS, the Land Grant College maintained by the Trustees of Rutgers College in New Jersey and under the general supervision and control of the Board of Visitors to the Agricultural College of New Jersey pursuant to the First and Second Morrill Acts and the acceptance thereof by the State of New Jersey has been variously referred to by the State in legislative enactments as "that Department of Rutgers College known as Rutgers Scientific School," "The Agricultural College," "The Agricultural College of New Jersey," "State Agricultural College," "State

New Jersey State Library

Agricultural College of New Jersey," "The State College for the Benefit of Agriculture and the Mechanic Arts," and "the State College for the Benefit of Agriculture and the Mechanic Arts of Rutgers College"; and

Preamble. WHEREAS, the State of New Jersey by an act approved March fifteenth, one thousand nine hundred and seventeen, designated the Rutgers Scientific School, "being the State Agricultural College, the State College for the benefit of agriculture and the mechanic arts, maintained by the 'Trustees of Rutgers College in New Jersey' and under the general powers of supervision and control of the Board of Visitors of the State Agricultural College," the State University of New Jersey, "under the same general powers of supervision and control of the same board of visitors"; and

Preamble. WHEREAS, the Trustees of Rutgers College in New Jersey established the New Jersey College for Women as a Department of the State University of New Jersey maintained by the trustees under the general powers of the Board of Visitors by resolutions adopted April twelfth, one thousand nine hundred and eighteen, and October tenth, one thousand nine hundred and nineteen, respectively; and

Preamble. WHEREAS, the State of New Jersey by an act approved March nineteenth, one thousand nine hundred and twenty, established a course of study in aeronautical engineering at the State University of New Jersey; and

Preamble. WHEREAS, the New Jersey College of Pharmacy was made an integral part of Rutgers University and the State University of New Jersey, co-ordinate with other colleges of the university and responsibility for its government and management was accepted by the Trustees of Rutgers

College in New Jersey by a resolution adopted January fourteenth, one thousand nine hundred and twenty-seven; and

Preamble. WHEREAS, the functions of the Land Grant College maintained by the Trustees of Rutgers College in New Jersey and under the general supervision and control of the Board of Visitors of the State Agricultural College pursuant to the laws of the United States of America and the laws of the State of New Jersey above referred to and the functions of the Agricultural Experiment Station maintained by the Trustees of Rutgers College in New Jersey pursuant to the laws of the United States of America and of the State of New Jersey above referred to and the functions of the New Jersey Agricultural Experiment Station established by the act of the State of New Jersey above referred to, have been and are performed in buildings erected upon lands and with equipment owned in part by the Trustees of Rutgers College in New Jersey and in part by the State of New Jersey and the Trustees of Rutgers College in New Jersey maintains other essential departments of higher education in buildings erected upon lands and with equipment owned by it; and

Preamble. WHEREAS, the Trustees of Rutgers College in New Jersey owns and maintains administration buildings and offices, chapels, libraries, dormitories and dining halls, gymnasiums, athletic buildings and grounds, student recreation buildings, infirmaries and other administrative and general service facilities, which serve and are utilized by the Land Grant College, the Agricultural Experiment Station, the New Jersey Agricultural Experiment Station and the educational departments maintained by the Trustees of Rutgers College in New Jersey; and

Preamble. WHEREAS, the Land Grant College is maintained by the Trustees of Rutgers College in New Jersey under the general supervision and control of the Board of Visitors of the State Agricultural College, the Agricultural Experiment Station is maintained by the Trustees of Rutgers College in New Jersey, the New Jersey Agricultural Experiment Station is under the direction and management of a Board of Managers consisting of the Governor of the State, the Board of Visitors of the State Agricultural College and the President and Professor of Agriculture of that college, and other departments of higher education are maintained by the Trustees of Rutgers College in New Jersey and the administrative and general service departments and property are owned by and maintained by it; and

Preamble. WHEREAS, in view of this long and fruitful association of the State of New Jersey and the Trustees of Rutgers College in New Jersey in the development of public higher education, it is desirable and in the public interest that the historic relationship between the State of New Jersey and the Trustees of Rutgers College in New Jersey be perpetuated and extended for the improvement and strengthening of public higher education and to increase the efficiency of the public school system of the State;

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

C. 18:22-15.1. State College for the Benefit of Agriculture and Mechanic Arts.

1. The State College for the Benefit of Agriculture and the Mechanic Arts maintained by the Trustees of Rutgers College in New Jersey and under the general supervision and control of the Board of Visitors of the State Agricultural College,

Agricultural Experiment Station.

The Agricultural Experiment Station maintained by the Trustees of Rutgers College in New Jersey,

The New Jersey Agricultural Experiment Station managed and directed by the Board of Managers, New Jersey Agricultural Experiment Station.

The New Jersey College for Women, New Jersey College for Women.

And the other departments of higher education maintained by the Trustees of Rutgers College in New Jersey

be collectively designated as the State University of New Jersey to be utilized as an instrumentality of the State for providing public higher education and thereby to increase the efficiency of the public school system of the State. State University of New Jersey.

2. The Trustees of Rutgers College in New Jersey recognizes and declares by its acceptance of this act as hereinafter provided that its property and educational facilities are impressed with a public trust for higher education of the people of the State. C. 18:22-15.2. Acceptance.

3. The Charter of the Trustees of Rutgers College in New Jersey shall be amended by it by adding to the trustees, by virtue of their respective offices and during the terms thereof, the Speaker of the House of Assembly, the State Comptroller, the State Treasurer, and the State Commissioner of Taxation and Finance. C. 18:22-15.3. Charter amended.

4. The Charter of the Trustees of Rutgers College in New Jersey shall be amended by it by adding to the trustees five public trustees to be appointed by the Governor with the advice and consent of the Senate for terms of five years each. One member shall be appointed for a term of five years, one for a term of four years, one for a term of three years, one for a term of two years, and one for a term of one year commencing on the first day of July, one thousand nine hundred and forty-five. Commencing in the year one thousand nine hundred and forty-six, and annually thereafter, one appointment shall be made for the term commencing on the first day of July and ending on the thirtieth day of June in the fifth year thereafter. Any vacancy in the office of public trustee shall be filled by the Governor with the advice and consent of the Senate C. 18:22-15.4. Appointment of public trustees.

for the balance of the unexpired term only. Public trustees shall be residents of the State. They shall receive no compensation for their services but shall be reimbursed for actual expenditures incurred in the performance of their duties.

Transfer of powers and duties.

The functions, powers and duties of the Board of Managers of the New Jersey Agricultural Experiment Station are transferred to the Trustees of Rutgers College in New Jersey which shall appoint a Board of Managers to act as its agent in managing and directing the New Jersey Agricultural Experiment Station.

Board of managers.

The Board of Managers shall consist of the President of the State University of New Jersey, the Director of the New Jersey Agricultural Experiment Station and the Secretary of Agriculture, by virtue of their respective offices and during the terms thereof, and of one member appointed from and resident in each county in the State who shall be appointed by the Trustees of Rutgers College in New Jersey. The appointed members shall be selected, so far as practicable, so that the various agricultural and other interests served by the New Jersey Agricultural Experiment Station shall be represented in its membership.

Terms.

The terms of the appointed members shall be three years. Seven members shall be appointed for terms of three years, seven members for terms of two years and seven members for terms of one year commencing on the first day of July, one thousand nine hundred and forty-five. Commencing in the year one thousand nine hundred and forty-six, and annually thereafter, seven appointments shall be made for terms commencing on the first day of July and ending on the thirtieth day of June in the third year thereafter.

Vacancy.

Any vacancy in the office of an appointed member shall be filled by the Trustees of Rutgers College in New Jersey for the unexpired term only. Members of the Board of Managers shall receive no compensation for their services but shall be reimbursed for actual expenditures incurred in the performance of their duties.

C. 18:22-15.6. Agreement of trustees.

6. The State of New Jersey and the Trustees of Rutgers College in New Jersey covenant and agree, the agreement of the Trustees of Rutgers College in New Jersey to be declared as hereinafter provided, that the educational facilities of the Trustees of Rutgers College in New Jersey may be utilized by the State of New Jersey as an instrumentality of public higher education and thereby to increase the efficiency of the public school system of the State and the State will appropriate such just and reasonable sums as may be necessary to enable the Trustees of Rutgers College in New Jersey to maintain and to render the educational services heretofore or hereafter required by the State and will compensate the Trustees of Rutgers College in New Jersey justly and reasonably for the utilization of its educational facilities required by the State and for educational services purchased by the State from the Trustees of Rutgers College in New Jersey. The nature and extent of the services to be rendered from year to year by the Trustees of Rutgers College in New Jersey and the nature and extent of the utilization of its facilities by the State for public higher education and thereby to increase the efficiency of the public school system of the State and the just and reasonable compensation to be paid for such services and the amount necessary to enable it to maintain and render services so required shall be agreed upon and determined and fixed annually in and by any act making appropriations therefor. Appropriations for the maintenance of the New Jersey Agricultural Experiment Station and for the utilization of its services shall be separately made by line items. Appropriations for the maintenance of the New Jersey College for Women and for the utilization of its services shall be made by line item. A written contract shall be executed by the State Board of Education in behalf of the State of New Jersey, and the Trustees of Rutgers College in New Jersey, in accordance with any act making appropriations therefor.

Reasonable compensation.

Appropriations.

C. 18:22-15.7. Acquire lands and erect buildings.

7. In accordance with legislative appropriations made as provided by law, the State may, by agreement with the Trustees of Rutgers College in New Jersey, acquire lands, erect and equip buildings and provide facilities at the State University of New Jersey hereby established for carrying on its work and for the performance by it of its contractual obligations hereunder upon such just and reasonable terms and conditions as shall be prescribed by law.

C. 18:22-15.8. General powers of supervision transferred.

8. The general powers of supervision and control of the Board of Visitors are hereby transferred to the State Board of Education and are extended to the State University of New Jersey as hereinbefore designated. The visitorial general powers of supervision and control are hereby defined as visiting the State University of New Jersey to examine into its manner of conducting its affairs and to enforce an observance of its laws and regulations and the laws of the State.

C. 18:22-15.9. Control of property.

9. The Trustees of Rutgers College in New Jersey shall have the care, custody and control of such property as the State now has or shall hereafter acquire at the State University of New Jersey, subject to the visitorial power of the State Board of Education.

C. 18:22-15.10. Officers advise with State board.

10. The officers of the State University of New Jersey, hereinbefore designated, shall advise with the State Board of Education to the end that the facilities and services of the State University of New Jersey may be so utilized as to increase the efficiency of the public school system and to provide higher education for the people of the State.

State board to make recommendations.

The State Board of Education shall investigate and jointly with the State University of New Jersey make recommendations to the Governor and the Legislature respecting the needs for the facilities and services of the State University of New Jersey as an instrumentality of the State for providing public higher education and thereby to increase the efficiency of the public school system of the State.

C. 18:22-15.11. Employees.

11. Employees of the State University of New Jersey who are now members of the State Employees' Retirement System of New Jersey may continue their memberships and other employees of the State University of New Jersey, as to service after the effective date of this act, shall be eligible to membership in the State Employees' Retirement System of New Jersey upon the same terms and conditions as employees of the State.

C. 18:22-15.12. Unexpended appropriations.

12. Appropriations to the State Board of Regents unexpended at the effective date of this act for Rutgers University (State Agricultural College), purchase of scholarships at Rutgers University including the New Jersey College for Women, and the College for Women, are hereby transferred to the Trustees of Rutgers College in New Jersey for the benefit of the corresponding departments of the State University of New Jersey upon the execution of the contract pursuant to paragraph six of this act and as otherwise provided by law by the State Board of Education, in behalf of the State, and the Trustees of Rutgers College in New Jersey.

C. 18:22-15.13. Effective date.

13. This act shall take effect upon the adoption by the Trustees of Rutgers College in New Jersey of a resolution accepting the benefits and obligations hereof and the filing of such resolution in the office of the Secretary of State and upon the adoption by the Trustees of Rutgers College in New Jersey of a resolution amending its charter so as to conform to the provisions of paragraphs three and four hereof and the filing thereof in the office of the Secretary of State pursuant to the statute in such case made and provided; *provided,* that if such resolutions shall not be adopted and filed within three months after the approval of this act, it shall thereupon become void and of no effect.

Proviso.

Approved March 26, 1945.

CHAPTER 50

AN ACT relating to education; providing for the establishment, organization and functions of a Division of the State Library, Archives and History, and a Division of the State Museum, in the Department of Education; transferring to, and vesting in, said Division of the State Library, Archives and History the functions, powers and duties of the Board of Commissioners governing the State Library, of the present State Librarian, of the Public Library Commission, of the Board of Commissioners governing the Public Record Office and of the Director of the Public Record Office, and transferring to, and vesting in, said Division of the State Museum the functions, powers and duties of the Board of Conservation and Development exercised and used in the control and management of the State Museum, and repealing sections 13:11–1, 47:2–1, 47:2–2, 47:2–9, 52:26–1, 52:26–4, 52:26–6, 52:26–7 and 52:26–14 to 52:26–20, inclusive, of the Revised Statutes.

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

C. 18:24-1. State library, archives and State museum.

1. There are hereby established in the State Department of Education a Division of the State Library, Archives and History and a Division of the State Museum.

C. 18:24-2. Appointment of director and advisory council.

2. Each of the divisions established by this act shall consist of a director and an advisory council and such other personnel as the Commissioner of Education may deem necessary for the efficient administration of each thereof.

C. 18:24-3. Director appointment.

3. The directors of the divisions established by this act shall be appointed by, and their salaries shall be fixed by, the Commissioner of Education, with the approval of the State Board of Education. Each of the directors thus appointed shall be in the classified service of the Civil Service of the State.

C. 18:24-4. Qualification of director of division of State library.

4. The director of the Division of the State Library, Archives and History shall be a graduate of an accredited university or college and shall, prior to his appointment, have had at least one year of training in a school of library science accredited by the American Library Association, and at least four years of library experience in a responsible administrative capacity. He shall also be known as the State Librarian and may serve, without additional compensation, as the head of one or more bureaus within such division.

State librarian.

C. 18:24-5. Director division of State museum.

5. The director of the Division of the State Museum shall, prior to his appointment, have had at least five years of general museum experience in a responsible administrative capacity. He shall be the curator of the collections and exhibits of the State Museum.

C. 18:24-6. Direct and administer work.

6. The directors of the divisions established by this act shall head their respective divisions, and shall, with the approval and under the supervision of the Commissioner of Education, direct and administer the work of their respective divisions, administer all laws which are by their terms included under the jurisdiction of their respective divisions, organize the bureaus therein and prescribe the powers and duties of the bureau heads thereof, except as may be otherwise provided by law.

C. 18:24-7. Prescribe rules and regulations.

7. The director of each division established by this act may, with the approval and under the supervision of the Commissioner of Education, prescribe such rules and regulations, not inconsistent with law, as may be necessary to effectuate his powers and duties under this act.

C. 18:24-8. Bureaus.

8. There shall be established within the Division of the State Library, Archives and History the following bureaus:

Law library.

a. The Law Library, which shall include the legislative reference bureau;

General reference library.

b. The General Reference Library;

Public and school library services.

c. The Public and School Library Services, which shall include the interloan service, traveling library service, the library extension service and the library advisory service; and

Archives and history.

d. The Bureau of Archives and History.

C. 18:24-9. Qualification of heads of bureaus.

9. The head of the Bureau of the Law Library shall be a graduate of an accredited law school, and shall have had at least one year of training in an accredited school of library science. The heads of the Bureaus of the General Reference Library and of the Public and School Library Services shall, prior to their respective appointments, each have had at least one year of training in an accredited school of library science and at least two years of library experience in a responsible administrative capacity. The head of the Bureau of Archives and History shall be a graduate of an accredited college or university and shall have a knowledge of the history of the State of New Jersey and of the organization of State and local government. He shall, prior to his appointment, have had special training or experience in archival and historical work in a responsible administrative capacity.

C. 18:24-10. Appointment by Commissioner of Education.

10. The Commissioner of Education shall appoint all bureau heads and such other personnel as he may consider necessary for the efficient performance of the work of the divisions established by this act. He shall, within the limits of available appropriations, fix the compensation of all such persons thus appointed. All such persons thus appointed shall be in the classified service of the Civil Service of the State.

Compensation.

C. 18:24-11. Advisory council.

11. There shall be within the Division of the State Library, Archives and History an Advisory Council which shall be designated as the Advisory Council of the State Library, Archives and History, and there shall be an Advisory Council within the Division of the State Museum which shall be designated as the Advisory Council of the State Museum. Each of such advisory councils shall consist of five members. Each member shall be appointed by the Governor, by and with the advice and consent of the Senate, for a term of five years and shall serve until his successor has been appointed and qualified, except that the persons in office as appointed members of the Public Library Commission upon the effective date of this act shall constitute the first members of the Advisory Council of the State Library, Archives and History and shall continue in office as such for the remainder of the respective terms for which they were appointed as members of the Public Library Commission, and that, of the members first appointed to the Advisory Council of the State Museum, one shall be appointed for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years and one for a term of five years. Any vacancy in the membership of either of said Advisory Councils, occurring other than by expiration of term, shall be filled by the Governor, by and with the advice and consent of the Senate, for the unexpired term only.

Appointment.

Term.

C. 18:24-12. Joint meetings.

12. The Commissioner of Education may upon his own initiative, and must at the request of any three members of either of the Advisory Councils established by this act, call joint meetings from time to time of all of the members of the respective Advisory Councils to discuss the public services of the divisions established by this act, to promote the usefulness of the bureaus thereof, and to make recommendations for the improvement of their services.

C. 18:24-13. Expenses.

13. The members of the Advisory Councils established by this act shall serve without compensa-

tion, but shall be reimbursed for necessary expenses incurred in the performance of their duties under this act.

C. 18:24-14.

14. Each of the Advisory Councils established by this act shall, with respect to its respective division:

Adopt rules.

a. Subject to the approval of the director of such division, adopt, amend and rescind and, from time to time, revise rules not inconsistent with this or any other act for the regulation of the public use of the facilities operated by such division;

Consult with director.

b. Advise and consult with the director of such division with respect to the functions thereof; and

Study services rendered.

c. Study and evaluate the public services rendered by such division and recommend to the director thereof appropriate items for addition to the division's collections, or for discard.

C. 18:24-15. Collections transferred.

15. The present State Museum, including all of its collections and exhibits, is hereby transferred to, and shall hereafter be under the control and management of the Division of the State Museum.

C. 18:24-16. Powers transferred.

16. The functions, powers and duties, records and property of the board of commissioners governing the State Library, of the present State Librarian, of the Public Library Commission, of the board of commissioners governing the Public Record Office, and of the director of the Public Record Office are hereby transferred to and vested in the Division of the State Library, Archives and History established under this act, to be exercised and used in accordance with the provisions of this act.

C. 18:24-17. Property transferred.

17. The functions, powers and duties, records and property of the Board of Conservation and Development exercised and used in the control and management of the State Museum are hereby transferred to and vested in the Division of the

State Museum established under this act, to be exercised and used in accordance with the provisions of this act.

C. 18:24-18. Employees transferred.

18. The employees of the board of commissioners governing the State Library, of the present State Librarian, of the Public Library Commission, and of the board of commissioners governing the Public Record Office are hereby transferred to the Division of the State Library, Archives and History established under this act, without diminution in salary or change in Civil Service status.

C. 18:24-19. Employees transferred.

19. The employees of the Board of Conservation and Development who are assigned to the State Museum are hereby transferred to the Division of the State Museum established under this act, without diminution in salary or change in Civil Service status.

C. 18:24-20. Appropriations transferred.

20. All appropriations available and to become available to the board of commissioners governing the State Library, the present State Librarian, the Public Library Commission, and the board of commissioners governing the Public Record Office are hereby transferred to the Division of the State Library, Archives and History established under this act.

C. 18:24-21. Appropriations transferred.

21. All appropriations available and to become available to the Board of Conservation and Development for the management and maintenance of the State Museum are hereby transferred to the Division of the State Museum established under this act.

C. 18:24-22. Sections repealed.

22. Sections 13:11–1, 47:2–1, 47:2–2, 47:2–9, 52:26–1, 52:26–4, 52:26–6, 52:26–7 and 52:26–14 to 52:26–20, inclusive, of the Revised Statutes are hereby repealed.

C. 18:24-23 Effective.

23. This act shall take effect on the first day of July, one thousand nine hundred and forty-five, except that any appointment, and any confirmation of any appointment, permitted by this act may be made prior to such date.

Approved March 26, 1945.

CHAPTER 51

AN ACT to establish in this State a State Department of Education, and amending sections 18:2–1, 18:2–4, 18:2–9, 18:3–2, 18:3–3, 18:3–4, 18:3–5, 18:3–6 and 18:3–9, repealing sections 18:22–1 to 18:22–14, inclusive, and supplementing Title 18 of the Revised Statutes.

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

Section amended.

1. Section 18:2–1 of the Revised Statutes is amended to read as follows:

State Department of Education.

18:2–1. There hereby is established a State Department of Education, which shall consist of a State Board of Education and a Commissioner of Education, with such divisions, bureaus, branches, committees, officers and employees as are specifically referred to in this Title and as may be constituted or employed by virtue of the authority conferred by this Title and by any other law.

Terms of office of present members.

The terms of office of all of the present members of the present State Board of Education shall expire on the thirtieth day of June, one thousand nine hundred and forty-five.

Number of members.

The State Board of Education established hereby shall consist of twelve members, not less than three of whom shall be women, not more than one of whom shall be a resident of any one county.

Members.

The members shall be citizens who have resided within the State for not less than five years immediately preceding their appointment.

Appointed by Governor.

The members shall be appointed by the Governor by and with the advice and consent of the Senate for terms of six years, except that the first members shall be appointed for terms which shall commence on the first day of July, one thousand nine hundred and forty-five, and shall continue two for two years, two for four years, two for six years.

Vacancies in said board occurring from any cause shall be filled in like manner but for the unexpired term only. All members shall continue in office after the expiration of their respective terms until their respective successors are appointed and qualified. Vacancies.

The general supervision and control of public instruction in this State and of the State Department of Education shall be vested in the State Board. The State Board shall be charged with the duty of planning and recommending respecting the unified, continuous and efficient development of public education including public higher education. Supervision vested in State board.

2. Section 18:2–4 of the Revised Statutes is amended to read as follows: Section amended.

18:2–4. The State Board may:

a. Frame and modify by-laws for its own government, and elect its president and other officers; Elect officers.

b. Prescribe and enforce rules and regulations necessary to carry into effect the school laws of this State; Prescribe and enforce rules.

c. Prescribe rules and regulations for holding teachers' institutes and teachers' meetings called by the commissioner; Prescribe rules for holding teachers meetings.

d. Decide appeals from the decisions of the commissioner; Decide appeals.

e. Make and enforce rules and regulations for the examination of teachers, and the granting of certificates or licenses to teach, for each of which certificates a fee of not less than five dollars ($5.00) shall be charged. Make and enforce rules.

In addition to the other powers conferred by law upon the State Board, it shall:

f. Prescribe a uniform and simple system of bookkeeping for use in all school districts, and compel all school districts to use the same; Prescribe system of bookkeeping.

g. Appoint, upon application, a supervising principal over schools in two or more districts whenever in its opinion it is advisable so to do, Appoint a supervising principal.

and apportion the expense equitably among the districts;

Withdraw approval.

h. 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.

i. Except as provided by sections 18:14–5 and 18:14–7 of this Title, 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 rates, and require any districts having the necessary accommodations to receive pupils from other districts at rates agreed upon or which it may fix in the event of disagreement;

Compel production of books.

j. 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 or one of his assistants 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;

Issue subpœnas.

k. 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 or one of his assistants. Any person who shall neglect or refuse to obey the command of the subpœna or who, after appearing, shall refuse to be sworn and testify, except such refusal be on grounds recognized by law, shall in either event be liable to a penalty of

Refusal to obey subpœna.

Penalty.

one hundred dollars ($100.00) for each offense to be recovered by the State Board of Education in an action of debt. Such penalty when recovered shall be paid into the treasury of the State;

Advance the education of people.

l. Advance the education of people of all ages;

Establish standards.

m. Establish standards of higher education;

License institutions.

n. License institutions of higher education as authorized by sections 18:20–5, 18:20–6, and 18:20–7 of this Title;

Approve conferring of degrees.

o. Approve the basis or conditions for conferring degrees as authorized by sections 18:20–8, 18:20–9, and 18:20–10 of this Title;

Require reports.

p. Require from institutions of higher education such reports as may be necessary to enable the State Board to perform the duties imposed upon it by statute;

Survey needs for higher education.

q. Survey the needs for higher education and the facilities available therefor and recommend to the Legislature procedures and facilities to meet such needs;

Investigate and recommend needs for the State University.

r. Investigate and recommend respecting the needs for facilities and services at the State University of New Jersey as an instrumentality of the State for providing public higher education and thereby to increase the efficiency of the public school system of the State, advise with the State University of New Jersey regarding its annual budget for services, lands, buildings, and equipment and jointly with the State University make recommendations to the Governor and to the Legislature in support of such budget, and make with the State University contracts in behalf of the State in accordance with legislative appropriations;

Make recommendations to Governor.

s. Make to the Governor and the Legislature such recommendations as the State Board deems necessary with regard to appropriations that may be required for services, lands, buildings, and equipment to be furnished by institutions of higher education other than the State

university of New Jersey, and make contracts in behalf of the State with such institutions in accordance with legislative appropriations; *provided,* that no disbursement of moneys so appropriated shall be made to any such institution or institutions utilized by the State for the purpose of public higher education, except on recommendation of the State Board; and the State Board shall see to the application of the money for such purposes;

Exercise visitorial general powers of supervision.

t. Exercise visitorial general powers of supervision and control over such institutions of higher education as may be utilized by the State. Its visitorial general powers of supervision and control are hereby defined as visiting such institutions of higher education to examine into their manner of conducting their affairs and to enforce an observance of their laws and regulations and the laws of the State;

State board to have all powers to perform duties.

u. The State Board shall have all other powers requisite to the performance of its duties.

Section amended.

3. Section 18:2–9 of the Revised Statutes is amended to read as follows:

Control of school for deaf and the manual training school.

18:2–9. The State Board shall, through the commissioner, have control and management of the New Jersey school for the deaf and the manual training and industrial school for colored youth.

Disbursement of money prohibited.

4. No disbursement of the moneys appropriated by the State for the purposes of public higher education shall be made to any institution wholly or in part under the control of a religious denomination or in which a denominational tenet or doctrine is taught.

Section amended.

5. Section 18:3–2 of the Revised Statutes is amended to read as follows:

Approval of assistant commissioners.

18:3–2. The commissioner subject to the approval of the State Board shall appoint six assistant commissioners of education, each at an annual salary of seven thousand dollars ($7,000.00), and designate one of them to act in his place during his

absence. Of such six assistants the commissioner shall designate: Designation.

a. One to act as supervisor of elementary education;

b. One to act as supervisor of secondary education;

c. One to act as supervisor of higher education;

d. One to act as supervisor of industrial and vocational education, including agriculture and home economics;

e. One to hear all controversies and disputes which may arise under the school laws, or the rules and regulations of the State Board, or of the commissioner, subject, however, to the right of appeal to the State Board; and

f. One to supervise and direct business matters.

6. Section 18:3–3 of the Revised Statutes is amended to read as follows: Section amended.

18:3–3. The commissioner subject to the approval of the State Board shall

Appoint and fix the compensation of directors, inspectors, and assistants to perform the following services: Appoint commissioners.

a. Inspection of buildings;

b. Inspection of accounts;

c. Research;

d. Supervision of health education;

e. Secretary of the State Board of Examiners;

f. Issuance of academic qualifying certificates;

g. Supervision of adult education;

h. Supervision of teacher training;

i. Supervision of special classes for subnormal, blind, deaf, and physically handicapped children; and

j. Such other special services as the State Board may deem necessary.

May combine duties.

The commissioner, subject to the approval of the State Board, may combine the duties of two or more special service departments under one head, and may assign to an assistant commissioner the duties of one or more of the directors of special services, inspectors, or assistants. The commissioner in his capacity as chief executive of the State Board, shall be authorized within the provisions of the State law, to assign duties to the assistant commissioners, the directors of special service departments, the secretary of the State Board of Examiners, the inspectors, and other assistants and employees.

Section amended.

7. Section 18:3–4 of the Revised Statutes is amended to read as follows:

Commissioner "head" of department.

18:3–4. The commissioner shall be considered the "head" of the department within the contemplation of Title 11, Civil Service, and may employ such clerks and other employees as he may deem necessary and fix their compensation subject to the provisions of said Title, except where otherwise provided by statute. The compensation of clerks and other employees employed as authorized in this section shall be payable semimonthly on the certificate of the commissioner, and shall not exceed in the aggregate the sum annually appropriated therefor by the Legislature.

Compensation of clerks.

Section amended.

8. Section 18:3–5 of the Revised Statutes is amended to read as follows:

Secretary.

18:3–5. The commissioner with the advice and consent of the State Board shall designate one of the clerks in the department to act as secretary of the State Board and to perform such services as it may require.

Section amended.

9. Section 18:3–6 of the Revised Statutes is amended to read as follows:

Suitable office.

18:3–6. A suitable office to be known as the State Department of Education shall be provided in Trenton.

Expenses.

The necessary expenses incurred in the department shall be paid in the manner provided by law.

Commissioner to determine policies.

10. The commissioner shall continue, subject to the general direction and control of the State Board, to have, exercise and perform the functions, powers and duties now conferred or imposed by statute upon the commissioner; except that, notwithstanding any provisions of law to the contrary, any powers, duties or functions heretofore conferred or imposed upon the commissioner to determine policies and to make regulations shall hereafter be exercised subject to the approval of the State Board, and the duty and power to execute such policies and to administer such regulations shall be conferred and imposed upon the commissioner; and notwithstanding any provisions of law to the contrary, any power, duty or authority to make appointments, except the appointment of the commissioner, and to fix compensation heretofore conferred upon the State Board or the commissioner shall hereafter be conferred upon the commissioner and exercised by him subject to the approval of the State Board and subject to the provisions of Title 11 of the Revised Statutes, relating to civil service, where civil service applies, except where otherwise provided by law.

Commissioner chief executive.

11. The commissioner shall be the chief executive and administrative officer of the department and the official agent of the State Board for all purposes. He shall likewise be the budget officer, and, unless some other official be designated by the State Board for the purpose, he shall be its fiscal officer. He shall have general charge and supervision of the work of the department.

Section amended.

12. Section 18:3–9 of the Revised Statutes is amended to read as follows:

18:3–9. The commissioner shall keep a record of all his official acts and preserve copies of all of his acts, orders and decisions. He shall adopt and provide an official seal under which may be authenticated copies of all of his acts, orders and decisions, and of all papers deposited or filed in the department. Copies so authenticated shall be evidence equally with and in like manner as the originals.

Adopt official seal.

Employees transferred.

13. All officers and employees of the State Board of Regents, of the present State Board of Education, Department of Public Instruction or Commissioner of Education shall as of the first day of July, one thousand nine hundred and forty-five, be transferred to the State Department of Education, there to perform duties as nearly similar as possible to those performed by them for the State Board of Regents, the present State Board of Education, Department of Public Instruction and the Commissioner of Education as the case may be but without diminution in salary or change in civil service status.

Appropriations transferred.

14. The appropriations for the fiscal year 1945-1946 made to the State Board of Regents, for administrative purposes and for the Newark Technical School and Newark College of Engineering, to the present Commissioner of Education and to the present State Board of Education and to or for any officer, bureau, institution or fund under the control or supervision of the present State Board of Education or the present Commissioner of Education, are transferred to the State Board of Education to be used for the purposes for which the appropriations were made.

Sections repealed.

15. Sections 18:22–1 to 18:22–14, inclusive, of the Revised Statutes are repealed.

Effective.

16. This act shall take effect the first day of July, one thousand nine hundred and forty-five, except that any appointment, and any confirmation of any appointment, permitted by this act may be made prior to such date.

Approved March 26, 1945.

CHAPTER 52

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 forty-six, and regulating the disbursement thereof.

ANTICIPATED REVENUES FOR THE FISCAL YEAR 1945-46

Revenues

Transfer inheritance taxes	$8,500,000 00
Main stem and franchise-excise taxes	11,500,000 00
Miscellaneous corporation taxes ..	3,200,000 00
Foreign corporation taxes	400,000 00
Beverage taxes	11,000,000 00
Beverage licenses	500,000 00
Foreign insurance corporation taxes	3,100,000 00
Fertilizer inspection fees, et cetera	85,000 00
Department of Banking and Insurance	1,000,000 00
Secretary of State	220,000 00
Clerk in Chancery	400,000 00
Clerk of the Supreme Court	55,000 00
Real Estate Commission	90,000 00
Board of Beauty Culture Control ..	60,000 00
Board of Barber Examiners	23,000 00
Commissions	50,000 00
Judicial fees	10,000 00
Department of Conservation, Division of Navigation	10,000 00
Department of Conservation, Division of Shell Fisheries	27,500 00
Department of Labor	75,000 00
Dividends	18,870 00
Athletic Commissioner	60,000 00

Division of Local Government	80,000 00
Department of Health	100,000 00
Tenement House Supervision	13,000 00
Department of Conservation, Division of Forestry, et cetera	30,000 00
Public Utility Tax	16,000 00
Department of Weights and Measures	65,000 00
Academic Certificate Fund.....	15,000 00
Manual Training and Industrial School for Colored Youth	75,000 00
School for the Deaf	2,800 00
State Teachers College, Glassboro:	
Extension fees	10,000 00
Tuition fees	16,000 00
Dormitory fees	33,000 00
State Teachers College, Jersey City:	
Extension fees	16,000 00
Tuition fees	28,000 00
State Teachers College, Newark:	
Extension fees	38,000 00
Tuition fees	30,000 00
State Teachers College, Paterson:	
Extension fees	20,000 00
Tuition fees	16,000 00
State Teachers College, Montclair:	
Extension fees	30,000 00
Tuition fees	60,000 00
Dormitory fees, cafeteria-boarding hall fees	80,000 00
State Teachers College, Trenton:	
Extension fees	20,000 00
Tuition fees	60,000 00
Dormitory fees, cafeteria-boarding hall fees	130,000 00
State Board of Examiners	16,000 00
Agricultural Experiment Station ..	80,000 00
Department of Agriculture	6,000 00
Rehabilitation Commission	7,000 00
Colony for Feeble-Minded Males, New Lisbon	180,000 00

Colony for Feeble-Minded Males, Woodbine	135,000 00
Commission for the Blind (Federal Aid)	15,000 00
Home for Disabled Soldiers, Menlo Park (Federal Aid)	10,000 00
Home for Disabled Soldiers, Vineland (Federal Aid)	10,000 00
North Jersey Training School, Totowa	135,000 00
Reformatory, Annandale	1,500 00
Reformatory, Rahway	1,000 00
Sanatorium for Tuberculous Diseases	110,000 00
State Home for Boys	5,000 00
State Home for Girls	5,000 00
State Hospital, Greystone Park	1,250,000 00
State Board of Children's Guardians (Federal Aid)	140,000 00
State Hospital, Marlboro	600,000 00
State Hospital, Trenton	700,000 00
State Prison	200 00
Village for Epileptics	285,000 00
Vineland State School	250,000 00
Miscellaneous sources	100,000 00
Tax on motor fuels	17,000,000 00
Motor vehicle fees, fines, et cetera	20,000,000 00
Motor vehicle inspection fees	600,000 00
Bus excise tax	80,000 00
Miscellaneous	300,000 00
Total revenues	$83,389,870 00

Transfers

Department of Conservation, Division of Water Policy and Supply, from Water Supply Fund	75,075 00
Rehabilitation Commission, from Federal Aid	300,000 00
Amount transferred from Municipal Aid	200,000 00

Amount transferred from Rabies Control Fund		70,000 00
Total transfers		$645,075 00
Total revenues and transfers anticipated		$84,034,945 00
Less:		
Amount required for compensation or war adjustment program for employees whose reclassified salary has not been provided for in the Departmental Budgets	$400,000 00	
Surplus to be added to Post-War Reserve	3,562,156 96	
		3,962,156 96
Total available for appropriation		$80,072,788 04

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

1. The appropriations herein made or so much thereof as may be necessary are hereby appropriated for the respective public officers and for the several purposes herein specified for the fiscal year ending on the thirtieth day of June, one thousand nine hundred and forty-six. The appropriations herein made for debt service and for State aid to counties and municipalities under R 3 herein shall not lapse by reason of the expiration of said period. The appropriations herein made, other than those for debt service and State aid to counties and municipalities under R 3, shall be

available for expenditure during said fiscal year and for a period of two months thereafter to pay obligations incurred during said period only. At the expiration of said two months period all unexpended balances except in appropriations herein made for debt services and for State aid to counties and municipalities under R 3 and in appropriations to the extent specifically held by contracts on file with the Commissioner of Taxation and Finance shall lapse into the State treasury or, in cases of appropriations from special funds, shall lapse to the credit of such special funds. Nothing in this section or in this act contained shall be construed to prohibit the payment due upon any contract made under any appropriation contained in any highway appropriation bill of the previous year or years.

A. Executive and Administrative

A 1. Department of Law

Department of Law.

Salaries:		
Attorney-General	$15,000 00	
Deputy Attorney-General	12,000 00	
Compensation for other assistants ...	218,595 20	
		$245,595 20
Materials and Supplies:		
Motor vehicular transportation supplies .	$1,788 00	
Stationery and office supplies	1,600 00	
Printing and binding .	600 00	
Law books	1,000 00	
		4,988 00
Services Other Than Personal:		
Traveling expenses ..	$2,100 00	
Court costs	2,000 00	

Miscellaneous expenses	650 00	
Advertising	2,000 00	
Insurance	60 00	
Subscriptions	160 00	
Expenses in connection with escheat cases	200 00	
Expenses of special investigations	10,000 00	
Witness fees; condemnation commissioners and stenographic fees	10,000 00	
		27,170 00
Current Repairs and Maintenance:		
Automotive equipment	$812 00	
Office furniture, machines and equipment	50 00	
		862 00
		$278,615 20

A 2. Department of Taxation and Finance

Taxation and Finance.

Salaries:		
Commissioner and director, budget and accounting division	$12,000 00	
Director, taxation division	10,000 00	
Director, local government division	10,000 00	
Director, purchase and property division	9,000 00	
Secretary, tax appeals division	7,000 00	
Members of local government board	12,000 00	

Members of tax appeals board	34,700 00	
Other officers and employees	1,786,648 60	
		$1,881,348 60

Materials and Supplies:		
Heat, light, power, water, gas and electricity	$60,900 00	
Household and organization supplies	300 00	
Motor vehicular transportation supplies	18,250 00	
Stationery and office supplies	30,000 00	
Photographing, blueprinting and drafting supplies	1,000 00	
Motor fuel license plates or decalcomanias	2,684 00	
Briefs and law books	2,500 00	
Laboratory testing supplies	100 00	
Printing and binding	12,350 00	
Other materials and supplies	17,000 00	
		145,084 00

Services Other Than Personal:		
Traveling expenses ..	$50,000 00	
Rents	21,725 12	
Insurance	6,901 30	
Freight, express and cartage	250 00	
Advertising	1,750 00	
Subscriptions	300 00	
Miscellaneous expenses	8,900 00	
Boat crew expenses ..	1,800 00	

Maintenance patrol boat	2,300 00	
Technical and laboratory testing services	2,000 00	
Maintenance, Stacy Park, Capitol and Annex grounds ...	4,000 00	
		99,926 42
Current repairs and maintenance		27,100 00
Special Accounts:		
Fire Insurance:		
For the payment of fire insurance premiums not otherwise provided for, maturing during the current fiscal year, including purchase of equipment required to effect reductions in fire rates; the policies involved to be filed with the insurance bureau of the purchase and property division	$151,098 70	
Postage	142,052 15	
Telephone and telegraph	98,125 00	
Rents for State departments	309,743 33	
Printing and Binding Public Documents:		
Legislative printing	70,000 00	
Printing, binding and circulating public documents and laws	9,000 00	

Binding chancery and law reports..	3,630 00	
	$82,630 00	
		783,649 18

Refunds:

Corporation Taxes:

Upon certification of the Director of the Taxation Division, the Commissioner of Taxation and Finance is hereby authorized and directed to allow and certify to the State Treasurer for payment any duplicate payment of tax, or any amount legally adjudged to be an overpayment of franchise taxes and interest thereon by any so-called miscellaneous corporation, provided any such taxes shall not have been assessed or fixed earlier than two years prior to the date of instituting proceedings to recover such overpayment. The State Treasurer is hereby authorized and directed to pay warrants is-

sued therefor by the Commissioner of Taxation and Finance.	
Transfer Inheritance Taxes: Upon certification of the Director of the Taxation Division, the Commissioner of Taxation and Finance 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 R. S. 54:33–10, payment of five per centum (5%) of tax collected to counties, and to refund and pay such claims as may be necessary and the State Treasurer shall pay same upon the warrants of said Commissioner of Taxation and Finance, and there is hereby appropriated the amount necessary therefor, approximating	$300,000 00

Railroad Tax:
The Commissioner of Taxation and Finance is hereby authorized and empowered to adjust and repay any overpayment of tax assessed and penalty thereon for any year, pursuant to section 14, chapter 208, laws of 1888, and the acts amendatory thereof and supplementary thereto, or R. S. 54:28–4, made by any railroad and canal company, and the State Treasurer is directed to pay warrants therefor issued by the Commissioner of Taxation and Finance, such payment 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.

Motor Fuel Taxes:
Upon certification of the Director of the Taxation Division, the Commissioner of Taxation and Finance is hereby authorized and empowered to pay any refund of motor fuel taxes, pursuant to chapter 39 of Title 54 of the Revised Statutes, and the State Treasurer is directed to pay warrants issued therefor by the Commissioner of Taxation and Finance.

Outdoor Advertising Taxes:
Upon certification of the Director of the Taxation Division, the Commissioner of Taxation and Finance is hereby authorized and it shall be his duty to withdraw from the State fund moneys to refund and pay all claims for any duplicate payment of tax or any amount legally adjudged to be an overpayment of

outdoor advertising taxes. The State Treasurer is hereby authorized and directed to pay warrants issued therefor by the Commissioner of Taxation and Finance and there is hereby appropriated the amount necessary therefor in the sum of	75 00
In addition thereto, the Commissioner of Taxation and Finance, upon certification of the Director of the Taxation Division, 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 R. S. 54:40–7, dividing proportionately among municipalities in which billboards are located excess outdoor advertising revenues. The State	

Treasurer shall pay same upon warrants of the Commissioner of Taxation and Finance and there is hereby appropriated the amount necessary therefor, approximating	16,420 82
General Tax Refunds: Upon certification of the Director of the Taxation Division, the Commissioner of Taxation and Finance is hereby authorized and it shall be his duty to withdraw from the State fund, moneys to refund and pay such claims for refund as may be necessary under the authorized provisions of Title 54 of the Revised Statutes and any statutes superseded thereby, and the State Treasurer shall pay same upon warrants of the said Commissioner of Taxation and Finance.	

Unclaimed Wages:
The Commissioner of Taxation and Finance is hereby authorized to pay from this fund any claim for unclaimed wages, properly approved. The State Treasurer shall pay same upon warrants of the Commissioner of Taxation and Finance.

316,495 82

Unclassified:
The balance in the refinishing project account, as of June 30, 1945, is hereby reappropriated.

The balance in the amount appropriated for the purpose of setting up a central payroll system, as of June 30, 1945, is hereby reappropriated.

State Purchase Fund:
The unexpended balance of the State purchase fund is hereby reappro-

State Purchase Fund.

priated, together with such sums as may be returned to the State treasury for the reimbursement of said fund, so that a "purchase fund" not exceeding $350,000.00 will be established and maintained for the purpose of making payments for purchases pursuant to the purchase act (Chapter 25 of Title 52 of the R. S., as superseded by Chapter 112, P. L. 1944), and for 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 appropriated to be credited to said fund when depos-

ited in the State treasury for disbursement in accordance with the provisions of said chapter 25 of Title 52 of the R. S., as superseded by chapter 112, P. L. 1944. The fund above shall be a revolving fund and the unexpended balances and reimbursements above mentioned shall constitute said fund for the purpose of carrying out the provisions of said purchase act; *provided, however,* that any sum or sums in excess of the amount hereby appropriated received by the Commissioner of Taxation and Finance from any source shall by him be paid to the State Treasurer and deposited in the general fund of the State; *provided, however,* that the Commissioner of Taxation and Finance,

on application of the State Purchase Director, may transfer to the State purchase fund, from time to time, moneys appropriated to any spending agency, said moneys so transferred to be returned to the funds from which they were taken during the fiscal year for which said appropriations were made.		
		$3,253,604 02

A 3. Civil Service Commission

Civil Service Commission.

Salaries:		
President	$7,500 00	
Commissioners (4) ..	16,800 00	
Chief examiner and secretary	10,000 00	
Compensation for other officers and employees	238,110 00	
		$272,410 00
Materials and Supplies:		
Stationery and office supplies	$10,000 00	
Printing	1,500 00	
Vehicular transportation supplies	1,700 00	
		13,200 00

Services Other Than Personal:		
Traveling expenses ..	$4,000 00	
Advertising	3,000 00	
Subscriptions	200 00	
Freight, express and cartage	25 00	
Garage rent	420 00	
Rent of equipment ..	750 00	
Insurance	82 00	
Rent of rooms for conducting examinations	750 00	
Miscellaneous expenses	100 00	
		9,327 00
Current Repairs and Maintenance:		
Automotive equipment	$300 00	
Office furniture, machines and equipment	300 00	
		600 00
		$295,537 00

A 4. COMPTROLLER'S DEPARTMENT

Salaries:		
Chief clerk and deputy comptroller	$1,000 00	Comptroller's Department.
Services Other Than Personal:		
Insurance	300 00	
	$1,300 00	

A 5. Executive Department

Executive Department

Salaries:		
Governor	$20,000 00	
Secretary to Governor	10,000 00	
Compensation for assistants	43,720 00	
		$73,720 00
Materials and Supplies:		
Stationery and office supplies	$2,000 00	
Vehicular transportation supplies	3,000 00	
		5,000 00
Services Other Than Personal:		
Subscriptions and membership fees ..	$275 00	
Miscellaneous expenses	925 00	
		1,200 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment		100 00
Extraordinary Expenditures:		
To enable the Governor to meet any emergency requiring the expenditure of money not otherwise appropriated, including entertainment on behalf of the State and to cover any incidental personal expenses or the expenses of commissioners appointed by him under statute, or in his discretion		10,000 00

The unexpended balance June 30, 1945, in the appropriation to enable the Governor to carry out the provisions of chapter 16, laws of 1941, is hereby reappropriated.		
		$90,020 00

A 6. Secretary of State

Secretary of State.

Salaries:		
Secretary	$10,000 00	
Chief clerk	7,500 00	
Compensation for assistants	50,205 24	
		$67,705 24
Materials and Supplies:		
Stationery and office supplies	$8,000 00	
Printing copies of corporation act	1,500 00	
Vehicular transportation supplies	400 00	
		9,900 00
Services Other Than Personal:		
Traveling expenses ..	$250 00	
Election expenses	20,000 00	
Photostating copies of certificates of incorporation	1,500 00	
		21,750 00
		$99,355 24

A 7. State Auditor's Department

State Auditor's Department.

Salaries:		
State Auditor	$7,500 00	
Compensation for assistants	100,420 00	
		$107,920 00
Materials and Supplies:		
Stationery and office supplies	$500 00	
Printing and binding	100 00	
		600 00
Services Other Than Personal:		
Traveling expenses ..	$7,500 00	
Subscriptions	25 00	
Miscellaneous expenses	50 00	
		7,575 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment		100 00
		$116,195 00

A 8. Treasurer's Department

Treasurer's Department.

Salaries:		
Treasurer	$10,000 00	
Cashier and deputy treasurer	6,000 00	
Compensation for other assistants ...	55,076 00	
		$71,076 00

Materials and Supplies:		
Stationery and office supplies	$1,500 00	
Printing, binding, photographing and blueprinting	100 00	
		1,600 00
Services Other Than Personal:		
Traveling expenses ..	$1,000 00	
Rent of equipment ...	1,100 00	
Insurance	2,426 00	
Subscriptions	100 00	
Miscellaneous expenses	300 00	
		4,926 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment		750 00
		$78,352 00

Teachers' Retirement Fund—Pension and Annuity Fund

Teachers' Retirement Fund.

For expenses incurred in connection with the fund, pursuant to article 3, chapter 13 of Title 18 of the R. S.		
Salaries of clerks	$5,600 00	
Materials and supplies and miscellaneous expenses	150 00	
		5,750 00
		$84,102 00

A 9. State Athletic Commissioner

State Athletic Commissioner.

Salaries:		
Commissioner	$5,200 00	
Compensation for other assistants ...	27,680 00	
		$32,880 00
Materials and Supplies:		
Stationery and office supplies		500 00
Services Other Than Personal:		
Traveling expenses ..	$1,800 00	
Insurance	420 00	
Subscriptions and membership fees ...	130 00	
		2,350 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment		50 00
		$35,780 00

B. Legislative

B 1. Legislature

Legislature.

Salaries:		
Senators and members of General Assembly	$40,833 32	
Compensation for officers and employees	45,450 00	
		$86,283 32

Materials and Supplies:		
Manuals of the Legislature		4,000 00
Services Other Than Personal:		
Indexing Journal and Minutes and other incidental and contingent expenses		82,500 00
		$172,783 32

B 2. Commission on Post-War Economic Welfare

Post-War Economic Welfare.

Salary	$3,000 00
Materials and supplies	12,500 00
Miscellaneous expenses	2.000 00
	$17.500 00

B 3. Legislative Veterans Commission

Legislative Veterans Commission.

Salaries:		
Other officers and employees		$3,500 00
Materials and Supplies:		
Stationery and office supplies	$500 00	
Printing and binding	500 00	
		1,000 00
Services Other Than Personal:		
Traveling expenses		500 00
		$5,000 00

C. Judicial

C 1. Clerk in Chancery

Clerk in Chancery.

Salaries:		
Clerk in Chancery ..	$7,500 00	
Chief clerk	5,500 00	
Compensation for assistants	119,032 94	
		$132,032 94
Materials and Supplies:		
Stationery and office supplies		7,000 00
Services Other Than Personal:		
Traveling expenses..	$250 00	
Insurance	500 00	
Freight, express and cartage	480 00	
		1,230 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment		200 00
		$140,462 94

C 2. Clerk of the Supreme Court

Clerk of the Supreme Court.

Salaries:		
Clerk of the Supreme Court	$6,000 00	
Chief clerk	6,000 00	
Compensation for assistants	50,140 00	
		$62,140 00

Materials and Supplies:		
Stationery and office supplies	$2,300 00	
Printing, binding, photographing, engrossing and blueprinting	100 00	
		2,400 00
Services Other Than Personal:		
Insurance	$264 00	
Miscellaneous expenses	21 00	
		285 00
Current Repairs and Maintenance:		
Office furniture, machines, dockets and equipment		590 00
		$65,415 00

C 3. COURT OF CHANCERY

Court of Chancery.

Salaries:		
Chancellor	$19,000 00	
Vice-Chancellors	180,000 00	
Secretaries to Vice-Chancellors	24,400 00	
Chancellor's secretary	2,700 00	
Compensation and traveling expenses of sergeants-at-arms	42,640 00	
Compensation and allowance of Advisory Masters and their official stenographers	23,528 00	

Compensation of stenographers, and for services pursuant to R. S. 2:2–25 and 2:2–28	57,700 00	
Compensation of law assistants to Vice-Chancellors ..	17,400 00	
		$367,368 00
Materials and Supplies:		
Stationery and office supplies	$3,500 00	
Library supplies	1,500 00	
Vehicular transportation supplies	200 00	
		5,200 00
Services Other Than Personal:		
Traveling expenses for casual court attendants	$250 00	
Insurance	10 00	
Miscellaneous expenses	190 00	
		450 00
Current Repairs and Maintenance:		
Automotive equipment	$100 00	
Office furniture, machines and equipment	50 00	
		150 00
		$373,168 00

C 4. COURT OF ERRORS AND APPEALS

Court of Errors and Appeals.

Salaries:		
Compensation of judges of the Court of Errors and Appeals, at $40.00 per diem	$54,000 00	
Compensation of officers	3,600 00	
		$57,600 00
Materials and Supplies:		
Printed or typewritten copies of draft of opinions of the Lay Judges	$2,000 00	
Binding state of cases, briefs, et cetera, and printing list of causes, et cetera ..	1,000 00	
		3,000 00
		$60,600 00

C 5. COURT OF PARDONS

Court of Pardons.

Salaries:		
Compensation of judges of the Court of Pardons, at $20.00 per diem ...	$3,600 00	
Compensation of clerk and stenographer	3,360 00	
		$6,960 00

Materials and Supplies:		
Stationery and office supplies		300 00
Services Other Than Personal:		
Miscellaneous expenses		100 00
		$7,360 00

C 6. Law Revision and Bill Drafting Commission

Law Revision and Bill Drafting Commission.

Salaries:		
Counsel (2)	$15,000 00	
Other officers and employees	24,320 00	
		$39,320 00
Materials and Supplies:		
Stationery and office supplies	$400 00	
Printing, binding, photostating and blueprinting	1,000 00	
Library supplies	600 00	
		2,000 00
Services Other Than Personal:		
Traveling expenses ..	$750 00	
Miscellaneous expenses	75 00	
		825 00
		$42,145 00

C 7. Law and Equity Reports

Law and Equity Reports.

Salaries:		
Chancery reporter	$500 00	
Supreme Court reporter	500 00	
		$1,000 00

Services Other Than Personal:		
Publication of chancery reports	$9,000 00	
Publication of law reports	9,000 00	
		18,000 00
		$19,000 00

C 8. STENOGRAPHIC REPORTERS

Stenographic 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 R. S. 2:16–21 ..	$58,283 24

C 9. SUPREME COURT

Supreme Court.

Salaries:		
Chief Justice	$19,000 00	
Associate justices ...	144,000 00	
Circuit court judges ..	224,000 00	
Salaries of secretaries to justices of the Supreme Court, pursuant to R. S. 2:4–13	19,600 00	
Compensation for assistants	2,100 00	
Board of Bar Examiners, salary of members, secretary, assistant secretary and messenger	17,150 00	
		$425,850 00

Materials and Supplies:		
Stationery and office supplies	$350 00	
Educational and library supplies	3,000 00	
		3,350 00
Services Other Than Personal:		
Expenses of Board of Bar Examiners incurred by court order, including disbarment proceedings.		2,500 00
		$431,700 00

C 10. Judicial Council

Judicial Council.

Salaries:		
Secretary		$1,500 00
Materials and Supplies:		
Stationery and office supplies	$50 00	
Printing	200 00	
		250 00
		$1,750 00

D 1. Department of Conservation

Department of Conservation.

To carry out the provisions of chapter 22, P.L.1945.

Commissioner's Office

Salaries:	
Commissioner	$12,000 00

Division of Water Policy and Supply

Salaries:		
Engineer-in-charge ..	$6,250	00
Other officers and employees	75,410	00
	$81,660	00
Materials and Supplies:		
Heat, light, power, water, gas and electricity	$270	00
Household supplies ..	20	00
Motor vehicle transportation supplies..	1,120	00
Stationery and office supplies	375	00
Engineering supplies	350	00
Printing, binding, blueprinting and photographing supplies	430	00
Other materials and supplies	25	00
	$2,590	00
Services Other Than Personal:		
Traveling expenses ..	$3,000	00
Telephone and telegraph	600	00
Rents	5,705	00
Insurance	80	00
Postage	300	00
Miscellaneous expenses	35	00
Advertising	50	00
Subscriptions and memberships	85	00
	$9,855	00

Current Repairs and Maintenance:		
Automotive equipment	$400 00	
Buildings and grounds	1,900 00	
Office furniture, machines and equipment	25 00	
Scientific equipment ..	300 00	
Other repairs	200 00	
	$2,825 00	
Extraordinary Expenses:		
Repair, rehabilitation and improvement of Delaware and Raritan canal	$200,000 00	
In addition thereto, the unexpended balance as appropriated in chapter 172, laws of 1944 is hereby reappropriated.		
	$200,000 00	
		296,930 00

Division of Fish and Game

Fish and game.

Salaries:		
Executive secretary ..	$5,500 00	
Assistant secretary ..	4,700 00	
Other officers and employees	247,511 00	
	$257,711 00	

Materials and Supplies:	
Clothing	$1,500 00
Heat, light, power, water, gas and electricity	7,170 00
Motor vehicle transportation supplies..	14,975 00
Stationery and office supplies	1,350 00
Farm, stable and ground supplies ...	6,700 00
Educational, recreational and library supplies	500 00
Other materials and supplies	300 00
Printing, binding, blueprinting and photographing supplies	5,515 00
Food for fish and game	99,500 00
Purchase of live fish and game	56,000 00
Operating materials and supplies.....	6,505 00
	$200,015 00

Services Other Than Personal:	
Traveling expenses ..	$6,000 00
Telephone and telegraph	2,250 00
Rents	5,060 00
Insurance	2,793 92
Freight, express and cartage	350 00
Fair exhibits	300 00
Medical expenses	700 00
Postage	2,000 00

Miscellaneous expenses	850 00
Garage rent	1,800 00
Dock and other rents	500 00
	$22,603 92

Current Repairs and Maintenance:	
Automotive equipment	$13,000 00
Buildings and grounds	2,700 00
	$15,700 00

Additions and Improvements:	
New office equipment	$100 00
Holding pens at game farms	10,500 00
	$10,600 00

All receipts from hunters' and anglers' licenses pursuant to the provisions of article 1, chapter 3 of Title 23; R. S. 23:3–3, R. S. 23:3–23 to 27; all receipts, licenses and sales pursuant to the provisions of R. S. 52:18–31; all fines pursuant to the provisions of R. S. 23:10–19, together with balances of appropriations that may not have been disbursed during the fiscal year ending June thirtieth, one thousand nine hundred and

forty-five, are hereby appropriated to the Division of Fish and Game but there may only be expended of said receipts and balances the amounts as itemized above 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 above indicated when expressly approved by the Commissioner of Taxation and Finance, but limited to the amount of the receipts of the division for the fiscal year.		
		$506,629 92

Division of Shell Fisheries

Shell fisheries.

Salaries:		
Director	$4,200 00	
Other officers and employees	64,382 00	
Pension—Mrs. Myron Jones (Chapter 86, P. L. 1923)	1,200 00	
	$69,782 00	

Materials and Supplies:		
Heat, light, power, water, gas and electricity	$5,000 00	
Stationery and office supplies	200 00	
License plates	200 00	
	$5,400 00	
Services Other Than Personal:		
Traveling expenses	$2,500 00	
Rents	2,550 00	
Insurance	1,000 00	
Miscellaneous expenses	200 00	
Surveying and mapping	1,500 00	
	$7,750 00	
Current Repairs and Maintenance:		
Boats and equipment.	$7,000 00	
Additions and Improvements:		
Shelling beds, dynamiting and netting drumfish, department of Maurice river cove and Atlantic coast, and control of oyster drill in Cumberland and Cape May counties	$20,000 00	
Staking State's natural spawning oyster beds	500 00	
	$20,500 00	
		110,432 00

Division of Forestry, Geology, Parks and Historic Sites

Forestry, geology, parks and historic sites.

Salaries:		
State Forester and director, including salary as general manager of Morris Canal and Banking Company	$7,500	00
Other officers and employees	423,717	81
	$431,217	81
Materials and Supplies:		
Heat, light, power, water, gas and electricity	$11,735	00
Household supplies ..	1,495	00
Drugs, medical and chemical supplies ..	430	00
Motor vehicular transportation supplies .	6,580	00
Stationery and office supplies	2,415	00
Engineering supplies.	435	00
Farm, stable and grounds supplies ..	1,940	00
Educational, recreational and library supplies	110	00
Other materials and supplies	4,325	00
Printing, binding, blueprinting and photographing supplies .	5,560	00
Supplies for Zoo	100	00
Flags	25	00
	$35,150	00

Services Other Than Personal:	
Traveling expenses ..	$14,050 00
Telephone anl telegraph	6,423 00
Rents	3,450 00
Insurance	2,366 25
Freight, express and cartage	100 00
Postage	185 00
Miscellaneous expenses	955 00
Garage rents	750 00
Household expenses ..	1,060 00
Advertising	100 00
Subscriptions and memberships	182 40
Skidding logs and cord wood from woods ..	50 00
	$29,671 65
Current Repairs and Maintenance:	
Automotive equipment	$3,710 00
Buildings and grounds	29,142 00
Machinery and plant equipment	1,000 00
Office furniture, machines and equipment	450 00
Scientific equipment ..	456 00
Recreational equipment	400 00
Other repairs	1,300 00
	$36,458 00

Additions and improvements	$1,100 00
Unclassified:	
Compensation awards	$2,716 68
Receipts at High Point Park, estimated at	8,000 00
Tax obligation Jersey City	940 38
For forestry purposes from State forest fund	18,000 00
	$29,657 06

Extraordinary Expenditures:	
Tax lieu	$6,279 12
Fire fighting costs	25,000 00
	$31,279 12

All unexpended balances in the accounts derived from revenues received from all State parks under the jurisdiction of the Department of Conservation; and also the revenues received from the same parks are hereby appropriated for the use of the Department of Conservation for the operation, maintenance and development of said parks.

There shall be refunded to the State fund such amounts as have heretofore been advanced from said fund to the Morris Canal fund

whenever and to the extent that the canal funds exceed the liabilities of said fund for the balance of the fiscal year ending June 30, 1946.		
		$594,533 64

Division of Navigation

Division of Navigation.

Salaries:		
Director	$9,000 00	
Other officers and employees	152,075 00	
	$161,075 00	
Materials and Supplies:		
Clothing	$450 00	
Heat, light, power, water, gas and electricity	3,558 00	
Household supplies (house boat)	600 00	
Drugs, medical and chemical supplies	300 00	
Motor vehicle transportation supplies	1,520 00	
Stationery and office supplies	2,500 00	
Photographing, blueprinting and drafting supplies	1,500 00	
Engineering supplies	1,300 00	
Motor boat transportation supplies	7,000 00	
	$18,728 00	

Services Other Than Personal:	
Traveling expenses ..	$3,800 00
Rents	7,833 00
Insurance	5,000 00
Miscellaneous expenses	1,200 00
Garage rents	1,170 00
Advertising	1,600 00
Subscriptions and memberships	235 00
Expenses in connection with riparian survey and study of plans for beach protection measures ...	1,400 00
	$22,238 00
Current Repairs and Maintenance:	
Automotive equipment	$980 00
Buildings and grounds	10,000 00
	$10,980 00
Extraordinary Expenditures:	
Enforcement of collections of licenses and provisions for fees	$2,559 00
State boundaries—chapter 52:29–1 R. S.	1,800 00
To comply with power vessel bill, chapter 306, laws of 1938 ..	350 00
Lights and buoys ...	2,950 00
Manasquan navigation lights, Cape May-Manasquan river	2,950 00

Maintenance, Newark bay lights and replacements	350 00
Maintenance, Barnegat light	3,500 00
To continue the emergency work initiated under chapter 3, laws of 1944; *provided, however,* the division of navigation, upon written approval of the Governor may use out of its appropriation, a sum not to exceed $250,000 for beach protection measures at the State camp grounds at Sea Girt on wholly owned State property, and the reconstruction of the Shark river north jetty, on wholly owned State property, without any further appropriation thereto by the municipality	1,250,000 00
In addition, the balance of the appropriation, as provided under chapter 93, laws of 1944, is hereby reappropriated.	
For construction and maintenance of beach protection projects already constructed along Atlantic coast towards which the municipality has contributed in the past	

two years their allotted share as provided for in the appropriated items for beach erosion without any further appropriation in conjunction thereto by the municipality	150,000 00	
Construction, reconstruction and maintenance and improvement in inland waterways	36,325 00	
For bulkheading Manasquan canal	50,000 00	
For dredging inland waterways	63,000 00	
For dredging Shark river inlet ordered by coast guard because of navigation hazards	25,000 00	
The unexpended balance of State funds as provided in chapter 118, P. L. 1944, for beach protection at Sea Girt, Monmouth county, is hereby reappropriated for beach protection measures on the beaches fronting on State camp grounds only, without any further appropriation in conjunction thereto by the municipality.		
	$1,588,784 00	
		1,801,805 00
		$3,322,330 56

Less transfers from Trust and Dedicated Funds:		
From Morris canal fund	$13,306 38	
From State forest fund	30,000 00	
From public shooting and fishing grounds fund	91,445 00	
From fish and game fund	419,184 92	
		553,936 30
		$2,768,394 26

D 2. Commission on Interstate Co-operation

Commission on Interstate Co-operation.

Salaries:		
Secretary	$1,200 00	
Other employees	530 00	
		$1,730 00
Materials and Supplies:		
Stationery and office supplies	$40 00	
Printing and binding	200 00	
		240 00
Services Other Than Personal:		
Traveling expenses ..	$500 00	
Telephone and telegraph	175 00	
Postage	90 00	
Miscellaneous expenses	100 00	
		865 00

Commitments to Out-of-State Agencies:		
Interstate Commission on the Delaware River Basin	$8,750 00	
Council of State Governments	5,000 00	
Governor's Conference	100 00	
Atlantic States Marine Fisheries Commission	1,400 00	
National Conference Commissioners on Uniform State Laws	150 00	
American Parole Association	300 00	
		15,700 00
		$18,535 00

D 3. Board of Public Utility Commissioners

Board of Public Utility Commissioners.

Salaries:		
Members of the board	$36,000 00	
Secretary	7,500 00	
Engineers, inspectors, clerks, stenographers and other employees	241,400 50	
Reporting hearings	7,000 00	
		$291,900 50
Materials and Supplies:		
Printing	$3,500 00	
Stationery and office supplies	3,500 00	
		7,000 00

Services Other Than Personal:		
Traveling expenses ..	$9,000 00	
Subscriptions	900 00	
Miscellaneous expenses	335 00	
		10,235 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment		300 00
		$309,435 50

D 4. County Boards of Taxation

County boards of taxation.

For salaries of members of the county boards of taxation	$172,940 00

D 5. Department of Banking and Insurance

Banking and insurance.

Salaries:		
Commissioner	$10,000 00	
Clerks, stenographers and other employees	733,100 72	
		$743,100 72
Materials and Supplies:		
Motor vehicular transportation supplies	$75 00	
Printing	11,000 00	
Stationery and office supplies	6,000 00	
Compiling and printing valuations	450 00	
		17,525 00

Services Other Than Personal:		
Traveling expenses ..	$57,500 00	
Subscriptions and Membership Fee National Association State Banks	945 00	
Rent of office appliances	6,208 00	
Miscellaneous expenses	85 00	
Freight, express and cartage	350 00	
Insurance	150 00	
		65,238 00
Current Repairs and Maintenance:		
Automotive equipment	$75 00	
Office furniture, machines and equipment	1,381 40	
		1,456 40
		$827,320 12

D 6. Department of Health

Health.

Salaries:		
Director	$7,760 00	
Director, Federal Supervision	1,240 00	
Other employees	382,546 08	
		$391,546 08
Materials and Supplies:		
Stationery and office supplies	$3,500 00	
Educational, recreational and library supplies	200 00	

Engineering supplies	750 00	
Vehicular transportation supplies	1,900 00	
Laboratory supplies	20,000 00	
Inspector's supplies ..	100 00	
Dental health education materials	1,000 00	
Printing	10,000 00	
		37,450 00
Services Other Than Personal:		
Traveling expenses ..	$19,000 00	
Miscellaneous expenses	750 00	
Rental of tabulation machines	1,296 00	
Binding volumes of birth, marriage and death certificates ..	750 00	
Garage rents	960 00	
Subscriptions	330 00	
Maintenance of dental trailer	750 00	
Freight, express and cartage	200 00	
Maintenance of boats and plants	2,800 00	
Household expenses ..	355 00	
Insurance	1,763 75	
		28,954 75
Current Repairs and Maintenance:		
Automotive equipment	$1,200 00	
Office furniture, equipment and machines	800 00	
		2,000 00

Extraordinary Expenditures:		
Pneumonia and measles serum	$3,500 00	
Biological assays	500 00	
Diphtheria Toxoid and Smallpox Vaccine ..	9,700 00	
Whooping Cough Immunization	8,000 00	
Typhoid Vaccine	900 00	
		22,600 00

Bureau of Venereal Disease Control

Venereal disease control.

Salaries:		
Chief	$3,800 00	
Other employees	16,320 00	
	$20,120 00	
Materials and supplies:		
Drugs and clinic supplies	$5,000 00	
Printing	1,050 00	
Stationery and office supplies	300 00	
	$6,350 00	
Services Other Than Personal:		
Miscellaneous expenses	$75 00	
Traveling expenses ..	1,050 00	
Subscriptions	80 00	
	$1,205 00	
Current Repairs and Maintenance:		
Office furniture, fixtures and machines	$200 00	
		27,875 00

Maternal and Child Health Bureau

Maternal and child health.

Salaries:			
Consultant	$4,500 00		
Other employees	99,903 48		
	$104,403 48		
Materials and supplies:			
Stationery and office supplies	$1,220 00		
Baby welfare station supplies	675 00		
Printing	500 00		
	$2,395 00		
Services Other Than Personal:			
Traveling expenses ..	$14,000 00		
Miscellaneous expenses	100 00		
	$14,100 00		
Current Repairs and Maintenance:			
Office furniture, fixtures and machines	$150 00		
		121,048	48

Bureau of Industrial Health

Industrial health.

Salaries:			
Physicians, nurses, clerks, et cetera	$40,680 00		
Materials and supplies	2,100 00		
Services other than personal	5,000 00		
		47,780	00
		$679,254	31

Rabies Control

Rabies control.

Salaries:		
Veterinarian in charge and other employees	$20,300 00	
Materials and Supplies:		
Motor Vehicular transportation supplies	$200 00	
Stationery and office supplies	200 00	
Printing	700 00	
	$1,100 00	
Services Other Than Personal:		
Traveling expenses	$2,600 00	
Telephone and telegraph	300 00	
Rents (office)	900 00	
Rents (garage)	84 00	
Insurance (other than fire)	10 00	
Postage	500 00	
Court expenses	100 00	
Miscellaneous expenses	300 00	
	$4,794 00	
Extraordinary Expenditures:		
Antirabic serum	$1,000 00	
	$27,194 00	

D 7. Department of Labor

Labor.

Salaries:		
Commissioner of Labor	$10,000 00	
Deputy Commissioners Workmen's Compensation	76,750 00	
Deputy Commissioners of Labor and Chiefs of bureaus	34,200 00	
Examiners, inspectors, clerks and other employees	489,237 60	
		$610,187 60
Materials and Supplies:		
Stationery and office supplies	$11,000 00	
Printing	8,000 00	
Coal, Jersey City, Trenton and Paterson	1,500 00	
Vehicular transportation supplies	300 00	
Lighting, power and water service	1,000 00	
		21,800 00
Services Other Than Personal:		
Traveling expenses	$25,000 00	
Insurance	617 31	
Household expenses	150 00	
Subscriptions	350 00	
Garage rents	144 00	
Rent of office appliances	2,286 00	
Miscellaneous expenses	250 00	
Expenses for Industrial Safety Campaign	800 00	
		29,597 31

Current Repairs and Maintenance:		
Automotive equipment	$100 00	
Office furniture, machines and equipment	200 00	
		300 00
		$661,884 91

State Board of Mediation

Board of Mediation.

Salaries:		
Board members	$10,820 00	
Other employees	23,082 00	
		33,902 00
Materials and Supplies:		
Stationery and office supplies	$840 00	
Educational, recreational and library supplies	100 00	
Printing and binding	160 00	
		1,100 00
Services Other Than Personal:		
Traveling expenses	$1,500 00	
Subscriptions	296 00	
Miscellaneous expenses	123 00	
		1,919 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment		47 00
		$36,968 00
		$698,852 91

Bureau of Explosives

Bureau of explosives.

Salaries		$7,680 00
Materials and Supplies:		
Laboratory equipment	$1,000 00	
Laboratory supplies	500 00	
		$1,500 00
Services Other Than Personal:		
Rent		$1,800 00
		$10,980 00

Industrial Homework Division

Industrial homework.

Salaries		$8,280 00
Materials and Supplies:		
Office supplies	$100 00	
Printing	250 00	
		$350 00
Services Other Than Personal:		
Rent		$660 00
		$9,290 00

Bureau of Structural Inspection

Structural inspection.

Salaries		$19,700 00
Materials and Supplies:		
Engineering supplies	$400 00	
Printing	500 00	
Office equipment replacement	2,000 00	
		$2,900 00

Services Other Than Personal:		
Rent	$780 00	
Miscellaneous expenses	250 00	
	$1,030 00	
	$23,630 00	
	$43,900 00	

D 8. Department of Weights and Measures

Weights and Measures.

Salaries:		
Superintendent	$5,200 00	
Assistant superintendent, chief clerk	5,000 00	
Compensation for assistants	42,240 00	
		$52,440 00
Materials and Supplies:		
Vehicular transportation supplies	$1,450 00	
Seals and license plates	1,600 00	
Printing and binding	1,950 00	
Stationery and office supplies	700 00	
Other materials and supplies	75 00	
		5,775 00
Services Other Than Personal:		
Traveling expenses	$8,500 00	
Rent of garages	312 00	

Insurance	450 00	
Subscriptions	50 00	
Miscellaneous expenses	250 00	
Freight, express and cartage	15 00	
		9,577 00
Current Repairs and Maintenance:		
Automotive equipment	$1,000 00	
Scientific and laboratory equipment	50 00	
		1,050 00
		$68,842 00

D 9. HEALTH OFFICERS, PORT OF PERTH AMBOY

Health officers.

Health officer of the Port of Perth Amboy, for salary, pursuant to R. S. 26:4–111	$1,120 00
Deputy health officer	370 00
	$1,490 00

D 10. STATE BOARD OF TENEMENT HOUSE SUPERVISION

Tenement house supervision.

Salaries:		
Secretary and executive officer	$7,000 00	
Compensation for assistants and other employees	103,321 12	
		$110,321 12

Materials and Supplies:		
Stationery and office supplies	$700 00	
Vehicular transportation supplies	600 00	
Printing	100 00	
		1,400 00
Services Other Than Personal:		
Traveling expenses	$7,500 00	
Miscellaneous expenses	180 00	
Garage rent	216 00	
Subscriptions	120 00	
Insurance (other than fire)	50 00	
		8,066 00
Current Repairs and Maintenance:		
Automotive equipment	$650 00	
Office furniture, machines and equipment	100 00	
		750 00
		$120,537 12

D 11. Real Estate Commission

Real Estate Commission.

Salaries:		
Commissioners (5)	$21,000 00	
Secretary	6,000 00	
Other officers and employees	30,688 00	
		$57,688 00

Materials and Supplies:		
Stationery and office supplies	$275 00	
Printing	1,740 00	
		2,015 00
Services Other Than Personal:		
Traveling expenses	$2,500 00	
Miscellaneous expenses	216 00	
Subscriptions	134 00	
Subpœna and class room fees	250 00	
Insurance	204 00	
		3,304 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment		50 00
		$63,057 00

D 12. Department of State Police

State Police.

Salaries:		
Colonel and superintendent	$9,000 00	
Major and deputy superintendent	6,000 00	
Other officers and employees	1,216,808 36	
		$1,231,808 36
Materials and Supplies:		
Food and lodging	$244,546 00	
Clothing	34,300 00	
Heat, light, power, water, gas and electricity	12,600 00	
Vehicular transportation supplies	53,500 00	
Household and organization supplies	13,000 00	

Medical, surgical and chemical supplies ..	2,500 00	
Stationery and office supplies	12,000 00	
Photographing, blueprinting and drafting supplies	3,000 00	
		375,446 00
Services Other Than Personal:		
Traveling expenses ..	$1,600 00	
Rents	12,987 00	
Insurance	4,355 49	
Freight, express and cartage	75 00	
Emergency fund	1,500 00	
Garage rents	4,013 00	
Rental, fingerprint sorter	2,832 00	
Rental of communications instruments and power	44,000 00	
		71,362 49
Current Repairs and Maintenance:		
Automotive equipment	$28,500 00	
Buildings and grounds	6,850 00	
Parts, tools and repairs	5,000 00	
Office furniture, machines and equipment	450 00	
Recreational equipment	275 00	
Household furniture, machinery and equipment	250 00	
Other equipment	175 00	
		41,500 00
		$1,720,116 85

D 13. Department of Aviation

Aviation.

Expenses incurred by the Department of Aviation, established pursuant to chapter 1 of Title 6 of the R. S.		
Salaries:		
Director of Aviation	$6,000 00	
Compensation of other employees	5,050 00	
		$11,050 00
Materials and Supplies:		
Stationery and office supplies	$175 00	
Maintenance of aircraft	500 00	
		675 00
Services Other Than Personal:		
Traveling expenses ..	$1,000 00	
Insurance	500 00	
Subscriptions	150 00	
Miscellaneous expenses	100 00	
		1,750 00
		$13,475 00

D 14. Department of Alcoholic Beverage Control

Alcoholic beverage control.

Salaries:		
Commissioner	$16,500 00	
Compensation for other assistants and clerical services ...	418,236 00	
		$434,736 00

Materials and Supplies:		
Stationery and office supplies	$3,240 00	
Household and organization supplies	275 00	
Printing and binding	4,135 00	
Other materials and supplies	600 00	
Medical, surgical and chemical supplies	290 00	
		8,540 00
Services Other Than Personal:		
Traveling expenses	$60,000 00	
Household expenses	290 00	
Rent of equipment	250 00	
Advertising	550 00	
Subscriptions, membership fees and press clippings	1,125 00	
Insurance	550 00	
Rent of storage and control rooms	1,538 00	
Miscellaneous expenses	864 00	
Trucking and wrecking	1,258 00	
Subpœna fees and court reporting services	1,730 00	
		68,155 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment		655 00

Extraordinary Expenditures:

Rehabilitation of Alcoholics and Promotion of Temperance Education

Rehabilitation of alcoholics.

For the rehabilitation of alcoholics and the promotion of temperance education to be administered by the Commissioner of Alcoholic Beverage Control, the Commissioner of the Department of Institutions and Agencies, the Commissioner of Education and the State Director of Health		25,000 00
		$537,086 00

D 15. State Board of Beauty Culture Control

Beauty culture control.

Salaries:		
Commissioners	$11,000 00	
Inspectors, stenographers and other employees	17,290 00	
		$28,290 00
Materials and Supplies:		
Vehicular transportation supplies	$700 00	
Stationery and office supplies	250 00	
Printing	600 00	
		1,550 00
Services Other Than Personal:		
Traveling expenses ..	$1,400 00	
Insurance	100 00	
Garage rents	480 00	
Miscellaneous expenses	100 00	
		2,080 00

Current Repairs and Maintenance:		
Automotive equipment		500 00
		$32,420 00

D 16. Board of Barber Examiners

Barber examiners.

Salaries:		
Members of the board	$11,000 00	
Officers and employees	7,710 00	
		$18,710 00
Materials and Supplies:		
Stationery and office supplies	$400 00	
Printing	275 00	
		675 00
Services Other Than Personal:		
Traveling expenses ..	$4,100 00	
Insurance	65 00	
Miscellaneous expenses	75 00	
		4,240 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment		40 00
		$23,665 00

D 17. Interstate Sanitation Commission

Sanitation commission.

Expenses incurred by the commission appointed pursuant to chapter 321, laws of 1935.		
Salaries	$13,226 40	
Materials and supplies	340 00	
Services other than personal	1,433 60	
		$15,000 00

D 18. Department of Economic Development

Economic development.

Salaries:		
Commissioner	$12,000 00	
Director, Division of Commerce and Municipal Aid	7,500 00	
Director, Division of Planning and Engineering	7,500 00	
Director, Division of Veterans' Services	7,500 00	
Other officers and employees	315,734 16	
Technical and professional services	10,000 00	
		$360,234 16
Materials and Supplies:		
Heat, light, power, water, gas and electricity	$854 28	
Household and organization supplies	50 00	
Drugs, medical, surgical and chemical supplies	30 00	
Motor vehicular transportation supplies .	650 00	
Stationery and office supplies	3,000 00	
Educational, recreational and library supplies	300 00	
Printing and binding	6,000 00	
		10,884 28

Services Other Than Personal:		
Traveling expenses ..	$19,000 00	
Insurance	800 00	
Freight, express and cartage	1,000 00	
Household expenses ..	50 00	
Subscriptions	750 00	
Miscellaneous expenses	1,500 00	
Rent of trucks and garages	6,192 00	
		29,292 00
Current Repairs and Maintenance:		
Automotive equipment	$350 00	
Buildings and grounds	270 00	
Office furniture, machines and equipment	2,000 00	
		2,620 00
Extraordinary Expenditures:		
Promotional expenses	$100,000 00	
Relief subsidies	1,000,000 00	
		1,100,000 00
$100,000.00 of the unexpended balances remaining in the Municipal Aid account as of December 31, 1944, are hereby reappropriated.		
The appropriation for relief subsidies is for the eighteen-month period, commencing January 1, 1945. This portion of the appropriation is to be made available immediately upon enactment of this appropriation bill into law.		
Unclassified Expenditures:		
Matilda K. Nelson award		224 71
		$1,503,255 15

D 19. Racing Commission

Racing commission.

The following amounts are appropriated for the permanent necessary requirements of the commission:

Salaries:		
Secretary	$5,000 00	
Other employees	8,950 00	
		$13,950 00
Materials and Supplies:		
Vehicular transportation supplies	$200 00	
Printing	250 00	
Stationery and office supplies	500 00	
		950 00
Services Other Than Personal:		
Traveling expenses ..	$2,500 00	
Insurance	1,722 50	
Subscriptions and membership fees ..	342 00	
Investigations and engineering inspections	1,000 00	
		5,564 50
Current Repairs and Maintenance:		
Automotive equipment		250 00
		$20,714 50

The following amounts are appropriated for necessary expenses in connection with the supervision of racing. These appropriations are not to be made available to the commission in the event racing meets are not conducted during the fiscal year:

Salaries:		
Other employees		$24,600 00
Materials and Supplies:		
Printing		500 00
		$25,100 00

E. Educational

E 1. State Board of Education

Commissioner's Office

Education.

Salaries:		
Commissioner	$15,000 00	
Assistant commissioners	35,000 00	
Twenty-one county superintendents of schools	126,000 00	
Other officers and employees	138,873 28	
		$314,873 28
Materials and Supplies:		
Stationery and office supplies	$15,425 00	
Educational, recreational and library supplies	250 00	
Printing special bulletins	2,000 00	
Printing educational bulletins	4,000 00	
Printing and binding	175 00	
Vehicular transportation supplies	1,000 00	
		22,850 00

Services Other Than Personal:		
Traveling expenses ..	$6,775 00	
Postage	3,100 00	
Telephone and telegraph	1,680 00	
Rents	19,419 00	
Subscriptions and membership fees ..	50 00	
Garage rents	486 00	
Other miscellaneous expenses	2,350 00	
Freight, express and cartage	200 00	
Fire and other insurance premiums on buildings under control of State Board of Education	24,500 00	
		58,560 00
Current Repairs and Maintenance:		
Automotive equipment	$300 00	
Office furniture, machines and equipment	200 00	
		500 00
Unclassified:		
For the purpose of carrying out the provisions of article 9, chapter 15 of Title 18 of the R. S. to provide evening schools for foreign-born residents	$15,000 00	
Establishment and maintenance of libraries for use of teachers	400 00	
		15,400 00
		$412,183 28

Division of the State Library, Archives and History

State library.

Salaries:		
Officers and employees		$62,233 04
Materials and Supplies:		
Vehicular transportation supplies	$400 00	
Stationery and office supplies	2,500 00	
Educational and library supplies	35,000 00	
Printing and binding	4,500 00	
		42,400 00
Services Other Than Personal:		
Traveling expenses	$600 00	
Garage rent	86 00	
Freight, express and cartage	625 00	
Insurance	10 00	
Miscellaneous expenses	125 00	
Legislative reference division	250 00	
Formation and aid of county and school libraries	10,000 00	
Donations to libraries	200 00	
		11,896 00
Current Repairs and Maintenance:		
Automotive equipment	$150 00	
Office furniture, machines and equipment	250 00	
		400 00

Additions and Improvements:		
Microfilming		4,500 00
		$121,429 04

Division of the State Museum

State museum.

Salaries:		
Officers and employees		$38,007 19
Materials and Supplies:		
Clothing	$100 00	
Heat, light and power	30 00	
Stationery and office supplies	1,250 00	
Educational, recreational and library supplies	440 00	
Other materials and supplies	500 00	
Printing and binding	1,150 00	
Lantern slides and films	5,850 00	
		9,320 00
Services Other Than Personal:		
Traveling expenses ..	$250 00	
Telephone and telegraph	25 00	
Rents	550 00	
Insurance	200 00	
Freight, express and cartage	400 00	
Subscriptions and memberships	130 00	
Fees for lectures	275 00	
		1,830 00

Current Repairs and Maintenance:		
Other repairs	1,200 00	
		$50,357 19
		$583,969 51

Payments under this account to be made pursuant to R. S. 18:10–31, and subsequent legislation.

E 2. Teachers' Colleges

Glassboro

Teachers' colleges. Glassboro.

For salaries and wages and for the maintenance of the State Teachers College, Glassboro.

Salaries and Wages:		
President	$7,500 00	
Teachers	98,831 42	
Other employees	40,690 08	
		$147,021 50
Materials and Supplies:		
Food	$20,000 00	
Heat, light, power, water, gas and electricity	12,000 00	
Farm, stable and grounds supplies ..	400 00	
Educational, recreational and library supplies	4,800 00	
Stationery and office supplies	350 00	
Printing and binding	465 00	
Household supplies ..	1,700 00	

Medical, surgical and chemical supplies ..	50 00	
Vehicular transportation supplies	55 00	
		39,820 00
Services Other Than Personal:		
Traveling expenses ..	$1,400 00	
Postage	500 00	
Telephone and telegraph	450 00	
Subscriptions and memberships	50 00	
Rents	80 00	
Freight, express and cartage	50 00	
Miscellaneous expenses	145 00	
Sewer rental	175 00	
Laundry service	525 00	
		3,375 00
Current Repairs and Maintenance:		
Automotive equipment	$45 00	
Buildings and grounds	4,100 00	
Farm machinery	100 00	
Recreational equipment	50 00	
Household furniture, machinery and equipment	150 00	
		4,445 00
		$194,661 50

JERSEY CITY

Jersey City.

For salaries and wages and for the maintenance of the State Teachers College, Jersey City.

Salaries and Wages:		
President	$7,500 00	
Teachers	136,936 30	
Other employees	30,255 00	
		$174,691 30
Materials and Supplies:		
Heat, light, power, water, gas and electricity	$8,000 00	
Educational, recreational and library supplies	8,000 00	
Stationery and office supplies	800 00	
Other materials and supplies	50 00	
Printing, including catalog	1,000 00	
Household supplies	1,400 00	
Ground supplies	600 00	
Medical, surgical and chemical supplies	100 00	
		19,950 00
Services Other Than Personal:		
Traveling expenses	$950 00	
Postage	700 00	
Telephone and telegraph	650 00	
Miscellaneous expenses	300 00	
Freight, express and cartage	90 00	

Household expenses ..	125 00	
Subscriptions and memberships	50 00	
		2,865 00
Current Repairs and Maintenance:		
Buildings and grounds	$4,900 00	
Office furniture, machines and equipment	100 00	
Household furniture, machinery and equipment	2,500 00	
		7,500 00
		$205,006 30

NEWARK

Newark.

For salaries and wages, and for maintenance of the State Teachers College, Newark.

Salaries and Wages:		
President	$7,500 00	
Teachers	175,824 00	
Other employees	32,420 00	
		$215,744 00
Materials and Supplies:		
Heat, light, power, water, gas and electricity	$6,950 00	
Educational, recreational and library supplies	6,500 00	
Stationery and office supplies	1,000 00	

Ground supplies (including ash removal)	500 00	
Household supplies	650 00	
Printing	1,450 00	
Medical, surgical and chemical supplies	100 00	
		17,150 00
Services Other Than Personal:		
Traveling expenses	$1,400 00	
Postage	900 00	
Subscriptions and memberships	15 00	
Telephone and telegraph	750 00	
Freight, express and cartage	50 00	
Advertising	150 00	
Miscellaneous expenses	200 00	
		3,465 00
Current Repairs and Maintenance:		
Buildings and grounds	$5,485 00	
Household furniture, machinery and equipment	300 00	
Office furniture, machines and equipment	200 00	
Other equipment	100 00	
		6,085 00
		$242,444 00

PATERSON

Paterson.

For salaries and wages, and for maintenance of the State Teachers College, Paterson, pursuant to the provisions of R. S. 18:16–29 and R. S. 18:16–19.

Salaries and Wages:		
President	$7,500 00	
Teachers	93,170 00	
Other employees	15,841 58	
		$116,511 58
Materials and Supplies:		
Heat, light, power, water, gas and electricity	$3,450 00	
Educational, recreational and library supplies	5,000 00	
Stationery and office supplies	500 00	
Printing	850 00	
Other materials and supplies	30 00	
Household supplies	520 00	
		10,350 00
Services Other Than Personal:		
Traveling expenses ..	$900 00	
Postage	600 00	
Household expenses ..	85 00	
Telephone and telegraph	550 00	
Freight, express and cartage	75 00	
Miscellaneous expenses	65 00	
Subscriptions	100 00	
		2,375 00

Current Repairs and Maintenance:		
Office furniture, machines and equipment	$75 00	
Buildings and grounds	200 00	
Scientific and laboratory equipment	50 00	
		325 00
		$129,561 58

MONTCLAIR

For salaries and wages and for maintenance of the State Teachers College, Montclair. Montclair.

Salaries and Wages:		
President	$7,500 00	
Teachers	254,438 76	
Other employees	63,576 00	
		$325,514 76
Materials and Supplies:		
Food	$40,000 00	
Heat, light, power, water, gas and electricity	22,050 00	
Educational recreational and library supplies	10,000 00	
Stationery and office supplies	1,300 00	
Ground supplies	900 00	
Other materials and supplies	425 00	
Printing	2,125 00	
Household supplies ..	3,600 00	
Vehicular transportation supplies	80 00	
Medical, surgical and chemical supplies ..	200 00	
		80,680 00

Services Other Than Personal:		
Traveling expenses ..	$2,350 00	
Postage	1,850 00	
Telephone and telegraph	1,650 00	
Freight, express and cartage	125 00	
Subscriptions and memberships	200 00	
Miscellaneous expenses	300 00	
		6,475 00
Current Repairs and Maintenance:		
Automotive equipment	$135 00	
Buildings and grounds	10,750 00	
Household furniture, machinery and equipment	615 00	
Office furniture, machines and equipment	100 00	
		11,600 00
		$424,269 76

TRENTON

Trenton.

For salaries and wages, and for the maintenance of the State Teachers College, Trenton.		
Salaries and Wages:		
President	$7,500 00	
Business manager ...	4,200 00	
Teachers	260,460 80	
Other employees	118,451 20	
		$390,612 00

Materials and Supplies:		
Food	$64,900 00	
Heat, light, power, water, gas and electricity	35,000 00	
Educational, recreational and library supplies	10,000 00	
Stationery and office supplies	1,000 00	
Printing	1,425 00	
Vehicular transportation supplies	300 00	
Ground supplies	450 00	
Household supplies	4,000 00	
Medical, surgical and chemical supplies	300 00	
		117,375 00
Services Other Than Personal:		
Traveling expenses	$2,050 00	
Postage	1,400 00	
Household expenses	5,868 00	
Subscriptions and memberships	140 00	
Telephone and telegraph	3,000 00	
Freight, express and cartage	100 00	
Miscellaneous expenses	332 00	
		12,890 00
Current Repairs and Maintenance:		
Automotive equipment	$100 00	
Office furniture, machines and equipment	60 00	

Buildings and grounds	8,763 00	
Household furniture, machinery and equipment	567 00	
Scientific and laboratory equipment	580 00	
Recreational equipment	40 00	
Farm machinery	50 00	
		10,160 00
		$531,037 00
Total teachers' colleges		$1,726,980 14

In addition to the several amounts above appropriated, there may be expended, upon the approval of the Commissioner of Taxation and Finance, any moneys received from dormitory, boarding hall or extension course fees or charges in excess of the receipts anticipated.

The moneys in this item appropriated to be deducted in the same manner as the moneys appropriated to normal schools are required to be deducted, pursuant to R. S. 18:10–31, and subsequent legislation.

E 3. THE SCHOOL FOR THE DEAF AND THE MANUAL TRAINING AND INDUSTRIAL SCHOOL FOR COLORED YOUTH

SCHOOL FOR THE DEAF

School for Deaf.

For salaries and wages and for maintenance of the New Jersey School for the Deaf.		
Salaries and Wages:		
Superintendent	$5,200 00	
Principal, teachers and instructors	149,811 20	
Other officers and employees	110,730 00	
Medical and surgical fees	900 00	
		$266,641 20
Materials and Supplies:		
Food	$37,000 00	
Clothing	1,500 00	
Heat, light, power, water, gas and electricity	27,500 00	
Household supplies	8,000 00	
Farm, stable and grounds supplies ..	1,200 00	
Industrial and vocational supplies	7,500 00	
Medical, surgical and chemical supplies	1,000 00	
Educational, recreational and library supplies	4,500 00	
Stationery and office supplies	265 00	

Vehicular transportation supplies	600 00	
Other materials and supplies	350 00	
Earphones and equipment	2,000 00	
		91,415 00
Services Other Than Personal:		
Traveling expenses ..	$1,000 00	
Entertainment expenses	750 00	
Freight, express and cartage	50 00	
Postage	350 00	
Telephone and telegraph	1,300 00	
		3,450 00
Current Repairs and Maintenance:		
Automotive equipment	$400 00	
Buildings and grounds	9,250 00	
		9,650 00
		$371,156 20

Manual Training and Industrial School for Colored Youth

Manual training.

For salaries and wages, and for maintenance of the Manual Training and Industrial School for Colored Youth.

Salaries and Wages:		
Principal	$6,000 00	
Teachers	81,929 00	
Other officers and employees	53,174 00	
Student labor	6,000 00	
Religious services ..	200 00	
		$147,303 00

Materials and Supplies:		
Food	$32,000 00	
Heat, light, power, water, gas and electricity	29,700 00	
Household and organization supplies	7,500 00	
Farm, stable and grounds supplies	12,500 00	
Industrial and vocational supplies	4,000 00	
Printing	300 00	
Educational, recreational and library supplies	4,000 00	
Medical, surgical and chemical supplies	900 00	
Stationery and office supplies	200 00	
Vehicular transportation supplies	700 00	
Other materials and supplies	100 00	
		91,900 00
Services Other Than Personal:		
Traveling expenses	$600 00	
Postage	800 00	
Telephone and telegraph	1,450 00	
Entertainment expenses	600 00	
Freight, express and cartage	30 00	
Subscriptions	20 00	
Miscellaneous expenses	100 00	
		3,600 00

Current Repairs and Maintenance:		
Automotive equipment	$150 00	
Buildings and grounds	10,600 00	
Household furniture, machinery and equipment	400 00	
		11,150 00
Additions and Improvements:		
To complete work on remodeled house		3,000 00
		$256,953 00
		$628,109 20

Payments under this account to be made pursuant to R. S. 18:10–31, and subsequent legislation.

E 4. The State University of New Jersey

State University.

Rutgers University	$909,770 51
Scholarships at Rutgers University and the New Jersey College for Women	200,000 00
College for Women	426,700 00
Total State University of New Jersey	$1,536,470 51

Payments under this account to be made pursuant to R. S. 18:10–31, and subsequent legislation.

E 5. NEWARK TECHNICAL SCHOOL AND NEWARK COLLEGE OF ENGINEERING

For the purchase of higher education at the Newark Technical School and Newark College of Engineering	$94,505 00	Newark Technical School.

Payments under this account to be made pursuant to R. S. 18:10–31, and subsequent legislation.

E 6. INDUSTRIAL EDUCATION, MANUAL TRAINING AND VOCATIONAL SCHOOLS

INDUSTRIAL EDUCATION

For payments to schools established for industrial education pursuant to R. S. 18:15–24	$69,000 00	Industrial education.

MANUAL TRAINING

Payments to schools for manual training, pursuant to R. S., chapter 9 of Title 52	700,000 00	Manual training.

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 article 5, chapter 15, of Title 18 of the R. S., which authorized State aid for vocational schools	410,000 00	Vocational.

For the purpose of carrying into effect the provisions of article 1, chapter 17 of Title 18 of the R. S., 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	31,755 49	
Matching George-Deen Vocational Law	26,000 00	
		$467,755 49
		$1,236,755 49

Payments under this account to be made pursuant to R. S. 18:10–31, and subsequent legislation.

E 7. TEACHERS' PENSION AND ANNUITY FUND

Teachers' pension.

Unclassified:

State's contribution to Teachers' Pension and Annuity Fund, pursuant to article 3, chapter 13 of Title 18 of the R. S.		
Pension Accumulation Fund	$2,407,510 00	
Pension Fund—		
Normal contribution	380,576 00	
Deficiency contribution	3,913,945 00	
Administration expense	30,000 00	

Payments to the Teachers' Pension and Annuity Fund out of receipts of license fees, whether vehicular or driver, 1/5 of the sum certified as due and payable to that fund on July 1, 1943, pursuant to chapter 190, laws of 1942 ...	1,266,556 00	
Interest	75,993 36	
		$8,074,580 36

Payments under this account to be made pursuant to R. S. 18:10–31, and subsequent legislation.

E 8. Student Service Commission

Student service.

To continue the work of the commission appointed pursuant to chapter 103, laws of 1943.

Salaries	$5,120 00	
Materials and supplies	500 00	
Services other than personal	1,750 00	
		$7,370 00

Payments under this account to be made pursuant to R. S. 18:10–31, subsequent legislation.

E 9. STATE SCHOOL FUND

School fund. The following sums or so much thereof as may be necessary are hereby appropriated out of the income of the school fund for the purposes specified:

Free Public Schools

Public schools. For the support of free public schools, the income of the fund, not exceeding $450,000 00

Premiums and Accrued Interest

Premiums. 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 the public schools.

School Fund Expenses

School fund expenses. For necessary legal and other expenses incurred by or under the direction of the trustees for the support of public schools in the investment and protection of the school fund, and in the collection of the income thereof $4,500 00

Refunds

Whenever by the conversion of a lease into a grant, or by the execution of a new lease, the rental that has been paid in advance to the State for land under water under riparian lease is in excess of the amount actually accruing and owing thereunder, the same has been carried to the credit of the trustees of the school fund, the State Treasurer, upon warrant of the Commissioner of Taxation and Finance, is hereby authorized and directed at any time upon application of the persons entitled to the same, to repay such excess from the income of the school fund.

$454,500 00

F. Agriculture

F 1. Agricultural Experiment Station

Agricultural Experiment Station.

For the expenses of maintenance and operation of the New Jersey Agricultural Experiment Station at New Brunswick, and its authorized activities.

Salaries:		
Director	$6,000 00	
Other officers and employees	461,059 56	
		$467,059 56
Materials and Supplies:		
Heat, light, power, water, gas and electricity	$20,863 00	
Farm, stable and grounds supplies	45,007 00	
Household and organization supplies	50 00	
Drugs, medical, surgical and chemical supplies	15,873 00	
Vehicular transportation supplies	4,780 00	
Stationery and office supplies	3,120 00	
Printing, binding, photographing and blueprinting	7,611 00	
		97,304 00

Services Other Than Personal:		
Traveling expenses ..	$8,000 00	
Rents	402 00	
Insurance	895 60	
Freight, express and cartage	450 00	
Household expenses ..	300 00	
Development and operation of mosquito traps	400 00	
Subscriptions	1,046 00	
Registration of animals	350 00	
Garage rents	670 00	
Veterinary and medical treatment	980 00	
		13,493 60
Current Repairs and Maintenance:		
Automotive equipment	$4,000 00	
Buildings and grounds	4,700 00	
Scientific equipment	2,810 00	
		11,510 00
Additions and Improvements:		
Live stock		3,000 00
Unclassified Expenditures:		
Maintenance boys' and girls' 4-H club exhibits	$12,500 00	
Maintenance adult fairs	4,500 00	
		17,000 00
		$609,367 16

F 2. Department of Agriculture

Department of Agriculture.

Salaries and administration of the Department of Agriculture pursuant to chapter 1 of Title 4 of the R. S.

Salaries:		
Secretary	$10,000 00	
Other officers and employees	388,363 63	
		$398,363 63
Materials and Supplies:		
Heat, light, power, water, gas and electricity	$1,830 00	
Drugs, medical, surgical and chemical supplies	6,315 00	
Vehicular transportation supplies	7,845 00	
Stationery and office supplies	5,850 00	
Educational, recreational and library supplies	250 00	
Other materials and supplies	750 00	
Printing and binding	8,000 00	
Field and exhibit supplies	1,845 00	
		32,685 00
Services Other Than Personal:		
Traveling expenses	$23,805 00	
Telephone and telegraph	1,510 00	
Rents	1,674 00	
Insurance	1,400 00	
Freight, express and cartage	80 00	

Household expenses ..	250 00	
Subscriptions and membership fees ...	600 00	
Miscellaneous expenses	750 00	
Garage rents	2,356 00	
Miscellaneous rentals	685 00	
Exhibits	1,600 00	
		34,710 00
Current Repairs and Maintenance:		
Buildings and grounds	$600 00	
Automotive equipment	5,000 00	
Office furniture, machines and equipment	540 00	
Scientific equipment	300 00	
		6,440 00
Unclassified Expenditures:		
Indemnities — Tuberculosis Eradication	$40,000 00	
Indemnities — Bang's Disease Control ..	20,000 00	
		60,000 00
		$532,198 63
Refunds:		
Authorization is hereby granted to refund from fees collected that portion which should be transferred to the U. S. Department of Agriculture.		
Less fees available for departmental use, approximately		82,075 00
		$450,123 63

F 3. STATE BOARD OF MILK CONTROL

Milk control.

Salaries:		
Director	$10,000	00
Other officers and employees	76,996	00
Fees (members of board)	3,600	00
Professional service at hearings	1,000	00
	$91,596	00
Materials and Supplies:		
Vehicular transportation supplies	$2,300	00
Stationery and office supplies	1,500	00
Printing	200	00
Other materials and supplies	50	00
	$4,050	00
Services Other Than Personal:		
Traveling expenses	$5,000	00
Insurance	204	00
Advertising	200	00
Subscriptions	200	00
Miscellaneous expenses	500	00
	$6,104	00
Current Repairs and Maintenance:		
Automotive equipment	$1,450	00
Office furniture, machines and equipment	300	00
	$1,750	00
	$103,500	00

F 4. State Soil Conservation Committee

Salaries:			
Compensation of employees		$1,775 00	Soil conservation.
Materials and supplies		200 00	
Services Other Than Personal:			
Traveling expenses ..	$875 00		
Postage	200 00		
		1,075 00	
		$3,050 00	

G. Military

G 1. Adjutant-General's Department

Salaries:			
Adjutant-General ...	$7,944 00		Adjutant-General.
Deputy Adjutant-General	7,344 00		
Chief, War Records and Mobilization Division and Other Clerical Services ..	51,552 00		
		$66,840 00	
Materials and Supplies:			
Stationery and office supplies	$1,000 00		
Vehicular transportation supplies	590 00		
Printing and binding	1,400 00		
		2,990 00	

Services Other Than Personal:		
Traveling expenses ..	$450 00	
Subscriptions and membership fees ...	311 00	
Miscellaneous expenses	164 00	
		925 00
Current Repairs and Maintenance:		
Automotive equipment	$160 00	
Office furniture, machines and equipment	75 00	
Repair of old flags ..	1,000 00	
		1,235 00
		$71,990 00

G 2. National Guard and/or State Guard

For Maintenance and Operation of Installations and Expenses of National Guard and/or State Guard

National or State Guard.

Salaries:		
Employees	$268,372 90	
Fees of examining surgeons	2,000 00	
		$270,372 90
Materials and Supplies:		
Heat, light, power, water and gas	$96,933 53	
Household and organization supplies ...	9,500 00	
Motor vehicle transportation supplies	1,809 65	
		108,243 18

Services Other Than Personal:		
Telephone and telegraph	$6,000 00	
Rent of buildings	5,500 00	
Insurance (fire)	35,000 00	
Insurance (other than fire)	24,000 00	
Household expenses	252 00	
Postage	235 00	
		70,987 00
Current Repairs and Maintenance:		
Buildings and grounds	$5,132 22	
Automotive equipment	1,650 00	
		6,782 22
Unclassified Expenses:		
Military board expenses	$375 00	
Compensation, hospitalization and medical attendance for State Guard	6,000 00	
Death claims for Pvt. Thomas Leidner	531 96	
Transportation and expenses of State Guard and/or National Guard for drills, inspections, parades, schools of instruction, etc.	2,000 00	
Expenses in connection with rifle practice	5,000 00	
Encampment expenses	75,000 00	
Equipping and maintaining of the State Guard and/or National Guard	50,000 00	
		138,906 96

Additions and Improvements:		
Renovations, repairs and additions to armories, buildings at State camp grounds and rifle range ...		37,500 00
		$632,792 26
Less expenditures to be paid from armory rental receipts		200,000 00
		$432,792 26

G 3. Naval Militia

Naval Militia.

Salaries:		
Armorers and caretakers		$9,414 00
Materials and Supplies:		
Heat, light, power, water, gas and electricity	$2,000 00	
Household and organization supplies ..	1,000 00	
		3,000 00
Services Other Than Personal:		
Telephone and telegraph	$113 84	
Miscellaneous expenses	750 00	
Allowance for organization	3,900 00	
		4,763 84
		$17,177 84

G 4. QUARTERMASTER-GENERAL'S DEPARTMENT

Quartermaster-General.

Salaries:		
Quartermaster - General	$7,944 00	
Deputy Quartermaster-General	7,944 00	
Compensation for assistants	58,934 00	
		$74,822 00
Materials and Supplies:		
Stationery and office supplies		500 00
Services Other Than Personal:		
Subscriptions and membership fees		100 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment		100 00
		$75,522 00

H. PENSION AND RETIREMENT FUND

H 1. JUDICIAL RETIREMENT FUND

Judicial retirement.

For the purpose of carrying out the provisions of article 1, chapter 6 of Title 43 of the R. S.	$18,000 00

H 2. PENSIONS

Pensions.

For amount required to pay pensions pursuant to various acts relative thereto, irrespective of any provisions therein that pensions shall be made in the appropriation or tax levy for the department of the public service from which the pensioner shall be so retired	$142,000 00

H 3. STATE EMPLOYEES' RETIREMENT SYSTEM

Retirement system.

Expenses in carrying into effect the provisions of chapter 14 of Title 43 of the R. S.		
Salaries:		
Secretary	$4,700 00	
Compensation paid from receipts	1,320 00	
Compensation for assistants	29,237 60	
		$35,257 60
Materials and Supplies:		
Stationery and office supplies	$1,000 00	
Printing	200 00	
		1,200 00
Services Other Than Personal:		
Insurance (fire)	$500 00	
Miscellaneous expenses	390 00	
Subscriptions	210 00	
		1,100 00
Current Repairs and Maintenance:		
Office furniture, maintenance and equipment		150 00
Unclassified:		
To the Treasurer of the State of New Jersey custodian for Contingent Reserve Fund created by R. S. 43:14–12 and 43:14–14 State's Accrued Liability Contribution, including Interest on the unpaid balance at the rate of 3%	$86,543 00	

State's share, contributions on account of members' service	338,411 00	
State's share, contributions on account of members' service of employees whose salaries were paid from the State Highway Fund	166,486 00	
Receipts from counties or municipalities pursuant to chapter 15 of Title 43 of the R. S., estimated	3,360 00	
Annuity savings, employees on military leave, pursuant to chapter 252, laws of 1942	2,000 00	
		530,314 00
		$634,507 60

H 4. ANNUITY FOR WIDOWS OF GOVERNORS

Annuity for widows of Governors of New Jersey, pursuant to R. S. 43:8–2	$5,000 00	Annuity for widows of Governors.

H 5. STUDY OF STATE PENSION SYSTEMS

Pension systems.

To the Commissioner of Taxation and Finance in the event it becomes necessary to retain actuaries or other assistants to conduct a study into the financial requirements of present State Pension funds.

The unexpended balance in this account as of June 30, 1945, is hereby reappropriated.

H 6. POLICE AND FIREMEN'S RETIREMENT SYSTEM

Police and firemen.

To organize the Police and Firemen's Retirement System of New Jersey, pursuant to chapter 255, laws of 1944 ..... $10,000 00

The unexpended balance in this account as of June 30, 1945, is hereby reappropriated.

H 7. POLICE AND FIREMEN'S APPORTIONMENT FUND

Police and firemen.

Apportionment Fund as provided by chapter 254, laws of 1944 .....$1,000,000 00

J. CONSTRUCTIVE

J 1. SOUTH JERSEY PORT COMMISSION

South Jersey port.

For the purpose of carrying out the provisions of chapter 11 of Title 12 of the R. S.		
Salaries:		
Secretary	$5,000 00	
Other employees	19,919 00	
		$24,919 00
Materials and Supplies:		
Motor vehicular transportation supplies	$250 00	
Stationery and office supplies	300 00	
Printing	300 00	
Educational and library supplies	200 00	
Engineering supplies	350 00	
		1,400 00
Services Other Than Personal:		
Traveling expenses ..	$1,000 00	
Telephone and telegraph	175 00	
Insurance	415 00	
Advertising (legal) ..	75 00	
Subscriptions and membership fees ..	300 00	
Postage	150 00	
Traffic and stream surveys	250 00	
Miscellaneous expenses	175 00	
		2,540 00
Current Repairs and Maintenance:		
Automotive equipment		200 00
		$29,059 00

New Jersey State Library

K. General

K 1. Burial Grounds

Burial grounds.

For the care and maintenance of burial grounds, purchased by the State pursuant to chapter 171, laws of 1898	$75 00

K 2. Palisades Interstate Park Commission

Palisades Interstate Park.

Salaries		$106,493 00
Materials and Supplies:		
Clothing	$750 00	
Heat, light, power, water, gas and electricity	6,000 00	
Ground supplies	200 00	
Household and organization supplies ..	500 00	
Medical, surgical and chemical supplies ..	50 00	
Motor vehicular transportation supplies	550 00	
Stationery and office supplies	400 00	
Photographing, blueprinting and drafting supplies	100 00	
Engineering supplies	100 00	
		8,650 00
Services Other Than Personal:		
Traveling expenses ..	$50 00	
Telephone and telegraph	1,000 00	
Insurance	2,900 00	
Postage	250 00	
		4,200 00

Current Repairs and Maintenance:		
Automotive equipment	$1,950 00	
Buildings and grounds	2,420 00	
Other equipment	430 00	
		4,800 00
		$124,143 00

K 3. State Crippled Children's Commission

Crippled children.

Carrying out the provisions of chapter 188, laws of 1926, and supplements.

Salaries:		
Director	$5,500 00	
Other clerical services	7,740 00	
		$13,240 00
Materials and Supplies:		
Stationery and office supplies	$275 00	
Hospitalization, braces, et cetera	26,180 00	
		26,455 00
Services Other Than Personal:		
Traveling expenses	$750 00	
Rent	3,200 00	
		3,950 00
		$43,645 00

K 4. OLD BARRACKS ASSOCIATION

Old barracks.

For the Old Barracks Association of Trenton, New Jersey, for maintenance and administration of the Old Barracks at Trenton, as a historical landmark and repository ..		$3,200 00

K 5. REHABILITATION COMMISSION

Rehabilitation.

Salaries:		
Director	$7,500 00	
Physicians, assistants and other employees	75,463 68	
		$82,963 68
Materials and Supplies:		
Heat, light, power, water, gas and electricity	$550 00	
Household and organization supplies ..	1,000 00	
Medical, surgical and chemical supplies ..	4,500 00	
Stationery and office supplies	500 00	
Tuition and vocational supplies	47,000 00	
Prosthetic devices ...	4,500 00	
		58,050 00

Services Other Than Personal:		
Traveling expenses ..	$5,800 00	
Telephone and telegraph	1,500 00	
Rents	15,503 56	
Insurance	112 50	
Household expenses ..	2,000 00	
Hospitalization	5,100 00	
Postage	500 00	
		30,516 06
Current repairs and maintenance		1,200 00
Unclassified Expenditures:		
Compensation award to May Ireland	$1,042 86	
Compensation award to Estate of Lila S. Myers	685 68	
Specific department expenses	2,500 00	
		4,228 54
		$176,958 28

K 6. New Jersey Archives

Salaries		$1,500 00 Archives.

K 7. Good Will Commission

Salaries:		
Officers and employees		$3,800 00 Good will.
Materials and Supplies:		
Stationery and office supplies	$500 00	
Printing and binding	600 00	
Educational and library supplies	250 00	
		1,350 00

Services Other Than Personal:			
Traveling expenses ..	$250 00		
Miscellaneous expenses	250 00		
			500 00
			$5,650 00

K 8. Commission on Urban Colored Population

Urban colored.	Salaries	$13,500 00	
	Materials and supplies	400 00	
	Services other than personal	2,000 00	
			$15,900 00

L. Special Funds

L 1. State Emergency Fund

Emergency.	For the Commissioner of Taxation and Finance to meet any condition of emergency and contingency the sum of	$25,000 00	
	Provided, however, that all disbursements therefrom shall be made only upon the written authorization of the Governor.		
	For the Commissioner of Taxation and Finance to pay compensation awards allowed State employees upon the written authorization of the Governor	25,000 00	
			$50,000 00

L 2. Equipment Account

Equipment account.

To the Commissioner of Taxation and Finance, through the division of purchase and property, for centralized purchases of furniture, motor vehicles, institutional and departmental equipment	$400,000 00

X. Institutions and Agencies

X 1. Department of Institutions and Agencies

Institutions and agencies

Salaries:		
Commissioner	$15,000 00	
Director of administration and accounts—deputy commissioner	8,000 00	
Other officers and employees	163,676 00	
		$186,676 00
Materials and Supplies:		
Stationery, office supplies and equipment	$5,000 00	
Vehicular transportation supplies	2,600 00	
		7,600 00
Services Other Than Personal:		
Traveling expenses ..	$3,000 00	
Miscellaneous expenses	2,000 00	
Deporting aliens and nonresidents	2,000 00	
Insurance	150 00	
		7,150 00

Current Repairs and Maintenance:		
Automotive equipment		1,400 00

Central Parole Bureau

Central parole bureau.

Salaries:		
Director, parole and domestic relations	$5,200 00	
Assistant director parole and domestic relations	4,700 00	
Assistant director parole and domestic relations	3,200 00	
Other employees	143,960 00	
		157,060 00
Materials and Supplies:		
Stationery, office supplies and equipment	$2,000 00	
Vehicular transportation supplies	4,000 00	
		6,000 00
Services Other Than Personal:		
Traveling expenses ..	$6,500 00	
Miscellaneous expenses	900 00	
Insurance	200 00	
		7,600 00
Current Repairs and Maintenance:		
Automotive equipment		1,000 00

Division of Old Age Assistance

Old age assistance.

Salaries:		
Director	$5,000 00	
Other officers and employees	55,440 00	
		60,440 00

Materials and Supplies:		
Stationery, office supplies and equipment	$2,500 00	
Vehicular transportation supplies	850 00	
		3,350 00
Services Other Than Personal:		
Traveling expenses ..	$1,500 00	
Miscellaneous expenses	600 00	
Insurance	100 00	
Rental of I. B. M. equipment	1,800 00	
		4,000 00
Current Repairs and Maintenance:		
Automotive equipment		150 00

Industrial Supervision

Industrial supervision.

Salaries:		
Director institutional industries	$7,000 00	
Assistant director of industries	4,700 00	
Clerical services and other employees ..	26,684 00	
	$38,384 00	
Unclassified:		
Compensation Award —Peter Walsh	1,040 00	
	$39,424 00	

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 R. S. 30:4–100, all receipts when received derived from State use production will be credited to the State Use Revolving Fund.

The following sum is appropriated from the State Use Revolving Fund, for further plant and equipment for State use industries from the surplus in the revolving fund in excess of the amount of $50,000.00.

Repair, replacement and extension of State use industry, as follows:

State Prison Rahway Reformatory Vineland State School State Home for Girls North Jersey Training School, Totowa Criminal Insane and Penal Institutions Reformatory, Annandale Prison Farm, Bordentown Prison Farm, Leesburg Reformatory, Clinton Commission for the Blind Central Office	$37,500 00

Division of Architecture, Construction and Maintenance

Salaries:		
Director	$6,000 00	
Assistant director and mechanical engineer	5,100 00	
Other employees	70,320 00	
		$81,420 00
Materials and Supplies:		
Vehicular transportation supplies	$1,200 00	
Stationery and office supplies	600 00	
Photographing, photostating and blueprinting supplies ..	500 00	
		2,300 00
Services Other Than Personal:		
Traveling expenses ..	$1,500 00	
Miscellaneous expenses	600 00	
Insurance (other than fire)	45 00	
		2,145 00
Current Repairs and Maintenance:		
Automotive equipment		600 00
It is hereby provided that additional employees shall be paid from the fees received by the division at rates fixed by the Civil Service Commission.		
		$528,891 00

X 2. Colony for Feeble-Minded Males, New Lisbon

Colony for Feeble-Minded, New Lisbon.

For salaries and wages, and for maintenance of the Colony for Feeble-Minded Males, on the basis of eight hundred inmates.

Salaries and Wages:		
Superintendent	$5,700 00	
Other officers and employees	183,884 47	
Medical and surgical fees	1,200 00	
Religious services ...	1,200 00	
		$191,984 47
Materials and Supplies:		
Food	$50,000 00	
Clothing	13,750 00	
Heat, light, power, water, gas and electricity	43,000 00	
Household supplies ..	12,000 00	
Farm, stable and grounds supplies ..	23,700 00	
Industrial and vocational supplies	1,800 00	
Medical, surgical and chemical supplies ..	3,000 00	
Vehicular transportation supplies	1,900 00	
Stationery and office supplies	600 00	
Educational, recreational and library supplies	900 00	
Other materials and supplies	1,750 00	
Replacement of band instruments	200 00	
		152,600 00

Services Other Than Personal:		
Traveling expenses ..	$500 00	
Telephone and telegraph	2,100 00	
Insurance	450 00	
Entertainment expenses	650 00	
Freight, express and cartage	300 00	
		4,000 00
Current Repairs and Maintenance:		
Automotive equipment	$600 00	
Buildings and grounds	8,500 00	
Replacement pipe covering	1,250 00	
Painting water tank	800 00	
		11,150 00
Additions and Improvements:		
New well and pump ..	$7,000 00	
Reconstruction of refrigeration equipment	2,500 00	
		9,500 00
		$369,234 47

This colony is authorized to pay for the maintenance of any county indigent patient transferred from the colony to an institution for the training of the feeble-minded, to which moneys are paid by the State pursuant to R. S. 30:4–176, whatever sum or sums is received from the counties to pay the cost of such maintenance of any said patient in the colony.

X 3. COLONY FOR FEEBLE-MINDED MALES, WOODBINE

Colony for Feeble-Minded, Woodbine.

For salaries and wages, and for maintenance of the Colony for Feeble-Minded Males, Woodbine, on the basis of eight hundred fifty inmates.

Salaries and Wages:		
Superintendent	$5,700 00	
Attendants, nurses and other employees	207,715 27	
Medical, surgical and dental fees	1,000 00	
		$214,415 27
Materials and Supplies:		
Food	$78,000 00	
Clothing	9,500 00	
Heat, light, power, water, gas and electricity	30,000 00	
Household supplies ..	10,000 00	
Farm, stable and grounds supplies ..	4,500 00	
Medical, surgical and chemical supplies ..	3,000 00	
Stationery and office supplies	600 00	
Vehicular transportation supplies	725 00	
Educational, recreational and library supplies	1,200 00	
Other materials and supplies	400 00	
		137,925 00

Services Other Than Personal:		
Telephone and telegraph	$1,100 00	
Traveling expenses	450 00	
Funeral expenses	200 00	
Insurance	200 00	
Freight and express	100 00	
Miscellaneous expenses	100 00	
Subscriptions and membership fees	50 00	
Entertainment expenses	150 00	
		2,350 00
Current Repairs and Maintenance:		
Automotive equipment	$575 00	
Buildings and grounds	7,000 00	
Painting materials and supplies	2,000 00	
Reconditioning and rebuilding boilers	3,000 00	
		12,575 00
Additions and Improvements:		
Extension of sewage irrigation	$750 00	
Fencing play yard, Weeks' cottage	600 00	
Reconstruction employees' dormitory	2,500 00	
		3,850 00
Unclassified:		
Compensation award to Mrs. Calloway		44 43
		$371,159 70

This colony is authorized to pay for the maintenance of any county indigent patient transferred from the colony to an institution for training of the feeble-minded, to which moneys are paid by the State pursuant to R. S. 30:4–176, whatever sum or sums received from the counties to pay the cost of such maintenance of any said patient in the colony.

X 4. Commission for the Blind

Blind.

Salaries:		
Executive officer and secretary	$6,000 00	
Teachers of occupational subjects and other employees ...	78,701 00	
		$84,701 00
Materials and Supplies:		
Extension of home industries	$1,500 00	
Vehicular transportation supplies	500 00	
Stationery and office supplies	1,300 00	
		3,300 00
Services Other Than Personal:		
Traveling expenses ..	$7,500 00	
Rents (garage)	252 00	
Insurance	75 00	
Support and instruction of the blind ...	55,000 00	
Higher education of the blind	5,000 00	
Expressage	1,100 00	

Entertainment for the blind	300 00	
Prevention of blindness	1,000 00	
State relief for the blind	250 00	
Miscellaneous expenses	250 00	
		70,727 00
Current Repairs and Maintenance:		
Automotive equipment		300 00
Unclassified:		
Maintenance of summer camp	$3,000 00	
Payments to be made to counties in accordance with provisions of chapter 348, laws of 1941 ..	8,500 00	
		11,500 00

The balance to the credit of the outdoor relief or aid to the blind—Revolving Fund—on the thirtieth day of June, one thousand nine hundred and forty-five, is hereby reappropriated, said sum not to exceed $8,500.00.

The balance to the credit of the Revolving Industrial Fund on the thirtieth day of June, one thousand nine hundred and forty-five, is hereby reappropriated as a Revolving Industrial Fund, in the sum of $2,000.00.

$170,528 00

X 5. County Insane Hospitals

County insane hospitals.

For the support of patients pursuant to R. S. 30:4–78, in County Insane Hospitals:

Atlantic	$57,000 00
Burlington	43,000 00
Camden	140,000 00
Cumberland	35,000 00
Essex	650,000 00
Hudson	375,000 00
	$1,300,000 00

Said amounts to include payment of bills prior to current fiscal year.

X 6. County Tuberculosis Hospitals

County tuberculosis hospitals.

For the support of patients pursuant to subdivision C, article 4, chapter 9 of Title 30, of the R. S., in the following county hospitals:

Atlantic	$19,000 00
Bergen	58,000 00
Burlington	18,000 00
Camden	42,000 00
Cape May	3,500 00
Cumberland	5,000 00
Essex	116,000 00
Gloucester	7,000 00
Hudson	140,000 00
Hunterdon	3,000 00
Mercer	30,000 00
Middlesex	58,000 00
Monmouth	26,000 00
Morris	20,000 00
Ocean	6,500 00
Passaic	75,000 00

Salem	4,000 00	
Somerset	8,000 00	
Sussex	2,500 00	
Union	85,000 00	
Warren	3,500 00	
		$730,000 00

Said amounts to include payment of bills prior to current fiscal year.

X 7. Feeble-Minded

Feeble-minded.

Clothing, maintenance, support and instruction of feeble-minded	$172,500 00

X 8. Home for Disabled Soldiers, Menlo Park

Disabled soldiers, Menlo Park

For salaries and wages, and for maintenance of the Home for Disabled Soldiers, Menlo Park, on the basis of eighty veterans.

Salaries and Wages:		
Superintendent	$5,200 00	
Other officers and employees	38,364 00	
Religious services ...	150 00	
		$43,714 00
Materials and Supplies:		
Food	$13,500 00	
Clothing	1,275 00	
Heat, light, power, water, gas and electricity	5,200 00	
Household supplies ..	1,300 00	
Grounds (includes care of cemetery) ..	750 00	

Stationery and office supplies	250 00	
Medical, surgical and chemical supplies ..	1,000 00	
Vehicular transportation supplies	410 00	
Other materials and supplies	100 00	
		23,785 00
Services Other Than Personal:		
Laundry service	$1,000 00	
Traveling expenses ..	200 00	
Telephone and telegraph	400 00	
Funeral expenses	150 00	
Entertainment expenses	175 00	
Freight and express ..	25 00	
Insurance	125 00	
		2,075 00
Current Repairs and Maintenance:		
Automotive equipment	$290 00	
Buildings and grounds	700 00	
		990 00
Extraordinary Expenditures:		
For equipment and maintenance of Allaire Park, as a hospital for rehabilitation of veterans		20,000 00
		$90,564 00

X 9. HOME FOR DISABLED SOLDIERS, ETC., VINELAND

Disabled soldiers, Vineland.

For salaries and wages, and for maintenance of the Home for Disabled Soldiers, Sailors, et cetera, Vineland, on the basis of one hundred thirty members.

Salaries and Wages:		
Superintendent	$5,200 00	
Other officers and employees	73,196 00	
Religious services ...	200 00	
Medical and surgical fees	1,000 00	
		$79,596 00
Materials and Supplies:		
Food	$29,000 00	
Clothing	2,500 00	
Heat, light, power, water, gas and electricity	18,000 00	
Household supplies ..	6,000 00	
Grounds	400 00	
Medical, surgical and chemical supplies ..	1,800 00	
Stationery and office supplies	450 00	
Vehicular transportation supplies	400 00	
Other materials and supplies	300 00	
		58,850 00

New Jersey State Library

Services Other Than Personal:		
Traveling expenses ..	$150 00	
Telephone and telegraph	450 00	
Entertainment expenses	400 00	
Insurance	300 00	
Freight and express ..	25 00	
Laundry service	3,750 00	
Funeral expenses	100 00	
		5,175 00
Current Repairs and Maintenance:		
Automotive equipment	$200 00	
Buildings and grounds	6,000 00	
		6,200 00
Additions and Improvements:		
Rewiring to eliminate hazards	$2,000 00	
Extraordinary repairs for modernizing ...	1,500 00	
		3,500 00
		$153,321 00

X 10. North Jersey Training School, Totowa

Training School, Totowa.

For salaries and wages and for maintenance of the North Jersey Training School for Females, Totowa, on the basis of six hundred twenty-five inmates.

Salaries and Wages:		
Superintendent	$5,200 00	
Attendants, nurses, and other employees	179,924 00	
Medical, surgical, dental, veterinary and religious fees	3,980 00	
		$189,104 00

Materials and Supplies:		
Food	$50,000 00	
Clothing	11,500 00	
Heat, light, power, water, gas and electricity	50,000 00	
Household supplies	13,500 00	
Farm, stable and grounds supplies	20,000 00	
Industrial and vocational supplies	1,600 00	
Educational, recreational and library supplies	1,750 00	
Medical, surgical and chemical supplies	4,000 00	
Stationery and office supplies	700 00	
Vehicular transportation supplies	1,625 00	
Other materials and supplies	100 00	
		154,775 00
Services Other Than Personal:		
Traveling expenses	$400 00	
Telephone and telegraph	1,400 00	
Entertainment expenses	300 00	
Insurance	317 00	
Freight, express and cartage	70 00	
Miscellaneous expenses	30 00	
		2,517 00

Current Repairs and Maintenance:		
Automotive equipment	$375 00	
Buildings and grounds	8,000 00	
Repairs to railroad siding	2,500 00	
		10,875 00
Additions and Improvements:		
Installation of water line		2.000 00
		$359,271 00

X 11. Reformatory, Annandale

Reformatory, Annandale.

For salaries and wages and for maintenance of the Reformatory at Annandale, on the basis of five hundred inmates.

Salaries and Wages:		
Superintendent	$6,000 00	
Deputy superintendent	3,080 00	
Medical and surgical fees	1,500 00	
Other officers and employees	226,342 24	
		$236,922 24
Materials and Supplies:		
Food	$27,000 00	
Clothing	15,000 00	
Heat, light, power, water, gas and electricity	32,000 00	
Farm, stable and grounds supplies	14,000 00	
Household supplies	5,900 00	

Medical, surgical and chemical supplies ..	1,400 00	
Vehicular transportation supplies	725 00	
Stationery, office supplies and equipment	700 00	
Educational, recreational and library supplies	2,450 00	
Other materials and supplies	750 00	
Photographing, blueprinting and drafting supplies	100 00	
		100,025 00
Services Other Than Personal:		
Traveling expenses ..	$400 00	
Telephone and telegraph	1,050 00	
Freight and express	200 00	
Entertainment expenses	500 00	
Funeral expenses	60 00	
Payments to discharged inmates and recapturing escapes	2,300 00	
Insurance	300 00	
Laundry service	2,250 00	
		7,060 00
Current Repairs and Maintenance:		
Automotive equipment	$475 00	
Buildings and grounds	5,500 00	
		5,975 00
		$349,982 24

X 12. Reformatory, Rahway

Reformatory, Rahway.

For salaries and wages and for maintenance of the Reformatory at Rahway on the basis of eight hundred inmates.

Salaries and Wages:		
Superintendent	$6,000 00	
Deputy superintendent	3,200 00	
Other officers and employees	350,148 73	
Inmates' wages	10,000 00	
Medical and surgical fees	750 00	
		$370,098 73
Materials and Supplies:		
Food	$65,000 00	
Clothing	18,000 00	
Heat, light, power, water, gas and electricity	47,500 00	
Household supplies	10,000 00	
Farm, stable and grounds supplies	17,000 00	
Industrial and vocational supplies	600 00	
Educational, recreational and library supplies	1,000 00	
Photographing, blueprinting and drafting supplies	200 00	
Medical, surgical and chemical supplies	1,400 00	
Stationery and office supplies	1,200 00	
Vehicular transportation supplies	940 00	
		162,840 00

Services Other Than Personal:		
Traveling expenses ..	$400 00	
Telephone and telegraph	1,100 00	
Freight and express ..	50 00	
Payments to discharged inmates and recapturing escapes	150 00	
Insurance	275 00	
		1,975 00
Current Repairs and Maintenance:		
Automotive equipment	$560 00	
Buildings and grounds	19,000 00	
		19,560 00
		$554,473 73

X 13. Reformatory for Women, Clinton

Reformatory, Clinton.

For salaries and wages, and for maintenance of the Reformatory for Women, Clinton, on the basis of four hundred twenty-five inmates.

Salaries and Wages:		
Superintendent	$5,000 00	
Assistant superintendent	2,400 00	
Other officers and employees	127,909 50	
Medical and surgical fees	3,500 00	
Religious services ...	1,200 00	
		$140,009 50

Materials and Supplies:		
Food	$25,000 00	
Clothing	9,000 00	
Heat, light, power, water, gas and electricity	23,000 00	
Household supplies	9,500 00	
Farm, stable and ground supplies	11,000 00	
Medical, surgical and chemical supplies	3,200 00	
Stationery and office supplies	750 00	
Educational, recreational and library supplies	650 00	
Vehicular transportation supplies	900 00	
Cannery supplies	1,800 00	
		84,800 00
Services Other Than Personal:		
Traveling expenses	$425 00	
Telephone and telegraph	750 00	
Insurance	215 00	
Freight and express	100 00	
Entertainment expenses	600 00	
Funeral expenses	100 00	
Payments to discharged inmates and recapturing escapes	1,600 00	
		3,790 00
Current Repairs and Maintenance:		
Automotive equipment	$200 00	
Buildings and grounds	5,600 00	
		5,800 00
		$234,399 50

X 14. SANATORIUM FOR TUBERCULOUS DISEASES

Tuberculous diseases.

For salaries and wages, and for the maintenance of the Sanatorium for Tuberculous Diseases, on the basis of four hundred ninety-four patients.

Salaries and Wages:		
Superintendent	$8,000 00	
Physicians, clerks, nurses, farm help, instructors and others, including school teachers	327,414 50	
Clinic salaries	13,530 00	
Medical and surgical fees	100 00	
Religious services ...	1,600 00	
		$350,644 50
Materials and Supplies:		
Food	$145,000 00	
Clothing	1,000 00	
Heat, light, power, water, gas and electricity	65,000 00	
Household supplies ..	17,000 00	
Farm, stable and ground supplies ..	4,000 00	
Medical, surgical and chemical supplies ..	14,000 00	
Stationery and office supplies	1,500 00	
Educational, recreational and library supplies	600 00	
Vehicular transportation supplies	1,610 00	
Clinic supplies	175 00	
		249,885 00

Services Other Than Personal:		
Traveling expenses ..	$500 00	
Telephone and telegraph	2,600 00	
Insurance	235 94	
Freight and express	250 00	
Entertainment expenses	250 00	
Miscellaneous expenses	50 00	
Clinic expenses	3,295 00	
		7,180 94
Current Repairs and Maintenance:		
Automotive equipment	$890 00	
Buildings and grounds	15,000 00	
Repairs to boiler	1,800 00	
		17,690 00
Additions and Improvements:		
Enlargement of meat storage	$6,000 00	
Additional fuel oil storage	2,000 00	
Rewiring and equipment for changing from D. C. to A. C. current	3,500 00	
		11,500 00
Unclassified:		
Compensation award, Joan MacLennon		1,040 00
		$637,940 44

X 15. STATE BOARD OF CHILDREN'S GUARDIANS

Children's guardians.

Salaries:		
Executive director ..	$7,500 00	
Compensation for other assistants ..	577,592 00	
		$585,092 00
Materials and Supplies:		
Stationery and office supplies	$7,000 00	
Vehicular transportation supplies	10,000 00	
		17,000 00
Services Other Than Personal:		
Traveling expenses ..	$6,000 00	
Telephone and telegraph	6,000 00	
Garage rents	5,544 00	
Rent of equipment ..	956 00	
Miscellaneous expenses	500 00	
Subscriptions and memberships	100 00	
Insurance	900 00	
		20,000 00
Current Repairs and Maintenance:		
Automotive equipment	$7,000 00	
Office furniture, machines and equipment	3,000 00	
		10,000 00

Revolving Fund:
For the State Board of Children's Guardians to purchase clothing and other necessary articles for children in their care and for expenses incidental thereto the Revolving Fund of $75,000.00 heretofore appropriated is reappropriated, all receipts when received to be credited to this fund. The same to be known as the State Board of Children's Guardians Revolving Fund.

$632,092 00

X 16. State Home for Boys

Home for boys.

For salaries and wages and for maintenance of the State Home for Boys, on the basis of five hundred twenty-five inmates.

Salaries and Wages:		
Superintendent	$5,500 00	
Business manager ...	3,200 00	
Other officers and employees	251,029 80	
Medical, surgical and veterinary fees	1,000 00	
		$260,729 80

Materials and Supplies:		
Food	$42,000 00	
Clothing	20,000 00	
Heat, light, power, water, gas and electricity	38,000 00	
Household supplies	12,000 00	
Farm, stable and ground supplies	18,600 00	
Industrial and vocational supplies	3,000 00	
Educational, recreational and library supplies	3,000 00	
Medical, surgical and chemical supplies	2,900 00	
Stationery and office supplies	1,000 00	
Vehicular transportation supplies	1,650 00	
		142,150 00
Services Other Than Personal:		
Traveling expenses	$550 00	
Telephone and telegraph	1,450 00	
Entertainment expenses	300 00	
Freight and express	150 00	
Insurance	175 00	
		2,625 00
Current Repairs and Maintenance:		
Automotive equipment	$500 00	
Buildings and grounds	11,000 00	
		11,500 00
		$417,004 80

X 17. State Home for Girls

Home for girls.

For salaries and wages, and for maintenance of the State Home for Girls on the basis of three hundred fifty inmates.

Salaries and Wages:		
Superintendent	$5,000 00	
Other employees	137,792 06	
Medical, surgical and dental fees	2,300 00	
		$145,092 06
Materials and Supplies:		
Food	$35,000 00	
Clothing	8,000 00	
Heat, light, power, water, gas and electricity	5,200 00	
Household supplies ..	9,000 00	
Farm, stable and grounds supplies ..	5,500 00	
Educational, recreational and library supplies	2,000 00	
Stationery and office supplies	700 00	
Medical, surgical and chemical supplies ..	1,300 00	
Vehicular transportation supplies	300 00	
Other materials and supplies	400 00	
		67,400 00

Services Other Than Personal:		
Traveling expenses ..	$300 00	
Telephone and telegraph	1,250 00	
Insurance	177 33	
Freight and express	100 00	
Entertainment expenses	200 00	
Payments to discharged inmates ...	200 00	
		2,227 33
Current Repairs and Maintenance:		
Automotive equipment	$290 00	
Buildings and grounds	5,000 00	
Extraordinary painting	2,500 00	
		7,790 00
		$222,509 39

X 18. State Hospital, Greystone Park

State Hospital, Greystone Park.

For salaries and wages, and for maintenance of the State Hospital, Greystone Park, on the basis of five thousand eight hundred inmates.

Salaries and Wages:		
Medical superintendent and chief executive	$8,000 00	
Business manager ...	5,200 00	
Other officers and employees	1,611,695 96	
Religious services ...	1,300 00	
Clinic salaries	46,685 16	
		$1,672,881 12

Materials and Supplies:		
Food	$475,000 00	
Clothing	75,000 00	
Heat, light, power, water, gas and electricity	170,000 00	
Household supplies	90,000 00	
Farm, stable and grounds supplies	85,000 00	
Industrial and vocational supplies	5,000 00	
Medical, surgical and chemical supplies	46,000 00	
Stationery and office supplies	2,500 00	
Vehicular transportation supplies	3,800 00	
Other materials and supplies	6,000 00	
Clinic supplies	4,500 00	
Replacement of fire hose and equipment	800 00	
Replacement of ten food carts	2,400 00	
Containers for food carts (replacements)	500 00	
Replacement of dining room chairs and tables	3,000 00	
Supplies for nursing school	500 00	
		970,000 00
Services Other Than Personal:		
Traveling expenses	$2,000 00	
Telephone and telegraph	8,200 00	
Insurance	1,481 13	
Freight and express	1,500 00	
Funeral expenses	4,000 00	

Medical library subscriptions	200 00	
Miscellaneous expenses	800 00	
Clinic expenses	2,000 00	
		20,181 13
Current Repairs and Maintenance:		
Automotive equipment	$3,200 00	
Buildings and grounds	55,000 00	
Repairs to railroad siding	1,000 00	
		59,200 00
Additions and Improvements:		
Purchase of floor covering, main and dormitory buildings		5,000 00
Unclassified:		
Compensation awards		5,000 00
		$2,732,262 25

X 19. State Hospital, Marlboro

State Hospital, Marlboro.

For salaries and wages, and for maintenance of the State Hospital, Marlboro, on the basis of two thousand eight hundred inmates.

Salaries and Wages:		
Medical director	$6,500 00	
Business manager and superintendent	6,000 00	
Other officers and employees	909,176 84	
Clinic salaries	16,147 00	
		$937,823 84

Materials and Supplies:		
Food	$225,000 00	
Clothing	37,000 00	
Heat, light, power, water, gas and electricity	112,500 00	
Farm, stable and grounds supplies	39,000 00	
Household supplies	41,000 00	
Medical, surgical and chemical supplies	25,000 00	
Industrial and vocational supplies	2,400 00	
Educational, recreational and library supplies	2,000 00	
Stationery and office supplies	2,700 00	
Vehicular transportation supplies	2,900 00	
Clinic supplies	550 00	
Other materials and supplies	2,250 00	
Fire equipment	250 00	
		492,550 00
Services Other Than Personal:		
Traveling expenses	$800 00	
Insurance	1,000 00	
Telephone and telegraph	3,500 00	
Funeral expenses	500 00	
Freight and express	400 00	
Advertising	100 00	
Miscellaneous expenses	160 00	
Clinic expenses	450 00	
		6,910 00

Current Repairs and Maintenance:		
Automotive equipment	$1,100 00	
Buildings and grounds	35,000 00	
Office furniture, machines and equipment	290 00	
		36,390 00
Additions and Improvements:		
Chlorinators for sewage plant		3,000 00
Unclassified Expenditures:		
Compensation award —Charles B. Lanning	$1,040 00	
Compensation award —Isabelle M. Clayton	843 27	
		1,883 27
		$1,478,557 11

X 20. State Hospital, Trenton

State Hospital, Trenton.

For salaries and wages, and for maintenance of the State Hospital, Trenton, on the basis of three thousand inmates.

Salaries and Wages:		
Medical director	$7,000 00	
Business manager	6,000 00	
Other officers and employees	1,086,016 20	
In lieu of maintenance of eleven physicians and their families	16,134 00	
Religious services	700 00	
Clinic salaries	32,671 60	
		$1,148,521 80

Materials and Supplies:		
Food	$241,000 00	
Clothing	34,000 00	
Heat, light, power, water, gas and electricity	148,000 00	
Household supplies	47,000 00	
Farm, stable and grounds supplies	51,000 00	
Medical, surgical and chemical supplies	37,000 00	
Stationery and office supplies	3,200 00	
Vehicular transportation supplies	1,900 00	
Industrial and vocational supplies	5,000 00	
Other materials and supplies	4,000 00	
Clinic supplies	2,050 00	
Replacement of electro therapy equipment	3,000 00	
Replacement of household china	2,500 00	
		579,650 00
Services Other Than Personal:		
Traveling expenses	$2,000 00	
Telephone and telegraph	4,400 00	
Entertainment expenses	500 00	
Funeral expenses	1,000 00	
Subscriptions, newspapers and magazines	200 00	
Insurance	1,090 45	
Freight and express	125 00	
Cemetery maintenance	500 00	
Miscellaneous expenses	450 00	
Clinic expenses	550 00	
		10,815 45

Current Repairs and Maintenance:		
Automotive equipment	$1,600 00	
Buildings and grounds	35,000 00	
		36,600 00
Unclassified:		
Compensation award—Anna Bakley		564 20
		$1,776,151 45

X 21. State Prison

For salaries and wages, and for maintenance of the State Prison on the basis of one thousand one hundred fifty inmates. Prison.

Salaries and Wages:		
Principal keeper	$6,000 00	
Other officers and employees	426,799 67	
Wages for inmates at prison (other than State use)	10,000 00	
Medical, surgical and dental fees	1,800 00	
Religious services	6,036 00	
		$450,635 67
Materials and Supplies:		
Food	$100,000 00	
Clothing	27,000 00	
Heat, light, power, water, gas and electricity	48,500 00	
Household supplies	13,500 00	
Ground supplies	100 00	

Medical, surgical and chemical supplies ..	5,000 00	
Stationery and office supplies	1,700 00	
Educational, recreational and library supplies	1,850 00	
Vehicular transportation supplies	960 00	
Industrial and vocational supplies	150 00	
Photographing, blueprinting and drafting supplies	600 00	
Other materials and supplies	1,000 00	
Protective equipment replacement	500 00	
		200,860 00
Services Other Than Personal:		
Traveling expenses ..	$1,300 00	
Telephone and telegraph	1,600 00	
Insurance	665 00	
Electrocution plant ..	800 00	
Payments to discharged inmates ...	1,200 00	
Funeral expenses	150 00	
Miscellaneous expenses	400 00	
		6,115 00
Current Repairs and Maintenance:		
Automotive equipment	$240 00	
Buildings and grounds	12,000 00	
		12,240 00

Additions and Improvements:		
Reconstruction and fireproofing of center	$3,500 00	
Reconstruction of commissary area	5,000 00	
		8,500 00
Unclassified:		
Compensation award to Mrs. Butcher		671 08
		$679,021 75

X 22. State Prison Farm, Bordentown

For salaries and wages, and for maintenance of the State Prison Farm, Bordentown, on the basis of six hundred inmates. Prison Farm, Bordentown.

Salaries and Wages:		
Superintendent	$4,200 00	
Chief deputy	2,940 00	
Medical, surgical and dental fees	500 00	
Custodial officers and other employees	198,051 54	
Inmates' wages	7,500 00	
		$213,191 54

Materials and Supplies:		
Food	$51,000 00	
Clothing	14,000 00	
Heat, light, power, water, gas and electricity	40,000 00	
Household supplies	6,400 00	
Farm, stable and grounds supplies	24,000 00	
Vehicular transportation supplies	850 00	
Stationery and office supplies	600 00	
Educational, recreational and library supplies	500 00	
Tobacco and other materials and supplies	150 00	
		137,500 00
Services Other Than Personal:		
Telephone and telegraph	$850 00	
Insurance	122 00	
Miscellaneous expenses	50 00	
		1,022 00
Current Repairs and Maintenance:		
Automotive equipment	$250 00	
Office furniture, machines and equipment	50 00	
Buildings and grounds	6,000 00	
		6,300 00
		$358,013 54

X 23. STATE PRISON FARM, LEESBURG

Prison Farm, Leesburg.

For salaries and wages, and for maintenance of the State Prison Farm, Leesburg, on the basis of two hundred fifty inmates.

Salaries and Wages:		
Superintendent	$3,300 00	
Other officers and employees	71,924 62	
Wages for inmates ..	3,000 00	
Medical and surgical fees	50 00	
		$78,274 62
Materials and Supplies:		
Food	$16,500 00	
Clothing	7,000 00	
Heat, light, power, water, gas and electricity	12,000 00	
Household supplies ..	5,000 00	
Farm, stable and grounds supplies ..	4,500 00	
Medical, surgical and chemical supplies ..	300 00	
Stationery and office supplies	450 00	
Educational, recreational and library supplies	400 00	
Vehicular transportation supplies	200 00	
		46,350 00
Services Other Than Personal:		
Traveling expenses ..	$150 00	
Freight, express and cartage	60 00	

New Jersey State Library

Telephone and telegraph	700 00	
Entertainment expenses	30 00	
Insurance	250 00	
Miscellaneous expenses	10 00	
		1,200 00
Current Repairs and Maintenance:		
Automotive equipment	$200 00	
Buildings and grounds	3,000 00	
		3,200 00
Additions and Improvements:		
Extraordinary repairs and replacements		2,000 00
		$131,024 62

X 24. Village for Epileptics

Epileptics.

For salaries and wages, and for maintenance of the Village for Epileptics on the basis of one thousand six hundred fifty inmates.

Salaries and Wages:		
Superintendent.....	$8,000 00	
Senior resident physician	5,000 00	
Other officers and employees	417,713 80	
Medical and surgical fees	800 00	
Religious services ...	1,000 00	
		$432,513 80

Materials and Supplies:		
Food	$125,000 00	
Clothing	13,000 00	
Heat, light, power, water, gas and electricity	75,000 00	
Household supplies	30,000 00	
Farm, stable and grounds supplies	30,000 00	
Medical, surgical and chemical supplies	12,000 00	
Stationery and office supplies	800 00	
Industrial and vocational supplies	700 00	
Educational, recreational and library supplies	800 00	
Vehicular transportation supplies	2,100 00	
Other materials and supplies	1,500 00	
		290,900 00
Services Other Than Personal:		
Traveling expenses	$750 00	
Telephone and telegraph	1,500 00	
Insurance	607 50	
Freight and express	150 00	
Entertainment expenses	500 00	
Funeral expenses	300 00	
Miscellaneous expenses	100 00	
		3,907 50
Current Repairs and Maintenance:		
Automotive equipment	$900 00	
Buildings and grounds	18,000 00	
		18,900 00

Additions and improvements:		
Reconstruction of kitchen facilities and refrigeration		14,000 00
		$760,221 30

X 25. Vineland State School

Vineland State School.

For salaries and wages, and maintenance of the Vineland State School, on the basis of one thousand eight hundred inmates.

Salaries and Wages:		
Superintendent	$7,500 00	
Physicians, executive assistants, clerks, mechanics and others	305,059 00	
Medical, surgical and oculist fees	2,500 00	
Religious services ...	500 00	
		$315,559 00
Materials and Supplies:		
Food	$105,000 00	
Clothing	22,500 00	
Heat, light, power, water, gas and electricity	47,000 00	
Household supplies ..	23,000 00	
Farm, stable and grounds supplies ..	29,000 00	
Industrial and vocational supplies	1,400 00	
Medical, surgical and chemical supplies ..	5,500 00	
Stationery and office supplies	900 00	
Vehicular transportation supplies	1,000 00	

Educational, recreational and library supplies	1,600 00	
Other materials and supplies	150 00	
		237,050 00
Services Other Than Personal:		
Traveling expenses ..	$1,100 00	
Telephone and telegraph	1,600 00	
Insurance	424 00	
Entertainment expenses	1,000 00	
Funeral expenses	500 00	
Freight and express	200 00	
		4,824 00
Current Repairs and Maintenance:		
Automotive equipment	$500 00	
Buildings and grounds	13,500 00	
		14,000 00
Unclassified:		
Compensation award to Randolph Cobianchi		520 00
		$571,953 00

This institution is authorized to pay for the maintenance of any county indigent patient transferred from the institution to an institution for training of the feeble-minded, to which moneys are paid by the State pursuant to R. S. 30:4–176, whatever sum or sums is received from the counties to pay the cost of such maintenance of any said patient in the institution.

SOCIAL SECURITY SUBSIDIES (IN CONFORMANCE WITH FEDERAL LEGISLATION)

X 26. STATE SUBSIDY FOR DIVISION OF OLD AGE ASSISTANCE

For the purpose of making payments for Old Age Assistance pursuant to chapter 7 of Title 44 of the R. S.	$3,250,000 00

The balance remaining in the appropriations for reimbursement to the counties for the State Subsidy for Old Age Assistance for the fiscal year ending June 30, 1945, including State's net share of reimbursement, together with the net balance remaining, after full payment of sums due the Federal Government, of all funds recovered under 44:7–14 R. S. during the fiscal year ending June 30, 1945, or so much thereof as may be necessary, is hereby reappropriated; in addition thereto, all such funds recovered under 44:7–14 R. S. during the fiscal year ending June 30, 1946, or so much thereof as may be necessary, are hereby appropriated.

X 27. State Subsidy for Maintenance of Children Under the Care of the Board of Children's Guardians

For the purpose of making payments for the maintenance of children under the care of the Board of Children's Guardians pursuant to chapter 5 of Title 30 of the Revised Statutes $1,500,000 00

The balance remaining in the appropriations for the State Subsidy for maintenance of children under the care of the State Board of Children's Guardians for the fiscal year ending June 30, 1945, together with the net balance of Federal funds pursuant to chapter 5 of Title 30 of the Revised Statutes, or so much thereof as may be necessary, is hereby reappropriated.

There is hereby appropriated to the State Board of Children's Guardians any sums of money received heretofore by it from the several counties as the county share of assistance to children, and the board is authorized and empowered to credit said sums to the several counties prorated on the basis of the total cost of assistance in each county, said sums representing credits due said counties.

Sub-total. $54,008,643 95

Appropriations for Deficiencies in Prior Fiscal Year

A 2. Department of Taxation and Finance

Taxation and finance.

Deficiency in appropriation for printing and binding public documents, including legislative printing, for fiscal year 1944-1945		$50,000 00

D 9. Department of Labor

Labor.

Deficiency in appropriations for fiscal year 1944-1945, as follows:		
Salaries	$11,250 00	
Office equipment	1,565 76	
Stationery and office supplies	500 00	
		13,315 76

E 2. Commissioner of Education

Education.

To reimburse school districts for one-half of excess cost of educating crippled children for school year ending June 30, 1944		113,189 79

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 R. S. 18:10–31.

E 3. COUNTY SUPERINTENDENTS

County superintendents.

To cover balance required to meet increase in compensations of county superintendents from $5,200.00 to $6,000.00, as provided by chapter 177, laws of 1944 ..... 16,300 00

Payments under this account to be made pursuant to R. S. 18:10–31.

E 5. INDUSTRIAL EDUCATION

Industrial education.

For reimbursement to school districts for manual training expenses for the school year 1944-1945 ..... 109,674 65

Payments under this account to be made pursuant to R. S. 18:10–31.

E 21. STATE SCHOOL TAX DEFICIENCY

Tax deficiency.

For deficiency for the support of free public schools for the school year 1944-1945 from the General State Fund which sum shall be transferred by the State Treasurer to the reserve fund of the State school tax and when so transferred paid out of the treasury of this State on certification of the Commissioner of Education in order that all school districts of the State shall receive from State apportionments the quotas prescribed 1,985,610 49

F 2. Department of Agriculture

Agriculture. For deficiency in amount required for Indemnities—Tuberculosis Eradication for fiscal year 1944-1945 .... 50,000 00

H 2. Pensions

Pensions. For deficiency in amount required for fiscal year 1944-1945, to pay pensions pursuant to various acts relative thereto..... 24,000 00

K 3. Palisades Interstate Park Commission

Palisades Interstate Park. To meet cost of emergency repairs of damage caused by hurricane of September, 1944 ..... 10,000 00

$2,372,090 69

Claims

D 7. Department of Conservation and Development

Conservation and development. To pay claims of owners of personal property at Parvin Park, Cumberland County, used by the State, said sum to be paid from park receipts. .. $5,500 00

D 15. Department of State Police

Dora V. Hankins, for personal injuries sustained at Police Barracks at Malaga, New Jersey	$10,000 00		State Police.
John Hankins, for expenses incurred and loss of the services of his wife, Mrs. Dora V. Hankins	1,500 00		
		$11,500 00	

D 19. Department of Alcoholic Beverage Control

Philip Finzel, for damage to his personally owned automobile		525 00	Alcoholic beverage.

R 8. State Highway Department

Fehlhaber Pile Company, Inc., for payment of claim to be charged against balances in the Construction Account	$87,743 86		Highway.
Santaniello Brothers, to be charged against balances in the Construction Account	15,000 00		
S. Cantoras and/or Richardson Garage, to be charged against departmental balances ..	27 00		
B. W. Clayton, to be charged against departmental balances ..	14 00		
Total Deficiency and Claims Appropriations		$2,384,115 69	

The above appropriated items for claims are in full settlement of all claims of every character, and the acceptance of said sums shall constitute a full and complete release and acquittance to the State of New Jersey, its agencies and instrumentalities.

The foregoing amounts appropriated for Deficiencies and Claims in prior fiscal years shall be available for expenditure immediately upon passage of this act.

Special Defense Appropriations

A 15. EXECUTIVE ASSISTANT FOR DEFENSE

Executive assistant.

Salaries:		
Other employees		$5,552 00
Materials and Supplies:		
Stationery and office supplies		200 00
Services Other Than Personal:		
Traveling expenses	$100 00	
Telephone and telegraph	500 00	
Miscellaneous expenses	100 00	
		700 00
		$6,452 00

G 1. ADJUTANT-GENERAL'S DEPARTMENT

Adjutant-General.

Compiling lists of eligible voters from New Jersey in the armed forces, pursuant to chapter 351, laws of 1941	60,000 00

A 20. Office of Civilian Defense Director

For salaries and expenses of the Civilian Defense Director		90,000 00	Civilian defense.
The unexpended balance June 30, 1945, of the amount appropriated to the Civilian Defense Director is hereby reappropriated.			
Total Special Defense Appropriations		$156,452 00	

R. Highway
Mandatory Appropriations
R 1. Debt Service

1930 Bond Act:			Highway.
Principal requirement of highway improvement bonds	$890,000 00		
Interest, highway improvement bonds ..	1,198,725 00		
Principal requirement of institution construction bonds	230,000 00		
Interest, institution construction bonds	299,225 00		
Total debt service on 1930 bond act		$2,617,950 00	
Amortization and Interest on $70,000,000.00 Issue:			
Annual requirement for amortization ..	$353,611 00		
Interest on roads, bridges and viaducts bonds	800,000 00		
		1,153,611 00	
Total debt service		$3,771,561 00	

R 3. STATE AID TO COUNTIES AND MUNICIPALITIES

State aid to counties.

Construction, reconstruction, maintenance, et cetera, of county roads		$6,000,000 00
Expenditures pursuant to section 27:14–1 of the Revised Statutes	735,000 00	
Construction, grading, maintenance, et cetera, of village and township roads	2,625,000 00	
Expenditures pursuant to section 27:15–10 of the Revised Statutes and chapter 218, laws of 1940	525,000 00	
Total State aid to counties and municipalities		$9,885,000 00

The total appropriation for State aid herein contained is for the calendar year 1946. This appropriation is due and payable on January 2, 1946.

Total mandatory appropriations	$13,656,561 00

R 4. Delaware River Joint Toll Bridge Commission

Joint toll bridge.

Maintenance of free bridges now or to become State property, including improvements $111,797 13

All moneys received from any source whatsoever, whether from the operation of bridges or from the State of Pennsylvania for its proportion of maintenance of such 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 and the earnings of said bridges.

Any unexpended balance, including receipts from Pennsylvania and rental receipts, is hereby reappropriated.

R 5. Motor Vehicle Department

Motor vehicle.

Salaries:		
Commissioner	$10,000 00	
Deputy commissioner	7,260 00	
Other employees	1,447,744 00	
		$1,465,004 00
Materials and Supplies:		
Heat, light, power, water, gas and electricity	$11,500 00	
Motor vehicular transportation supplies .	57,500 00	
Stationery and office supplies	35,000 00	

Printing, binding, photography and blueprinting	18,000 00	
Replacements and rentals of typewriters (Agents) ..	4,000 00	
Station and central office supplies	1,000 00	
Metal and material for markers	135,000 00	
Station cleanser, oil and grease	1,000 00	
Radio system supplies and maintenance ..	3,600 00	
		266,600 00
Current repairs and maintenance....		7,500 00
Services Other Than Personal:		
Traveling expenses ..	$3,000 00	
Telephone and telegraph	7,000 00	
Rents	118,658 00	
Insurance	3,000 00	
Freight, express and cartage	2,000 00	
Subscriptions	200 00	
Postage	42,000 00	
Miscellaneous expenses	4,750 00	
Addressing postal notices, testing stations	12,000 00	
Witness fees	2,750 00	
Safety education	10,000 00	
		205,358 00
		$1,944,462 00

R 6. STATE HIGHWAY DEPARTMENT

Highway department.

Salaries and Wages:		
Commissioner	$15,000 00	
Chief engineer	15,000 00	
Other officers and employees	2,814,498 00	
Wages and labor	1,861,515 55	
Special services, temporary and outside	11,000 00	
		$4,717,013 55
Materials and Supplies:		
Heat, light and power	$95,452 05	
Stationery and office supplies	25,600 00	
Highway lighting ...	260,281 19	
Municipal aid	300,486 38	
Printing, binding, blueprinting and photographing	22,300 00	
Road construction and maintenance, supplies and materials	925,400 00	
Tools	500 00	
		1,630,019 62
Services Other Than Personal:		
Traveling expenses..	$41,250 00	
Rent of equipment—mileage	15,850 00	
Insurance (prepaid)	76,800 34	
Insurance (all classes)	46,300 00	
Postage	11,600 00	
Advertising, subscriptions, dues, et cetera	4,500 00	
Rent—land and buildings	23,640 00	
Rent—equipment	36,555 00	

Telephone	32,900 00	
Freight, cartage and storage	770 00	
Other miscellaneous expenses	4,650 00	
		294,815 34
Current repairs and maintenance ...		2,350 00
Unclassified:		
Compensation, claims, awards, medical ...	$32,157 76	
Maintenance by agreement and contract	150,000 00	
Depreciation	15,000 00	
Contingent	15,800 00	
New Jersey's Share of Cost of Completing Plans of Bear Mountain Parkway:		
To the State Highway Commissioner for the purpose of making the survey and preparing plans and specifications, acceptable to the Palisades Interstate Park Commission, for a proposed parkway from the vicinity of the George Washington Bridge to the New York State line, in the County of Bergen, authorization is granted for the expenditure of funds not in excess of $90,000 from any unexpended balances in the State High-		

way fund out of appropriations for the fiscal period ending June 30, 1945, and any moneys made available for said purpose by the Federal Government.		212,957 76
Operation of plant and equipment ...		911,450 00
Operation of buildings and grounds ..		24,331 50
Operation of bridges and stores		17,818 50
		$7,810,756 27
Less amount transferred from the appropriation to the Highway Department, which sum shall be used for the specific purposes listed below		108,000 00
		$7,702,756 27
Extraordinary Expenditures:		
For the maintenance of route No. 6 A, legislated by chapter 47, laws of 1938, beginning at route No. 6 in Dover and extending to route No. S31 at Ross' Corner	$20,000 00	
For the maintenance of route No. 29, legislated by chapter 319, laws of 1927, beginning at or near the Lambertville city line and extending thence over the River road to the city line of Trenton	30,000 00	

For the maintenance of route No. 54, legislated by chapter 43, laws of 1938, beginning at a point at or near the Pennsylvania Reading Seashore Railroad at Hammonton extending thence over 12th street and Wheat road to route No. 48 at Buena ..	40,000 00	
For the maintenance of the Rutherford avenue bridge over the Passaic river, the easterly end of which is located in the Borough of Rutherford and the Township of Lyndhurst in Bergen county and the westerly end located in the city of Clifton in Passaic county. Conveyance to the State authorized by chapter 31, laws of 1945	18,000 00	
		108,000 00
		$7,810,756 27
Total amount appropriated		$80,072,788 04

2. Any additional allotments of funds for Highway purposes which may be made by the Federal Government to the State of New Jersey, are hereby appropriated for the purposes for which such

moneys are allocated, and the State Highway Commissioner is hereby authorized to carry out such projects as may be designated by the Federal Government.

3. No money shall be drawn from the treasury except for objects as hereinabove specifically appropriated, and except such sums as may be required to refund amounts credited to the State Treasurer which do not represent State revenues, and except such sums which are by law devoted to specific purposes, namely, State school tax, United States appropriation to Agricultural College, taxes for the use of taxing districts in this State, Grade Crossing Elimination Fund, Forest Fire Fund, Forest Nursery Fund, Forest Land Fund, Workmen's Compensation Tax Fund, Educational Aid Fund, moneys directed by any law to be paid to the Teachers' Pension and Annuity Fund, 1837 Surplus Revenue Fund income, State Police Retirement Fund, Clerk in Chancery Enrollment Fund, unclaimed accounts of patients and prisoners in State Institutions, Unemployment Compensation Funds, Compensation awards, moneys received by the several institutions representing garage rentals which moneys shall be devoted exclusively by such institution to erection of new garages where needed, Vocational Schools, funds received by the sale of articles made in occupational therapy departments of the several institutions, said funds to be devoted to the purchase of additional material and other incidental expenses, Crippled Children's Commission, Palisades Interstate Park Commission, Interconnection Revolving Fund of the Division of Water Policy and Supply of the Department of Conservation, Federal funds subsidizing the State; Funds appropriated for Institution Construction; moneys received representing insurance to cover losses by fire and other casualties; this section shall not be construed to prohibit the payment due upon any contract made under an appropriation of previous years; moneys received by the Department of Conservation from the sale or lease

of forest reserve lands pursuant to R. S. 13:8–9; moneys received by the Department of Conservation representing revenues from parks; moneys received by the Quartermaster-General under the provisions of article 3, chapter 2 of Title 38 of the R. S.; nor shall this act apply to moneys appropriated by joint resolution of the Legislature where such moneys have been set apart by the Commissioner of Taxation and Finance.

4. In order that there be flexibility in the handling of appropriations, any department or other State agency receiving an appropriation by any act of the Legislature may apply to the Commissioner of Taxation and Finance for permission 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 Commissioner of Taxation and Finance shall consent thereto, he 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.

5. The Commissioner of Taxation and Finance is hereby empowered, and it shall be his duty in the disbursement of funds appropriated for the maintenance and operation of any department or branch thereof, the duties or responsibilities of which are or may hereafter be transferred to any other department or branch, to transfer such appropriations to such department or branch as shall be charged with the responsibility of administering the functions of such department or branch so transferred. The Commissioner of Taxation and Finance shall also have the authority to create such new accounts as may be necessary to carry out the intent of the Legislature.

6. The Commissioner of Taxation and Finance shall make such correction of the title, text or account number of an appropriation, necessary to make such appropriation available for the purpose

or purposes intended. Such correction shall be by written ruling, reciting in appropriate details the facts thereof, and the reasons therefor, attested by the signature of said Commissioner of Taxation and Finance and filed in the division of budget and accounting of said Department of Taxation and Finance 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 Commissioner of Taxation and Finance is hereby empowered, notwithstanding any other provision of the law, to transfer from the various appropriations for construction, reconstruction, additions to and betterments of State buildings and appurtenances thereto, herein contained, to the appropriation for the division of architecture and construction of the Department of Institutions and Agencies a sufficient sum to pay for the cost of all architectural work, superintendence and other expert services in connection with such work.

8. The Commissioner of Taxation and Finance may, upon application therefor, allot from appropriations made to any official, department, commission or board a sum to establish a petty cash fund, for the payment of expenses under rules and regulations established by the Commissioner of Taxation and Finance. The allotments thus made by the Commissioner of Taxation and Finance 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 receipts shall by such custodian be forwarded monthly to the Commissioner of Taxation and Finance for audit, and said Commissioner of Taxation and Finance shall likewise make regulations governing disbursements from petty cash funds.

9. This act shall take effect on the first day of July, one thousand nine hundred and forty-five.

Approved March 28, 1945.

CHAPTER 53

AN ACT concerning workmen's compensation, and amending section 34:15–31 of the Revised Statutes.

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

Section amended.

1. Section 34:15–31 of the Revised Statutes is amended to read as follows:

Words and phrases construed.

34:15–31. When applicable in this article to occupational diseases the following words and phrases shall be construed to have the following meanings:

Compensable diseases not to include.

a. Compensable occupational diseases shall not include any other than those scheduled below and shall include those so scheduled only when the exposure stated in connection therewith has occurred during the employment, and the disability has commenced within five months after the termination of the exposure.

Occupational diseases:

Occupational diseases.

Anthrax;
Lead poisoning;
Mercury poisoning;
Arsenic poisoning;
Phosphorus poisoning;
Poisoning from benzene and its homologues, and all derivatives thereof;
Wood alcohol poisoning;
Chrome poisoning;
Caisson disease;
Mesothorium or radium poisoning;
Dermatitis venenata.

Willful self-exposure.

b. Willful self-exposure to occupational diseases shall include:

Failure to observe rules.

(1) Failure or omission to observe such rules and regulations as may be promulgated by the De-

partment of Labor and posted in the plant by the employer, tending to the prevention of occupational diseases;

(2) Failure or omission to truthfully state to the best of the employee's knowledge, in answer to inquiry made by the employer, the location, duration and nature of previous employment of the employee in which he was exposed to any occupational disease as herein listed. Failure or omission to state.

2. This act shall take effect immediately.

Approved March 28, 1945.

CHAPTER 54

AN ACT concerning the release of inmates from State and county penal and correctional institutions for purposes of examination for Federal military service.

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

1. The chief executive officer, warden, principal keeper or other official vested with the authority of receiving, keeping and maintaining inmates committed to any State or county penal or correctional institution is hereby authorized and empowered to arrange for the transportation, under appropriate custody, of any inmate who first shall have been recommended by the Special Selective Service Panel Board, operating at such institution, to any place within the territorial confines of the State of New Jersey, for the purpose of permitting such inmate to be given the necessary examinations to determine whether he may be eligible for induction into the armed forces of the United States upon his release from custody. C. 38:28-1. Arrange for transportation.

C. 38:28-2.

2. The Special Selective Service Panel Board, after having recommended an inmate of any such institution for preinduction examination, shall enter its action upon the minutes of the board, and thereafter make formal request of the official having custody of said inmate for his transportation to an appropriate induction center of the United States Army and shall indicate in detail the time, date and place of such examinations. In the event that subsequent examinations are required, the board shall make further request in similar manner to the official having custody of the inmate. Upon receipt of such request from the board it shall be legally proper for the chief executive officer, warden, principal keeper, or other official having custody of any such inmate, to make the necessary arrangements for the transportation of such inmate and provide for appropriate custody of said inmate.

Make request for transportation.

3. This act shall take effect immediately.

Approved March 28, 1945.

CHAPTER 55

AN ACT concerning alcoholic beverages, and supplementing chapter one of Title 33 of the Revised Statutes.

Preamble.

WHEREAS, Revised Statutes, section 33:1–46 makes provision for a referendum on the question:

"Shall the sale of all alcoholic beverages at retail, except for consumption on railroad trains, airplanes and boats, and the issuance of any retail licenses, except as aforesaid, pursuant to chapter one of the Title, Intoxicating Liquors, of the Revised Statutes (§33:1–1 et seq.), be permitted in this municipality?"; and

WHEREAS, pursuant to said section, if the vote on such question in any municipality is "No," the said section prohibits the said municipality from issuing plenary retail consumption, plenary retail distribution and limited retail consumption licenses, but does not prohibit the issuance of club licenses as defined in Revised Statutes, section 33:1–12, (5); and Preamble.

WHEREAS, it is deemed to be desirable to clarify the law pertaining to the same; now, therefore, Preamble.

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

1. It shall be lawful for the governing board or body of any municipality in which a referendum has been held pursuant to the provisions of Revised Statutes, section 33:1–46, wherein a majority of the legal voters of said municipality voted "No," to issue a club license as defined in and regulated by Revised Statutes, section 33:1–12, (5), to a bona fide golf and country club in said municipality, incorporated not for pecuniary gain, and to adopt an enabling ordinance therefor. C. 33:1-46.1. Governing body may issue club license.

2. The commissioner may, subject to rules and regulations, issue special permits to such bona fide golf and country club in the event that the said municipality has failed or neglected to adopt an enabling ordinance as aforesaid, or has failed or neglected to properly act upon an application by such bona fide golf and country club for a club license, as aforesaid; the fee for the same shall be determined in each case by the commissioner and shall not be less nor more than the fee provided for by Revised Statutes, section 33:1–12, (5). C. 33:1-46.2. Special license.

3. Nothing in this act shall be deemed to limit or modify any powers otherwise granted by law to the commissioner. C. 33:1-46.3. Not to modify any powers.

4. This act shall take effect immediately.

Approved March 30, 1945.

CHAPTER 56

AN ACT concerning elections, and amending sections 19:48–4, 19:48–6, 19:48–7, 19:49–3, 19:50–1, 19:50–2, 19:50–3, 19:51–1, 19:52–1, 19:52–7 and 19:32–2 of the Revised Statutes.

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

Section amended.

1. Section 19:48–4 of the Revised Statutes is amended to read as follows:

Machines in custody of county board.

19:48–4. Voting machines, heretofore or hereafter installed in any manner provided by law, in any county other than a county of the first class, shall be placed, and remain, in the custody of the county board of elections, and voting machines, heretofore or hereafter installed in any manner provided by law, in any county of the first class, shall be placed, and remain, in the custody of the superintendent of elections; except that voting machines, heretofore or hereafter installed in any municipality by the governing body thereof, in any manner provided by law, shall be placed, and remain, in the custody of the municipal clerk unless taken over by the county according to law.

Machines in custody of superintendent.

The county board of elections or the superintendent of elections or the municipal clerk, as the case may be, shall preserve and keep in repair all voting machines placed in its or his custody pursuant to the provisions of this section.

Section amended.

2. Section 19:48–6 of the Revised Statutes is amended to read as follows:

19:48–6. The county board of elections or the superintendent of elections or the muncipal clerk, as the case may be, having custody of voting machines, shall have the machine or machines and all necessary furniture and appliances at the proper polling place or places before the time fixed for opening the polls, and the counters set at zero

Machines to be at proper polling place.

(000), and otherwise in good and proper order for use at such election. For the purpose of placing ballots in the ballot frames of the machines; putting in order, setting, testing, adjusting and delivering the machines, such county board of elections or such superintendent of elections or such municipal clerk, as the case may be, may employ or appoint one or more fully competent persons to be known as custodian or custodians of voting machines, who shall be thoroughly instructed in their duties by such county board of elections or such superintendent of elections or such municipal clerk, as the case may be, and shall be sworn to perform their duties honestly and faithfully. Such custodians shall be employed or appointed and instructed at least thirty days before the election and shall be considered as officers of elections; *provided, however*, that for the purpose aforesaid in counties of the first class, the superintendent of elections may employ or appoint, in addition to one or more custodian or custodians, other fully competent persons and may classify them, assign their duties, and fix their compensation according to the particular duties assigned them, which said persons shall also be employed or appointed, and thoroughly instructed and sworn to perform their duties honestly and faithfully, at least thirty days before the election and shall likewise be considered as officers of election.

Custodian of voting machines.

Proviso.

Compensation.

Before preparing a voting machine for any election, written notice shall be mailed by such board of elections or such superintendent of elections or such municipal clerk, as the case may be, to the chairman of the county committee of at least two of the principal political parties, stating the time and place where the machines will be prepared, at which time one representative of each such political party shall be afforded an opportunity to see that the machines are in proper condition for use in the election; such representatives shall be sworn to faithfully perform their duties and shall be regarded as election officials, but shall not interfere

Notice.

with the custodian or custodians or other persons employed or appointed as aforesaid or assume any of his or their duties. When a machine has been so examined by such representatives it shall be sealed with a numbered metal seal. Such representatives shall certify, upon a form to be provided by such county board of elections or such superintendent of elections or such municipal clerk, as the case may be, as to the numbers of the machines, that all of the counters are set at zero (000), and as to the number registered on the protective counter, if one is provided, and on the seal. Such certificate shall be filed by them with such county board of elections or such superintendent of elections or such municipal clerk, as the case may be. When a voting machine has been properly prepared for the election, it shall be locked against voting and sealed; and the keys thereof shall be delivered to such county board of elections or such superintendent of elections or such municipal clerk, as the case may be, together with a written report made by a custodian stating that it is in every way properly prepared for the election.

Machine sealed.

Machine locked.

After the voting machines shall be delivered to the polling places, the governing body of the municipality, wherein such polling places are located, shall provide ample police protection against molestation, or tampering or damage to the machines. Every voting machine shall be furnished with a lantern, or an electric light fixture, which shall give sufficient light to enable voters while voting to read the ballots and to be suitable for use by the district board in examining the counters. The lantern or electric light fixture shall be prepared in good order by such county board of elections or such superintendent of elections or such municipal clerk, as the case may be, for use before the opening of the polls.

Provide police protection.

Furnish light.

3. Section 19:48–7 of the Revised Statutes is amended to read as follows: Section amended.

19:48–7. If any voting machine being used in any election district shall, during the time the polls are open, become damaged so as to render it inoperative in whole or in part, the election officers shall immediately give notice thereof to the county board of elections or the superintendent of elections or the municipal clerk, as the case may be, having custody of voting machines, and such county board of elections or such superintendent of elections or such municipal clerk, as the case may be, shall cause any person or persons employed or appointed pursuant to section 19:48–6 of this Title to substitute a machine in perfect mechanical order for the damaged machine. At the close of the polls the records of both machines shall be taken and the votes shown on their counters shall be added together in ascertaining and determining the results of the election. Unofficial ballots made as nearly as possible in the form of the official ballot may be used, received by the election officers and placed by them in a ballot box in such case to be provided as now required by law, and counted with the votes registered on the voting machines. The result shall be declared the same as though there had been no accident to the voting machine. The ballots thus voted shall be preserved and returned as herein directed with a certificate or statement setting forth how and why the same were voted. Machines become damaged. Close of polls records taken.

4. Section 19:49–3 of the Revised Statutes is amended to read as follows: Section amended.

19:49–3. At least one week prior to any primary, local, or general election two sets of official ballots shall be provided for each voting machine, for each polling place, for each election district, for use in and upon the voting machine. One set thereof shall be inserted or placed in or upon the voting machine and the other shall be retained in the custody and possession of the county board of elections or the superintendent of elections or the municipal clerk, as the case may be, having custody Two sets of ballots provided.

of voting machines, unless it shall become necessary during the course of the election to make use of the same upon or in the voting machine. At the close of the election all official ballots, except those actually in or upon the voting machine at the close of the election, whether the same shall have been used in the machine or not, shall be returned to the official providing the same in the manner by this Title provided.

Unused ballots returned.

Section amended.

5. Section 19:50–1 of the Revised Statutes is amended to read as follows:

19:50–1. Not less than ten nor more than twenty-one days before each election, the county board of elections shall cause the members of the district boards who are to serve in election districts to be instructed in the use of the machine, and in their duties in connection therewith, and shall cause to be given to each member of each district board who has received such instruction and is fully qualified to properly conduct the election with the machine, a certificate to that effect. For the purpose of giving such instruction the county board of elections shall call such meeting or meetings of the district boards as shall be necessary. The members of the district board of each election district in which a voting machine is to be used shall attend such meeting or meetings as shall be called for the purpose of receiving such instruction concerning their duties as shall be necessary for the proper conduct of the election with the machine. No member of any district board shall serve in any election at which a voting machine is used unless he shall have received such instruction and is fully qualified to perform the duties in connection with the machine, and has received a certificate to that effect from the county board of elections; but this shall not prevent the appointment of a person as a member of the district board to fill a vacancy in an emergency, as now provided by law.

Members instructed.

Members to attend meetings.

Member not to serve unless receive instruction.

6. Section 19:50–2 of the Revised Statutes is amended to read as follows: Section amended.

19:50–2. Until voting machines have been in use in any county or municipality for three successive general elections, the county board of elections or the superintendent of elections or the municipal clerk, as the case may be, having custody of voting machines, shall designate suitable and adequate times and places where voting machines containing sample ballots showing titles of offices to be filled, and, so far as practicable, the names of candidates to be voted for at the next election, shall be exhibited for the purpose of giving instructions in the use of voting machines to all voters who apply for the same. No voting machine to be assigned for use in an election shall be used for such instruction after having been prepared and sealed for the election. During public exhibition of any voting machine for the instruction of voters previous to an election, the counting mechanism thereof shall be concealed from view and the doors may be temporarily opened only when authorized by such county board of elections or such superintendent of elections or such municipal clerk, as the case may be. Custody of machines. Sealed machines not to be used for instruction.

7. Section 19:50–3 of the Revised Statutes is amended to read as follows: Section amended.

19:50–3. For instructing the voters on any election day a placard eighteen inches by twelve inches shall be furnished by the county board of elections and placed on the face of each voting machine in such a position as not to interfere with the operation thereof, which placard shall contain the words, printed in red ink, "Turn down a pointer over the word 'Yes' or 'No' in the Public Questions column and over the name of each candidate of your choice, and leave them down." For the further instructing of voters on any election day there shall, so far as practicable, be provided by the county board of elections or the superintendent of elections or the municipal clerk, as the case may be, having custody of voting machines, for each polling place a Placard furnished.

Model furnished.

mechanically operated model of a portion of the face of the machine. Such model, if furnished, shall, during the election, be located on the district election officers' table or in some other place which the voters must pass to reach the machine, and each voter shall, before entering the voting machine booth, be instructed regarding the operation of the machine and such instruction illustrated on the model, and the voter given opportunity to personally operate the model. The voter's attention shall also be called to the diagram of the face of the machine so that the voter can become familiar with the location of the questions and the names of the officers and candidates. If any voter, before entering the voting machine booth, declares under oath, and establishes to the satisfaction of a majority of all the members of the district board that by reason of blindness or other physical disability he is unable to cast his vote without assistance, he shall have the assistance of two members of the board of opposite political faith, to be assigned by the board. Such members shall retire with such voter to the booth and assist him. The member acting as clerk of the district board shall make an entry on a disability certificate for assistance, which entry shall be on the form of oath inserted in the front of the duplicate registry binders at each election.

Assistance in case of blindness or physical disability.

Oath.

In every instance when such oath is administered to a voter as herein provided, it shall state briefly what facts were sworn to and the names of the members of the board who aided such voter shall be signed on the form. Any members of the district board shall be eligible to assist any such voter, but no other person except as hereinafter provided shall be allowed to assist him. No member of the board shall reveal the name of any person for whom such voter has voted, or anything that took place while he was being assisted.

Assistance of person of own selection.

The voter, if blind, may, in lieu of the assistance of the board as above provided, have assistance of some person of his own selection. Such person

shall retire with such voter to the booth and assist him in voting. The name and address of such person shall be recorded as above. In such case, no other person than the one so selected by the voter shall be allowed to assist such voter. No person so selected shall reveal the name of any person for whom such voter has voted or anything that took place while he was being assisted.

Disability certificates numbered.

The disability certificates shall be numbered serially one to twenty. The commissioner of registration shall furnish sufficient disability certificates for assistance for each election district in his county which shall be inserted in the front of the duplicate registry binders.

Section amended.

8. Section 19:51–1 of the Revised Statutes is amended to read as follows:

Election districts may be altered.

19:51–1. Election districts in which voting machines are to be used may be altered, divided or combined by the county board of elections so as to provide that each district in which one machine is to be used shall contain, as nearly as may be, seven hundred fifty registered voters, and that each district in which two machines are to be used shall contain, as nearly as may be, one thousand registered voters, and that each district in which three machines are to be used shall contain, as nearly as may be, one thousand five hundred registered voters. Nothing herein shall prevent any election district from containing a less number than above if necessary for the convenience of the voters. When more than two machines are to be used in a district, two additional members of the district board, who shall be of opposite political parties, shall be appointed for each additional machine.

Superintendent or clerk to certify.

At least thirty days before any election, the county board of elections shall certify to the superintendent of elections or the municipal clerk, as the case may be, having custody of voting machines, the location of each polling place in the county or municipality, as the case may be, together with the number of voting machines to be delivered thereto, for the use in said election.

Section amended.

9. Section 19:52–1 of the Revised Statutes is amended to read as follows:

Meeting of district boards.

19:52–1. The district boards of each election district shall meet at the polling place three-quarters of an hour before the time set for opening of the polls at each election and shall proceed to arrange the furniture, stationery and voting machine or machines for the conduct of the election. The district boards shall then and there have the voting machine, ballots and stationery required to be delivered to them for such election by the officials charged by law with that duty. If not previously done, they shall insert in their proper place on the voting machine the ballots containing the names of offices to be filled at such election and the names of candidates nominated therefor.

Keys delivered to officers.

The keys to the voting machine shall be delivered to the district election officers in any manner that the county board of elections or the superintendent of elections or the municipal clerk, as the case may be, having custody of voting machines, may determine, at least three-quarters of an hour before the time set for opening the polls, in a sealed envelope, on which shall be written or printed the number and location of the voting machine, the number of the seal with which it is sealed and the number registered on the protective counter or device, as reported by the custodian. The envelope containing the keys shall not be opened until at least one member of the board from each of two political parties shall be present at the polling place and shall have examined the envelope to see that it has not been opened. Before opening the envelope all election officers present shall examine the number on the seal on the machine, also the number registered on the protective counter, and shall ascertain if they are the same as the number written on the envelope; and if they are not the same, the machine must not be opened until such county board of elections or such superintendent of elections or such municipal clerk, as the case may be, after due notice of such discrepancy, shall have

Envelope containing keys.

Examine number on machine.

caused such machine to be re-examined and properly arranged by any person or persons employed or appointed pursuant to section 19:48–6 of this Title. If the numbers on the seal and protective counter are found to agree with the numbers on the envelope, the district election officers shall proceed to open the doors concealing the counters, and each district election officer shall carefully examine every counter and ascertain whether or not it registers zero (000) and the same shall be subject to the inspection of official watchers.

Numbers.

The machine shall remain locked against voting until the polls are formally opened and shall not be operated except by voters in voting. If any counter is found not to register zero (000) the district board shall immediately notify such county board of elections or such superintendent of elections or such municipal clerk, as the case may be, who shall, if practicable, cause such counter to be adjusted at zero (000) by any person or persons employed or appointed pursuant to section 19:48–6 of this Title. If it shall be impracticable for such person or persons to arrive in time to so adjust such counter before the time set for opening the polls, the district election officers shall immediately make a written statement of the designating letter and number of such counter, together with the number registered thereon, and shall sign and post same upon the wall of the polling room, where it shall remain throughout election day, and in filling out the statement of canvass, they shall subtract such number from the number registered thereon at the close of the polls.

Machines to remain locked.

Election officers to make written statement.

10. Section 19:52–7 of the Revised Statutes is amended to read as follows:

Section amended.

19:52–7. The keys of each voting machine shall be inclosed in an envelope to be supplied by the county board of elections or the superintendent of elections or the municipal clerk, as the case may be, having custody of voting machines, on which shall be written the number of the machine and the district and ward where it has been used, which en

Keys inclosed in envelope.

velope shall be securely sealed and indorsed by the district election officers, and shall be returned to the source from which the keys were received. The number on the seal and the number registered on the protective counter shall be written on the envelope containing the keys. All keys for any voting machine shall be kept securely by the officials having them in charge. No unauthorized person shall have in his possession any key or keys of any voting machine and all district election officers or persons intrusted with such keys for election purposes, or in the preparation of the machine therefor, shall not retain them longer than necessary to use them for such legal purpose. All machines shall be stored by the county board of elections or the superintendent of elections or the municipal clerk, as the case may be, having custody of voting machines, as soon after the close of the election as possible, and the machines shall at all times be stored in a suitable place, which place shall be a fireproof public building in such counties or municipalities, as the case may be, as have same.

Keys securely kept by officials.

Machines stored by county.

Section amended.

11. Section 19:32–2 of the Revised Statutes is amended to read as follows:

Chief deputy.

19:32–2. Each superintendent may appoint a chief deputy, a clerk, a secretary, such personnel as is authorized under section 19:48–6 of this Title, and any other assistants he considers necessary to carry out the provisions of this Title, and may remove the same whenever he deems it necessary. Those so appointed shall not be subject to any of the provisions of Title 11, Civil Service, but shall be in the unclassified service. Each superintendent shall fix the salaries of the persons so appointed and such salaries certified to and approved under his hand shall be paid semimonthly by the county treasurer of the county in which such persons are so engaged. All other necessary expenses incurred in carrying out the provisions of this Title when certified to and approved by the superintendent shall be paid by the county treasurer of the county in which the superintendent shall maintain his

Salaries.

Expenses paid by county treasurer.

office; *provided, however,* that all expenses of every nature in the office of the superintendent of elections shall not exceed the sum of two hundred sixty thousand dollars ($260,000.00) per annum commencing with the year one thousand nine hundred and forty-six and annually thereafter, of which the sum of sixty thousand dollars ($60,000.00) per annum shall be used exclusively for the purposes set forth in section 19:48–6 of this Title; and the unexpended balance which remains of the amount or amounts appropriated to the county board of elections in each county of the first class by the board of chosen freeholders thereof for the year one thousand nine hundred and forty-five for the purpose of paying all salaries in connection with and defraying the cost of storing, delivering to and from polling places, repairing, servicing, and maintaining voting machines, shall be transferred forthwith to the account of the superintendent of elections and shall be used by him solely for such purpose, and no other. Proviso.

12. This act shall take effect immediately.

Approved March 30, 1945.

CHAPTER 57

AN ACT relating to the Teachers' Pension and Annuity Fund, and amending section 18:13–48 of the Revised Statutes.

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

1. Section 18:13–48 of the Revised Statutes is amended to read as follows: Section amended.

18:13–48. So long as membership continues, a prior-service certificate shall be final and conclusive for retirement purposes as to such service, un- Prior-service certificate.

less thereafter modified by the board of trustees upon application by the member within one year after the issuance or modification of a prior-service certificate or upon the discovery by the board of trustees of an error or fraud. When membership ceases, the certificate shall be void, but upon membership being resumed the prior-service certificate shall be restored for the same number of years of prior service as were previously credited.

Certificate void.

2. This act shall take effect immediately.

Approved March 31, 1945.

CHAPTER 58

AN ACT to amend "An act to add Route 25A to the State highway system," approved July twelfth, one thousand nine hundred and thirty-nine (P. L. 1939, c. 198).

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

Section amended.

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

1. The State Highway Commissioner shall, as soon as practicable and in accordance with the procedure set forth in article one of chapter seven of Title 27 of the Revised Statutes, add to the present State highway system the following described route:

Additional route.

Description.

Route No. 25A. Beginning at a point in State Highway Route No. 25 in Jersey City and extending via Jersey City, Kearny, Harrison, across the Passaic river at or near the present Bridge street bridge between the counties of Essex and Hudson to and connecting with State Highway Route No. 21 and Clifton avenue in Newark.

2. This act shall take effect immediately.

Approved March 31, 1945.

CHAPTER 59

AN ACT concerning municipal elections in certain municipalities, and supplementing "An act concerning elections, providing for the use of voting machines in first- and second-class counties, making an appropriation to the State House Commission, and supplementing chapter forty-eight of Title 19 of the Revised Statutes," approved February ninth, one thousand nine hundred and forty-four (P. L. 1944, c. 7).

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

1. As used in this act— C. 19:48-3.15.

"Municipal election" means an election to be held in and for a single municipality only, at regular intervals; Municipal election.

"Pertinent equipment" means channels, rollers, compensators, lockouts, pins and shutters used in connection with voting machines. Pertinent equipment.

2. The purpose of this act is to provide a method of establishing a uniform system of voting, by voting machines in all election districts, at any municipal election, in municipalities in which voting machines have been installed, pursuant to the provisions of the act to which this act is a supplement, for use in part of, but not in all of, such election districts. C. 19:48-3.16.

3. In any case in which voting machines have been so installed for use in part of, but not in all of, the election districts of any municipality in any county of the first- or second-class, thereby preventing the holding of any such municipal election in such municipality with the use of voting machines in all election districts, in accordance with the provisions of law relating to elections where voting machines are used, the superintendent of C. 19:48-3.17. Machines not installed in all election districts.

elections of any such county of the first class or the county board of elections of any such county of the second-class, as the case may be, may rent from any other county or counties in which voting machines have been installed under any law other than the act to which this act is a supplement, as many voting machines and any pertinent equipment as, in his or its judgment, shall be necessary to carry out the purpose of this act by providing voting machines for use in all of such election districts in such municipality at any municipal election to be held therein; *provided, however,* that all voting machines so rented shall conform substantially to the type of voting machines already installed for use in such municipality.

May rent machines.

Proviso.

C. 19:48-3.18.

4. Such superintendent of elections or such county board of elections, as the case may be, of the county in which such municipality is located, is hereby authorized and empowered, in behalf and in the name of the county in which the voting machines are to be used, to enter into an agreement with the board of chosen freeholders of the county owning such machines, which board is also hereby authorized and empowered to enter into such an agreement, for the rental of such machines and any pertinent equipment for use at any such municipal election, upon the following terms and upon such additional terms as may be mutually agreed upon, and any such agreement made pursuant to the provisions of this act shall be binding upon the respective counties:

Empowered to rent machines.

Rental.

a. The rental rate for each machine and any pertinent equipment accompanying the same shall not exceed five dollars ($5.00);

Transferred at expense of county.

b. The machines and any pertinent equipment rented shall be transported entirely at the expense of the county in which the same are to be used;

Counters set at zero.

c. The board of chosen freeholders of the county from which the machines are rented shall cause the counters within all machines

rented to be set at zero (000) at least fifteen days before the date of the municipal election in which the machines are to be used;

d. The machines and any pertinent equipment rented, after delivery thereof to such superintendent of elections or such county board of elections, as the case may be, shall, except when being transported and when actually at the polling places, be stored in a suitable place which shall be a fireproof building in the county in which such municipality is located; Stored in suitable place.

e. The machines and any pertinent equipment rented shall be returned to their usual place of storage in the county from which they are rented not later than twenty days after the municipal election in which they are to be used, with the counter within each machine set at zero (000); Machines returned.

f. The machines and any pertinent equipment rented shall be duly returned to the place of storage thereof in the county from which they are rented, in the same condition as when leaving such place; and any partial or total damage done to any machine or pertinent equipment from any cause whatever, between the time of leaving such place of storage and its return thereto, shall be repaired or replaced at the expense of the county in which the same are to be used. Repairs made at expense of county.

5. In the event such an agreement is made, such superintendent of elections or such county board of elections, as the case may be, shall, before the thirtieth day prior to the date of the municipal election for which the voting machines have been so rented, certify in writing to the municipal clerk of the municipality in which such election is to be held that at least one voting machine will be provided for each election district of such municipality for use at such election. C. 19:48-3.19. Certification.

6. Upon receipt of such certification, such municipal clerk shall proceed to prepare and furnish C. 19:48-3.20. Official ballots.

to such superintendent of elections or such county board of elections, as the case may be, at least seven days before any such election, official ballots of the type and in the number required by law for use in voting machines, and shall make such other arrangements as are necessary to hold such municipal election by the use of voting machines in all election districts of such municipality, in accordance with the provisions of law relating to elections where voting machines are used, and such election shall in all respects be so held and conducted.

C. 19:48-3.21. Amount to be expended.

7. Such superintendent of elections or such county board of elections, as the case may be, is hereby authorized to expend for the purpose of this act a sum not to exceed forty dollars ($40.00) per each voting machine rented plus any sum expended for the repair or replacement of any machines or pertinent equipment partially or totally damaged, which expenditures shall be in addition to any amount authorized to be expended, under Title 19 of the Revised Statutes, by such superintendent of elections or such county board of elections, as the case may be, and shall be paid, when certified to and approved by such superintendent of elections or such county board of elections, as the case may be, by the county treasurer of the county in which the machines are used; and the county making such payment shall be reimbursed therefor by the municipality holding such election, in the same manner as is now provided by law for the payment of other expenses in connection with any election held in and for a municipality only.

8. This act shall take effect immediately.

Approved March 31, 1945.

CHAPTER 60

AN ACT authorizing and empowering the Board of Commerce and Navigation, acting for and in the name of and on behalf of the State of New Jersey, to grant, reconvey and release to owners of lands bordering on the Atlantic ocean, in the city of Long Branch, in the county of Monmouth, lands heretofore conveyed to the State for the purpose of an easement or way in order to construct bulkheads or other means to prevent erosion by the sea.

Preamble. WHEREAS, certain owners of lands in the city of Long Branch, in the county of Monmouth, bordering on the Atlantic ocean, have heretofore conveyed to the State of New Jersey certain interests in lands by way of an easement, in order that the State might construct bulkheads or other means to prevent erosion by the sea; and

Preamble. WHEREAS, by inadvertence the conveyances so made were of lands not needed for the purposes aforesaid and should be reconveyed to the owners, upon the said owners giving to the State of New Jersey a deed for such lands as may be necessary for the purposes aforesaid, now, therefore;

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

Board authorized to grant and reconvey. 1. The Board of Commerce and Navigation, acting for and in the name of and on behalf of the State of New Jersey, is hereby authorized and empowered to grant, reconvey and release to any such owner or owners, their grantees, successors or assigns, such lands, or interests in the same, as was heretofore conveyed to the State by any such owner or owners, upon such owner or owners, or their

grantees, successors or assigns, granting and conveying to the State of New Jersey such interests in lands in said city of Long Branch bordering upon the Atlantic ocean owned by such owner or owners, as may be necessary for the purposes of the State in the construction of such bulkheads or other means to prevent erosion by the sea, and in any such grant or conveyance to the State, the Board of Commerce and Navigation, acting for the State, may require the insertion of such conditions and stipulations as to the use of the lands owned by any such owner or owners and so bordering on the Atlantic ocean, as will secure to the State all means of access to repair and keep in order such bulkheads and means for preventing further erosion by the sea.

2. This act shall take effect immediately.

Approved March 31, 1945.

CHAPTER 61

AN ACT concerning the salaries of surrogates in certain counties, and supplementing chapter seven of Title 2 of the Revised Statutes.

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

C. 2:7-20.1. Salary of surrogate.

1. In counties of this State having a population of more than fifty thousand and not more than seventy-five thousand inhabitants, according to the last Federal census, the surrogate shall receive, in lieu of all other compensation, an annual salary of five thousand dollars ($5,000.00).

'2. This act shall take effect immediately.

Approved March 31, 1945.

CHAPTER 62

AN ACT concerning the salaries of county clerks in certain counties, and supplementing chapter thirty-eight of Title 40 of the Revised Statutes.

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

1. In counties of this State having a population of more than fifty thousand and not more than seventy-five thousand inhabitants, according to the last Federal census, the county clerk shall receive, in lieu of all other compensation, an annual salary of five thousand dollars ($5,000.00). C. 40:38-6.1. Salary of clerk.

2. This act shall take effect immediately.

Approved March 31, 1945.

CHAPTER 63

AN ACT concerning the salaries of sheriffs in certain counties, and supplementing chapter forty-one of Title 40 of the Revised Statutes.

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

1. In counties of this State having a population of more than fifty thousand and not more than seventy-five thousand inhabitants, according to the last Federal census, the sheriff shall receive, in lieu of all other compensation, an annual salary of five thousand dollars ($5,000.00). C. 40:41-7.1. Salary of sheriff.

2. This act shall take effect immediately.

Approved March 31, 1945.

CHAPTER 64

AN ACT concerning appointment of probate clerks as deputy surrogates.

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

C. 2:7-25.1. Probate clerk to retain rights.

1. Any surrogate may appoint a probate clerk in his office as a deputy surrogate and any such probate clerk may accept such appointment and still retain his office, position or employment of probate clerk and retain all the rights, privileges and benefits incident to his continued holding of such office, position or employment of probate clerk and his rating and status as such in civil service.

2. This act shall take effect immediately.

Approved March 31, 1945.

CHAPTER 65

AN ACT concerning the payment of premiums for the killing of foxes, and amending section 23:4–60 of the Revised Statutes.

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

Section amended.

1. Section 23:4–60 of the Revised Statutes is amended to read as follows:

Certificate of compliance.

23:4–60. Upon the destruction of the ears, the justice shall give to the person producing the animal or pelt a certificate of compliance with sections 23:4–59 to 23:4–62 of this Title, directed to the board of chosen freeholders of the county in which the animal was slain, stating the kind of animal and when, where and by whom killed, the date, by whom

and in the presence of what qualified voter the ears of the animal were destroyed; and the residences of the person killing the animal, and of the voter. If the animal slain was a fox and if the person killing the fox so requests, the justice shall give to such person, a like certificate, directed to the township committee of the township in which the fox was slain.

Surrender of certificate.

The board of chosen freeholders shall, upon the production and surrender of the certificate directed to them, pay out of the county funds to the person killing a fox the sum of three dollars ($3.00) for each fox, or in the case of a woodchuck, such sum as such board fixes, but not exceeding fifty cents ($0.50) for each woodchuck. The township committee may, upon the production and surrender of the certificate directed to them, pay out of the township funds to the person killing a fox the sum of two dollars ($2.00) for each fox. The justice taking the affidavit shall thereupon file or cause the same to be filed forthwith in the office of the county treasurer, whereupon the justice shall receive from the county funds the sum of fifty cents ($0.50) in case a fox be the animal killed or twenty-five cents ($0.25) in case a woodchuck be the animal killed, in full for all his services under said sections 23:4–59 to 23:4–62.

Affidavit filed.

2. This act shall take effect immediately.

Approved March 31, 1945.

CHAPTER 66

AN ACT authorizing the Treasurer of the State, the county, the municipality, or the custodian of school moneys to accept contributions, from the Government of the United States or any agency thereof, made in lieu of taxes upon property owned by the United States Government, or any agency thereof, and provide for the disposition of such contributions.

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

C. 54:4A-1. Contributions in lieu of taxes.

1. In case the Government of the United States or any agency thereof shall make contributions in lieu of taxes, the contributions shall be made and received as follows:

Contributions in lieu of State school tax.

In the case of contributions made in lieu of the State school tax, such contribution shall be made to the Treasurer of the State and shall be considered as an addition to the State school tax levied against the county in which the property of the Government of the United States or any agency thereof is situated for which the in lieu contribution is made, and shall be apportioned in the same manner as the State school tax is apportioned.

Contribution in lieu of county taxes.

In case of contribution made in lieu of county or county subdivision taxes, such contribution shall be made to the county treasurer to be used for such purposes as the tax is used for which the in lieu payment is made.

Contribution in lieu of local school tax.

In case of contribution made in lieu of the local school tax, such contribution shall be made to the custodian of school moneys of the school district in which the property is located, for which the in lieu contribution is made, and to be used for school purposes.

In case of contribution made in lieu of municipal or municipal subdivision purpose taxes, such contribution shall be made to the treasurer of the municipality to be used for such purposes as the tax is used for which the in lieu contribution is made. Contribution in lieu of municipal taxes.

2. Should the contribution be made in lieu of taxes levied for prior years, such contributions shall be made as provided by section one hereof and shall be used for the purposes designated in section one. C. 54:4A-2. Contribution used for purposes designated.

3. The treasurer, or custodian, receiving any of the above contributions in lieu of taxes is authorized to give a receipt therefor. C. 54:4A-3. Receipt.

4. This act shall take effect immediately.

Approved March 31, 1945.

CHAPTER 67

AN ACT to amend "A further supplement to an act entitled 'An act to establish a Department of Banking and Insurance,' approved February tenth, one thousand eight hundred and ninety-one," approved May sixteenth, one thousand nine hundred and thirty-six (P. L. 1936, c. 98).

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

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

9. This act shall take effect immediately, and shall become inoperative after May sixteenth, one thousand nine hundred and forty-six. C. App. A:7-15. Effective.

2. This act shall take effect immediately.

Approved March 31, 1945.

CHAPTER 68

AN ACT concerning elections, and supplementing Title 19 of the Revised Statutes.

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

C. 19:23-22.1. Municipal clerk certify to county clerk.

1. In counties of the second class having a population of four hundred thousand or more where voting machines are used, each municipal clerk shall, on or before the eighth day following the last day for the filing of petitions for the primary election in each year, certify to the county clerk the full and correct names and addresses of all candidates for nomination for public and party office, and the name of the political party of which such persons are candidates, together with their slogan and designation, and the order in which their names were drawn in accordance with the provisions of Title 19 of the Revised Statutes.

C. 19:23-22.2. County clerk to print ballots.

2. The county clerk shall cause to be printed a sufficient number of official primary ballots and official primary sample ballots of each political party, and sufficient stamped envelopes for the mailing of such sample ballots in each election district at the times and in the manner and number as required by the provisions of Title 19 of the Revised Statutes, and shall furnish such official primary sample ballots and envelopes to the municipal clerks on the earliest possible date preceding the primary election.

C. 19:23-22.3. Payment of costs.

3. The cost of printing of the official primary election ballots and primary election sample ballots and stamped envelopes shall be paid by the county but the county shall be reimbursed by the municipalities, each municipality paying such amount as shall be apportioned to it by the county clerk based on the proportion of the number of such official primary election ballots and primary election sam-

ple ballots and stamped envelopes required for use in such municipality.

4. This act shall take effect immediately.

Approved March 31, 1945.

CHAPTER 69

AN ACT to authorize and empower the religious corporation known as "The Minister, Elders and Deacons of the Reformed Dutch Congregation of Bergen, in New Jersey" to close the cemetery owned and maintained by said corporation to further burials.

Preamble.

WHEREAS, prior to the year one thousand seven hundred and sixty-four, a cemetery was established in the town of Bergen (now in the municipality of Jersey City) to which cemetery additions were made in the year one thousand eight hundred and thirty-one by purchase of lands fronting on Bergen avenue, in said Jersey City, and which cemetery has been maintained, financed and administered by said religious corporation down to the present time; and

Preamble.

WHEREAS, by reason of the number of interments which have been made therein during the long period of its use, the cemetery in question is not now adequate and cannot longer be used for the burial of the dead; therefore,

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

Cemetery closed to burials.

1. The cemetery located in Jersey City, on the east side of Bergen avenue, between Vroom street and Mercer street, owned by the religious corporation known as "The Minister, Elders and Deacons

of the Reformed Dutch Congregation of Bergen, in New Jersey," and that part of the cemetery running through to Vroom street contiguous thereto, is closed to further burials, from and after the passage of this act.

2. This act shall take effect immediately.

Approved March 31, 1945.

CHAPTER 70

AN ACT to regulate elections, and amending section 19:49–2 of the Revised Statutes.

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

Section amended.

1. Section 19:49–2 of the Revised Statutes is amended to read as follows:

Form and size of ballot.

19:49–2. All official ballots shall be printed on clear white paper or cardboard of such form and size as will fit the ballot frames of the machines, printed in black ink in type as large as the space will reasonably permit; *provided, however,* that any public question which shall be placed on the ballot shall be printed in red ink and above any public question to be voted upon by the voters of the entire State there shall be printed, also in red ink, a description of the public question, which description shall not exceed six words and shall be printed in type as large as is practicable. Party nominations shall be arranged on each voting machine, either in columns or horizontal rows; the caption of the various ballots on the machines shall be so placed on the machines as to indicate to the voter what push knob, pointer, lever or other device is to be used or operated in order to vote for the candidates or candidate of his choice. The providing of the official ballots and the order of the precedence

Proviso.

Arrangement of party nominations.

and arrangement of parties and of candidates shall be as now required by law; *provided, however,* that in those counties where voting machines are used, the specifications for the printing of the official ballots shall be drawn by the county clerk. Proviso.

Drawing joint petition candidates.

For the primary election for the general election in all counties having a population of four hundred thousand or more where voting machines are or shall be used, all candidates who shall file a joint petition with the county clerk of their respective county and who shall choose the same designation or slogan shall be drawn for position on the ballot as a unit and shall have their names placed on the same line of the voting machine; *and provided further,* that all candidates for municipal or party office in municipalities in counties of the first class where voting machines are or shall be used who shall file a petition with the clerk of their municipality bearing the same designation or slogan as that of the candidates filing a joint petition with the county clerk as aforesaid, may request that his or her name be placed on the same line of the voting machine with the candidates who have filed a joint petition with the county clerk as aforesaid by so notifying the county clerk of said county in writing within two days after the last day for filing nominating petitions and thereupon the county clerk shall forthwith notify the campaign manager of such candidates filing a joint petition as aforesaid of said request, and if the said campaign manager shall file his consent in writing with the said county clerk within two days after the receipt of said notification from said county clerk, the clerk of said county shall place the name of such candidate on the same line of the voting machine on which appears the names of the candidates who have filed the joint petition as aforesaid; *provided, also,* that any candidate filing a petition with the Secretary of State may request that his or her name be placed on the same line of the voting machine with the candidates who have filed a joint petition with the county clerk as aforesaid by so notifying the county clerk Proviso. Proviso.

of said county in writing within two days after the last day for filing nominating petitions and thereupon the county clerk shall forthwith notify the campaign manager of such candidates filing a joint petition as aforesaid of said request, and if the said campaign manager shall file his consent in writing with the said county clerk within two days after the receipt of said notification from said county clerk, the clerk of said county shall place the name of such candidate on the same line of the voting machine on which appears the names of the candidates who have filed the joint petition as aforesaid.

Certain acts repealed.

2. All acts or parts of acts inconsistent herewith are hereby repealed insofar as they relate to counties of the first class where voting machines are or shall be used.

3. This act shall take effect immediately.

Approved March 31, 1945.

CHAPTER 71

AN ACT relating to labor camps, supplementing Title 34 of the Revised Statutes, and establishing a division of migrant labor in the Department of Labor, defining the functions, powers and duties of the division, and making an appropriation therefor.

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

ARTICLE I

C. 34:9A-1.

1. Short title. This act shall be known as the Migrant Labor Act.

C. 34:9A-2. Definitions.

2. Definitions. As used in this act, unless the context clearly requires a different meaning:

(a) "Migrant labor camp" or "camp" shall mean one or more tents, vehicles, buildings or structures, together with the tract of land appertaining thereto, used as living quarters by seasonal, temporary or migrant workers directly or indirectly in connection with any work or place where work is being performed, whether or not rent is paid or reserved in connection with the use or occupancy of such premises. Migrant labor camp.

(b) "Commissioner" shall mean the Commissioner of Labor or any of his authorized deputies, representatives, agents or employees. Commissioner.

(c) "Department" shall mean the Department of Labor. Department.

(d) "Division" shall mean the division of migrant labor established by this act. Division.

(e) "Board" shall mean the migrant labor board established by this act. Board.

(f) The terms "seasonal worker," "temporary worker" and "migrant worker" shall not include any person who is or shall have been a resident of this State and who has had or shall have had his all-year-round dwelling place in this State for one year or longer and who dwells in said all-year-round dwelling place while engaging in any seasonal or temporary work. "Seasonal worker."

(g) All other words and phrases shall be defined and construed as provided by chapter one of Title 1 of the Revised Statutes. Words and phrases defined.

3. There is hereby established in the Department of Labor a division of migrant labor, consisting of the Commissioner of Labor and a migrant labor board. C. 34:9A-3. Migrant labor board.

4. The migrant labor board shall consist of the Commissioner of Education, Commissioner of Labor, Secretary of Agriculture, Commissioner of Institutions and Agencies, the Commissioner of Economic Development, the Superintendent of State Police, and the Director of Health, ex officio, C. 34:9A-4. Members of board.

or such deputy as any of them may respectively designate, and five additional members to be appointed by the Governor, with the advice and consent of the Senate, each to serve for a term of five years, except that of those first appointed, one shall be appointed to serve for a term of one year, one for two, one for three, one for four, and one for five years. Two of such additional members shall be appointed from among representatives of farmers and one from among representatives of organized labor in this State.

C. 34:9A-5. Expenses.

5. Members of the migrant labor board shall serve without compensation, but shall be reimbursed for necessary expenses incurred in the performance of their duties.

C. 34-9A-6. Chairman.

6. The board shall in all cases act by a majority vote of its membership. It shall select its chairman from among the members appointed by the Governor.

C. 34:9A-7. Deputy commissioner of labor.

7. The Commissioner of Labor, except as herein otherwise provided, shall have the duties and exercise the powers of the division through such deputy commissioner of labor as, with the approval of the board, he may designate.

C. 34:9A-8.

8. The board shall:

Establish policies.

(a) Establish general administrative policies for the division;

Approve rules.

(b) Approve prior to issuance all rules, regulations and procedures not inconsistent with law to effectuate the provisions of this act;

Advise.

(c) Advise and consult with the commissioner concerning the work and activities of the division;

Approve agreements.

(d) Facilitate and approve interdepartmental agreements and arrangements to effectuate the purposes of this act; and may authorize the transfer from appropriations for the purposes of the division such sums as may be necessary for the use of other spending agencies to effectuate such agreements or arrangements;

(e) Survey and study the operations of the division; Study operations.

(f) Hold public hearings on matters pertaining to the work of the division; Hold public hearings.

(g) Report annually, and at such other times as it may deem appropriate, to the Governor and the Legislature with respect to matters relating to the division; Report.

(h) In its discretion, apply for and accept grants from the Federal Government or any agency thereof as may further the purposes of this act, and comply with the terms, conditions and limitations pertaining to such grants. Any moneys so received may be expended by the division, subject to any limitations imposed in the grant, to effectuate any of the purposes of this act, upon warrant of the Comptroller on vouchers certified or approved by the commissioner. Apply and accept grants.

9. The division shall: C. 34:9A-9.

(a) Enforce the provisions of article two of this act either directly or through interdepartmental agreements; Enforce the provisions.

(b) Enforce all other applicable labor laws, including, but not limited to, those relating to private employment agencies, child labor, wage payments and wage claims, with respect to migrant labor camps; Enforce laws.

(c) Provide inspectional services to encourage minimum standards of housing and sanitation in migrant labor camps; Provide inspection service.

(d) Advise and consult with employers of migrant labor as to the ways and means of improving living conditions of migrant workers; Advise and consult.

(e) In co-operation with the Department of Health, prescribe minimum standards of sanitation, and preventive and curative health services, not inconsistent with this act, for migrant workers; Standard of sanitation.

Provide educational facilities.

(f) In co-operation with the Department of Education, provide, so far as possible, educational facilities for the children of migrant workers;

Protection.

(g) In co-operation with the Department of State Police, provide for a minimum standard of protection for migrant workers;

State camps.

(h) In co-operation with the Department of Economic Development, plan, locate and construct (as soon as conditions permit) experimental State camps for migrant workers; *provided, however,* that no such camp shall be located or constructed in any municipality where there is not located an industry or farm employing migrant labor without the consent of the governing body of said municipality.

Educational program.

(i) In co-operation with the Department of Agriculture, conduct an educational program for employers of migrant labor pertaining to the standards, methods and objectives of the division of migrant labor;

Welfare.

(j) In co-operation with the Department of Institutions and Agencies, help devise ways and means for resolving the welfare problems that require attention.

C. 34:9A-10. Inspectional services.

10. Inspectional services. Each camp shall from time to time be inspected by the division. Inspectors shall be trained and authorized to consult with and assist camp owners and operators with respect to the requirements of this act. Inspectors shall also ascertain and report to the commissioner all violations of this act, and perform such other duties as the commissioner shall direct.

C. 34:9A-11. Preventive and curative public health services.

11. Provision of preventive and curative public health services. The division through the Department of Health shall make surveys to determine the adequacy of preventive and curative health services available to occupants of migrant labor camps, and where such services are found inadequate, to determine desirable ways and means to make them available. The commission shall ar-

range, to the extent of the available appropriations, through the Department of Health for the provision of such supplementary services. Said services may be provided through the use of one or more traveling dispensaries, by a contract with physicians, dentists, hospitals or clinics, or in such other manner as may be recommended by the Department of Health.

C. 34:9A-12. Communicable diseases.

12. Communicable diseases. For the purpose of this act the commissioner may through the State Director of Health exercise the powers of a local board or health officer with respect to communicable diseases defined by chapter four of Title 26 of the Revised Statutes. The commissioner shall make such arrangements and agreements with the Department of Health and other interested departments and agencies as will facilitate the processing of notices of cases of communicable diseases in migrant labor camps and expedite the treatment of such cases.

C. 34:9A-13. Notice of communicable diseases.

13. Notice of communicable diseases. It shall be the duty of the person in charge of a camp to report immediately to the local health authority the name and address of any individual in the camp known to have or suspected of having a communicable disease. Until official action in such case has been taken, strict isolation shall be maintained.

Enforcement of quarantine.

The person in charge of a migrant camp shall co-operate and assist in the enforcement of any quarantine or isolation measures imposed by any public authority having jurisdiction.

Food poisoning.

Whenever there shall occur in any camp an outbreak of suspected food poisoning or an unusual prevalence of any illness in which fever, diarrhea, sore throat, vomiting, or jaundice is a prominent symptom, it shall be the duty of the person in charge of the camp to report immediately the existence of such an outbreak or disease prevalence to the State Director of Health, district or local health officer verbally, or by telegram or telephone; such officer shall forthwith investigate the outbreak and shall report by telegram or telephone immedi-

ately the existence of such an outbreak to the commissioner or deputy commissioner in charge of the division. Local health officers shall exercise due diligence in ascertaining the existence of such outbreaks or the unusual prevalence of disease in camps.

C. 34:9A-14. Construction of camps.

14. Construction of camps. The division in cooperation with the Department of Economic Development, shall make field surveys and censuses adequate to determine the number, location and character of migrant agricultural workers, the needs of their employers, and the most desirable locations for public migrant labor camps. The commissioner may, as soon as a survey and census is completed and he finds a project to be feasible, contract with the public housing and development authority in the Department of Economic Development for the acquisition or construction of one or more camps. The division may operate such public camps or it may contract for their operation by such authority or by one or more municipalities.

C. 34:9A-15. Personnel.

15. Personnel. The commissioner may appoint such professional, technical and clerical assistants and employees as may be necessary for the performance of his functions under this act.

C. 34:9A-16. Regulations.

16. Regulations. The commissioner may, subject to approval of the board, make, modify and repeal rules and regulations for the interpretation and application of the provisions of this act, and, in his discretion but subject to the approval of the board, he may temporarily suspend the operation of one or more sections of this act whenever he finds that material priorities or manpower shortages make it impracticable to comply therewith.

C. 34:9A-17. Civil penalties.

17. Civil penalties. As an alternative to any other sanctions herein or otherwise provided by law, the commissioner may impose a penalty not exceeding two hundred dollars ($200.00) for any violation of this act or of any rule or regulation duly issued hereunder. He may proceed in a civil suit for the recovery of such penalty, for the use of the State, in any court of competent jurisdiction.

18. Entry and inspection. The commissioner, his authorized officers and agents may, for the purpose of this act: C. 34:9A-18.

(a) Enter public or private property to determine whether there exists any camp to which this article applies; Enter public or private property.

(b) Enter and inspect all camps wheresoever situated, and inspect all accommodations, equipment, or paraphernalia connected therewith; Inspect camps.

(c) Enter and inspect the land adjacent to the camp to determine whether the sanitary and other requirements of this act have been or are being complied with. Inspect land.

ARTICLE II

19. Prohibition of violations. No person shall construct, establish, maintain, or operate any camp in violation of any of the requirements of this act. C. 34:9A-19. Prohibition of violations.

20. Certified labor camps. Any person may apply to the division for a certificate of compliance of any camp with the requirements of this act. Such application shall be made on such forms and contain such information, drawings or photographs as the commissioner may deem necessary to enable him to determine the fact of compliance. A separate application shall be made and a separate certificate issued for each camp. If the commissioner finds from the application and such inspection as may be necessary that a camp fully complies with the requirements of this act, he shall issue a certificate to that effect. Any certificate so issued shall remain valid until revoked, and shall entitle the camp for which it is issued to be known and advertised as a "certified labor camp." C. 34:9A-20. Certified labor camps.

21. Use of certificate; revocation. No person shall display any certificate issued under this article in or about any premises other than the camp for which the certificate was issued; nor shall any person advertise, represent or describe any camp for which such a certificate has not been issued, or C. 34:9A-21. Use of certificate.

for which a certificate has been issued and subsequently revoked, as a certified labor camp. Whenever the commissioner finds that a camp for which a certificate has been issued no longer complies with the requirements of this act he shall revoke the certificate upon reasonable notice to the holder thereof.

C. 34:9A-22. Shelter.

22. Shelter. Every camp shall provide sleeping places in reasonably good structural condition, including adequate provision against fire hazards, so as to shelter the occupants against the elements and to exclude ground dampness. Sleeping places shall be kept clean and free from vermin and matter of an infectious or contagious nature. The grounds around sleeping places shall be properly drained and shall be kept clean and free from accumulations of dirt, filth, garbage, and deleterious matter.

C. 34:9A-23. Beds or bunks.

23. Beds or bunks. Each sleeping place shall be equipped with beds or bunks made of steel, canvas, or other sanitary material, so constructed as to afford reasonable comfort to the user, and so arranged as to allow a clear space of at least twenty inches, extending from the floor to the ceiling or roof, between each bed or bunk or tier thereof.

C. 34:9A-24. Air and privacy.

24. Air and privacy. Every sleeping place shall contain sufficient air space and partitions to insure an adequate supply of fresh air, and reasonable privacy for each occupant.

C. 34:9A-25. Food preparation.

25. Food preparation. Every camp shall be provided with adequate stoves or similar cooking facilities. Every tent, or structure where food is cooked, prepared or served in a camp shall be kept in a clean and sanitary condition and the openings thereof shall be screened. All utensils, in which food is prepared or kept, or from which food is to be eaten, and all implements used in the eating of food shall be kept in a clean, unbroken, and sanitary condition.

26. Water. C. 34:9A-26.

(a) Each camp shall be provided with an adequate supply of potable water which is of safe sanitary quality. Water potable supply.

(b) Wells or springs used as sources of water supply shall have tight covers and be so constructed and located as to preclude their pollution by seepage from cesspools, privies, sewers, sewage treatment works, stables or manure piles, or pollution from surface drainage. The water from such sources shall be obtained by free gravity flow or by a metal pump with watertight connection to a concrete slab covering such well or spring. If the pump is situated adjacent to the well or spring, it shall be so located and connected as to prevent pollution of the water. Pollution.

(c) Basins, pressure tanks or reservoirs used for the storage of drinking water subsequently distributed without treatment shall be so lined, curbed, covered, or otherwise protected as may be necessary to prevent pollution of the supply by surface water, and to preclude pollution of an accidental, incidental or willful nature. Water therefrom shall be delivered to the camp fixtures, if such fixtures are provided, by means of a watertight discharge pipe by gravity or by pumping. Basin and pressure tanks.

(d) No common drinking cup shall be used. If drinking fountains are provided they shall be of sanitary design and construction. Drinking cup.

27. Bathing facilities. Convenient and suitable bathing facilities of a reasonable nature to suit conditions, kept clean and sanitary, shall be provided for every camp. C. 34:9A-27. Bathing.

28. Toilets and privies. C. 34:9A-28.

(a) An adequate number of convenient and suitable privy or other toilet facilities, kept clean and sanitary shall be provided for every Toilets.

camp. A privy other than a water-closet shall consist of a pit at least two feet deep with a suitable shelter. The openings of the shelter and pit shall be inclosed by screening or other suitable fly netting. No privy pit shall be filled with excreta to nearer than one foot from the surface of the ground and the excreta in the pit shall be covered with earth, ashes, lime or other similar substance.

Privies.

(b) Privies shall be so located, constructed and maintained that they shall not be offensive to the users, nor permit access of flies to the privy vaults nor by leakage or seepage offer a possible pollution of any water supply, adjacent surface waters or ground surfaces.

Sewage.

(c) Sewage disposal systems shall not allow exposure of sewage or sewage effluent on the surface of the ground.

C. 34:9A-29. Garbage.

29. Garbage and wastes. All garbage, kitchen wastes, and rubbish in camps shall be deposited in suitable covered receptacles which shall be emptied daily or oftener if necessary, and the contents burned, buried, or otherwise disposed of in a manner which is not or does not become offensive or insanitary. All drainage from the kitchen sink shall be carried through a covered drain to a covered cesspool or septic tank or otherwise disposed of in such a way as not to become offensive or insanitary.

C. 34:9A-30. Food and meals.

30. Milk, food and meals. Wherever milk, food or meals are prepared, served, furnished or offered for sale in a camp by the owner, operator or concessionaire,

Kitchen and dining rooms.

(a) The kitchen and dining rooms shall be separated from sleeping quarters and toilets.

Doors and windows screened.

(b) The doors and windows of kitchens, dining rooms and mess halls shall be adequately screened against insects.

(c) The kitchen and dining rooms shall be adequately equipped for the preparation and serving of food. Adequate equipment.

(d) Walls, floors and ceilings of kitchen and dining rooms shall be so constructed as to permit them to be readily cleaned and they shall be kept clean and in good repair. Walls.

(e) Adequate provisions shall be made for sanitary storage, handling, and protection of food and milk supplies until served or used. Sanitary storage.

(f) Adequate facilities, including a plentiful supply of hot water for washing of dishes and utensils, shall be provided; dishes and utensils shall be washed, cleansed and effectively disinfected promptly after each use. Hot water.

31. Responsibility. Every person or the agent or officer thereof, employing persons to work in or at camps to which this article applies and the superintendent or overseer in charge of the work in or at such camps shall carry out the provisions of this article. At every camp a responsible person shall be appointed to assist in keeping the camp clean. Nothing in this act shall be construed to subject any person other than the occupants of a labor camp to any civil or criminal penalty for acts of such occupants. C. 34:9A-31. Responsibility.

32. Public nuisance. Any camp which does not conform to this article shall be deemed a public nuisance and if not made to conform within five days or within such longer period of time as may be allowed by the commissioner by written notice, shall be abated by proper suit brought by the Attorney-General upon request of the commissioner. C. 34:9A-32. Public nuisance.

33. Peace officers. For the purpose of securing the enforcement of this article the officers and agents of the commissioner shall have the authority of peace officers to make arrests, to serve any process or notice throughout the State, and may exercise such other authority of peace officers as may become necessary in securing the enforcement of this article. C. 34:9A-33. Peace officers.

C. 34:9A-34. Penalties.

34. Penalties. Any person, or the agent or officer thereof, who violates any provision of this article or of any rule or regulation duly issued under this act, shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not more than two hundred dollars ($200.00), or imprisonment for not more than sixty days, or both.

ARTICLE III

C. 34:9A-35. Appropriation.

35. There is hereby appropriated to the division for the remainder of the current fiscal year ending June thirtieth, one thousand nine hundred and forty-five, for the purposes of this act, the sum of one hundred thousand dollars ($100,000.00), of which twenty-five thousand dollars ($25,000.00) or so much thereof as may be necessary shall be for the planning and construction of public migrant labor camps, and seventy-five thousand dollars ($75,000.00) or so much thereof as may be necessary shall be for personal and contractual services, equipment and expenses; and any unexpended balances thereof are hereby appropriated, respectively, for the fiscal year ending June thirtieth, one thousand nine hundred and forty-six.

C. 34:9A-36. Effective.

36. Sections one to seventeen, inclusive, and sections twenty, twenty-one, thirty-three and thirty-five of this act shall take effect immediately. The remaining sections of this act shall take effect September fifteenth, one thousand nine hundred and forty-five.

Approved April 2, 1945.

CHAPTER 72

AN ACT concerning unemployment compensation, and amending section 43:21–3 of the Revised Statutes.

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

1. Section 43:21–3 of the Revised Statutes is amended to read as follows: Section amended.

43:21–3. (a) Payment of benefits. Twenty-five months after the date when contributions first accrue under this chapter, benefits shall become payable from the fund; *provided,* that remuneration or services with respect to which unemployment compensation is payable under the Railroad Unemployment Insurance Act (52 Stat. 1094), irrespective of when performed, shall not be included for purposes of determining eligibility under subsection (e) of section 43:21–4 of this chapter or the weekly benefit rate under subsection (c) of this section for the purpose of any benefit year commencing on or after July first, one thousand nine hundred and thirty-nine, nor shall any benefits with respect to unemployment occurring on and after July first, one thousand nine hundred and thirty-nine, be payable under subsection (d) of this section on the basis of such remuneration. All benefits shall be paid through employment offices, or such other agencies as may be designated in accordance with such regulations as may be prescribed hereunder. Payment of benefits. Proviso.

(b) Weekly benefits for unemployment. Each eligible individual who is unemployed (as defined in subsection (m) of section 43:21–19 of this chapter) in any week shall be paid with respect to such week (except as to final payment) an amount equal to his weekly benefit rate less any remuneration in excess of three dollars ($3.00) paid or payable to Weekly benefits for unemployment.

him for such week; *provided,* that such amount shall be computed to the next highest multiple of one dollar ($1.00), if not already a multiple thereof.

Weekly benefit rate.

(c) Weekly benefit rate. An individual's weekly benefit rate shall be one-twenty-second of his total wages in that calendar quarter in which said total wages were highest during his base year; *provided,* that such rate shall be computed to the next highest multiple of one dollar ($1.00) if not already a multiple thereof, and shall not be more than twenty-two dollars ($22.00) nor less than nine dollars ($9.00).

Maximum total benefits.

(d) Maximum total benefits. The maximum total amount of benefits payable to any eligible individual during any benefit year shall be either one-third of his total wages during his base year, computed to the next highest multiple of one dollar ($1.00), if not already a multiple thereof, or twenty-six times his weekly benefit rate, whichever is the lesser; in no event, however, are such total benefits to be less than ten times the weekly benefit rate.

Effective.

2. This act shall take effect and become operative July first, one thousand nine hundred and forty-five, and shall apply to all benefits payable with respect to benefit years beginning on or after said date.

Approved April 2, 1945.

CHAPTER 73

AN ACT concerning unemployment compensation, and amending sections 43:21–5, 43:21–8, 43:21–19 and 43:21–21 of the Revised Statutes.

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

1. Section 43:21–5 of the Revised Statutes is amended to read as follows: Section amended.

43:21–5. An individual shall be disqualified for benefits: Disqualification.

(a) For the week in which he has left work voluntarily without good cause, and for the three weeks which immediately follow such week (in addition to the waiting period), as determined in each case. Left work.

(b) For the week in which he has been discharged for misconduct connected with his work, and for the three weeks which immediately follow such week (in addition to the waiting period), as determined in each case. Discharged

(c) If it is found that he has failed, without good cause, either to apply for available, suitable work when so directed by the employment office or the executive director or to accept suitable work when offered him, or to return to his customary self-employment (if any) when so directed by the executive director. Such disqualification shall continue for the week in which such failure occurred and for the three weeks which immediately follow such week (in addition to the waiting period), as determined: Applied for work.

(1) In determining whether or not any work is suitable for an individual, consideration shall be given to the degree of risk involved to his health, safety and morale, his physical fitness and prior training, his experience and Consideration in determining suitability of work.

prior earnings, his length of unemployment and prospects for securing local work in his customary occupation, and the distance of the available work from his residence.

Acceptance of work.

(2) Notwithstanding any other provisions of this chapter, no work shall be deemed suitable and benefits shall not be denied under this chapter to any otherwise eligible individual for refusing to accept new work under any of the following conditions: (a) If the position offered is vacant due directly to a strike, lockout, or other labor dispute; (b) If the remuneration, hours, or other conditions of the work offered are substantially less favorable to the individual than those prevailing for similar work in the locality; (c) If as a condition of being employed the individual would be required to join a company union or to resign from or refrain from joining any bona fide labor organization.

Labor troubles.

(d) For any week with respect to which it is found that his total unemployment is due to a stoppage of work which exists because of a labor dispute at the factory, establishment, or other premises at which he is or was last employed; *provided*, that this subsection shall not apply if it is shown to the satisfaction of the board of review that:

Proviso.

(1) He is not participating in or financing or directly interested in the labor dispute which caused the stoppage of work; and

Memberships.

(2) He does not belong to a grade or class of workers of which, immediately before the commencement of the stoppage, there were members employed at the premises at which the stoppage occurs, any of whom are participating in or financing or directly interested in the dispute; *provided*, that if in any case in which (1) or (2) above applies separate branches of work which are commonly conducted as separate businesses in separate

Proviso.

premises are conducted in separate departments of the same premises, each such department shall, for the purposes of this subsection, be deemed to be a separate factory, establishment, or other premises.

(e) For any week with respect to which he is receiving or has received remuneration in the form of: Receiving pay.

(1) Remuneration in lieu of notice;

(2) Compensation for temporary partial disability under the workmen's compensation law of any State or under a similar law of the United States; or Partial disability.

(3) Old age benefits under Title 2 of the social security act, as amended, or similar payments under any Act of Congress; *provided,* that if such remuneration is less than the benefits which would otherwise be due under this chapter, he shall be entitled to receive for such week, if otherwise eligible, benefits reduced by the amount of such remuneration. Old age benefits. Proviso.

(f) For any week with respect to which or a part of which he has received or is seeking unemployment benefits under an unemployment compensation law of any other State or of the United States; *provided,* that if the appropriate agency of such other State or of the United States finally determines that he is not entitled to such unemployment benefits, this disqualification shall not apply. Seeking unemployment benefits. Proviso.

(g) For the two weeks immediately following detachment from any maritime services performed under shipping articles.

2. Section 43:21–8 of the Revised Statutes is amended to read as follows: Section amended.

43:21–8. (a) Any employing unit which is or becomes an employer subject to this chapter within any calendar year shall be subject to this chapter during the whole of such calendar year. Employing unit subject to this chapter.

(b) Except as otherwise provided in subsection (c) of this section, an employing unit shall cease to be an employer subject to this chapter only as Written application for termination of coverage.

of the first day of January of any calendar year, if it files with the commission, prior to the first day of February of such year, a written application for termination of coverage, and the commission finds that there were no twenty different days, each day being in a different week within the preceding calendar year, within which such employing unit employed four or more individuals in employment subject to this chapter. For the purpose of this subsection, the two or more employing units mentioned in paragraph (2) or (3) or (4) of subsection (h) of section 43:21–19 of this Title shall be treated as a single employing unit.

Employing unit not subject to this chapter.

(c) (1) An employing unit, not otherwise subject to this chapter, which files with the commission its written election to become an employer subject hereto for not less than two calendar years, shall, with the written approval of such election by the commission, become an employer subject hereto to the same extent as all other employers, as of the date stated in such approval; *provided,* that the commission shall not approve such election by such employing unit to become an employer subject hereto if written objections on the part of a substantial proportion of the individuals in the employ of such employing unit are presented to the commission within ten days following the filing of such election, and shall cease to be subject hereto as of January first of any calendar year subsequent to such two calendar years, only if at least thirty days prior to such first day of January, it has filed with the commission a written notice to that effect.

Proviso.

May file a written election.

(2) Any employing unit for which services that do not constitute employment as defined in this chapter are performed, may file with the commission a written election that all such services performed by individuals in its employ in one or more distinct establishments or places of business shall be deemed to constitute employment for all the purposes of this chapter for not less than two calendar years; *provided,* written objections on the part of a substantial proportion of such individuals affected

Proviso.

are not presented to the commission within ten days following the filing of such election. Upon the written approval of such election by the commission, such services shall be deemed to constitute employment subject to this chapter from and after the date stated in such approval. Such services shall cease to be deemed employment subject hereto as of January first of any calendar year subsequent to such two calendar years, only if, at least thirty days prior to the such first day of January, such employing unit has filed with the commission a written notice to that effect.

Written approval.

When services cease.

3. Section 43:21–19 of the Revised Statutes is amended to read as follows:

Section amended.

43:21–19. As used in this chapter, unless the context clearly requires otherwise:

(a) (1) "Annual payroll" means the total amount of wages payable by an employer (regardless of the time of payment) for employment during a calendar year.

Annual payroll.

(2) "Average annual payroll" means the average of the annual payrolls of any employer for the last three or five preceding calendar years, whichever average is higher; *provided, however,* that only those wages be included on which employer contributions have been paid on or before January thirty-first of the calendar year for which the employer's contribution rate is computed.

Average annual payroll.

(b) "Benefits" means the money payments payable to an individual, as provided in this chapter, with respect to his unemployment.

Benefits.

(c) The term "base year" means the first four of the last five completed calendar quarters immediately preceding the first day of an individual's benefit year; *provided,* that no calendar quarter shall comprise a part of more than one base year.

Base year.

(d) "Benefit year" with respect to any individual means the three hundred sixty-four consecutive calendar days beginning with the day on, or as of, which he first files a valid claim for benefits, and thereafter beginning with the day on, or as of, which the individual next files a valid claim for

Benefit year.

benefits after the termination of his last preceding benefit year. Any claim for benefits made in accordance with subsection (a) of section 43:21–6 of this Title shall be deemed to be a "valid claim" for the purpose of this subsection if the individual has fulfilled the condition imposed by subsection (e) of section 43:21–4 of this Title.

Commission. (e) "Commission" means the Unemployment Compensation Commission established by section 43:21–10 of this Title, and for purposes of this chapter any transaction or exercise of authority by the executive director shall be deemed to be performed by the commission.

Contributions. (f) "Contributions" means the money payments to the State Unemployment Compensation Fund required by this chapter.

Employing unit. (g) "Employing unit" means any individual or type of organization, including any partnership, association, trust, estate, joint-stock company, insurance company or corporation, whether domestic or foreign, or the receiver, trustee in bankruptcy, trustee or successor thereof, or the legal representative of a deceased person, which has or subsequent to January first, one thousand nine hundred and thirty-six, had in its employ one or more individuals performing services for it within this State. All individuals performing services within this State for any employing unit which maintains two or more separate establishments within this State shall be deemed to be employed by a single employing unit for all the purposes of this chapter. Whenever any employing unit contracts with or has under it any contractor or subcontractor for any employment which is part of its usual trade, occupation, profession, or business, unless the employing unit as well as each such contractor or subcontractor is an employer by reason of subsection (c) of section 43:21–8 of this Title or subsection (h) of this section, the employing unit shall for all the purposes of this chapter be deemed to employ each individual in the employ of each such contractor or subcontractor for each day dur-

Single unit.

Employing unit contracts.

ing which such individual is engaged in performing such employment; except that each such contractor or subcontractor who is an employer by reason of subsection (c) of section 43:21–8 of this Title or subsection (h) of this section, shall alone be liable for the contributions measured by wages payable to individuals in his employ, and except that any employing unit who shall become liable for and pay contributions with respect to individuals in the employ of any such contractor or subcontractor who is not an employer by reason of subsection (c) of section 43:21–8 of this Title or subsection (h) of this section, may recover the same from such contractor or subcontractor. Each individual employed to perform or to assist in performing the work of any agent or employee of an employing unit shall be deemed to be employed by such employing unit for all the purposes of this chapter, whether such individual was hired or paid directly by such employing unit or by such agent or employee; *provided,* the employing unit had actual or constructive knowledge of the work.

Contractors liability.

Proviso.

(h) "Employer" means:

Employer.

(1) Any employing unit which for some portion of a day, but not necessarily simultaneously, in each of twenty different weeks, whether or not such weeks are or were consecutive, within either the current or the preceding calendar year, has or had in employment four or more individuals (irrespective of whether the same individuals are or were employed in each such day);

Four persons in twenty weeks.

(2) Any employing unit which acquired the organization, trade or business, or substantially all the assets thereof, of another which at the time of such acquisition was an employer subject to this chapter;

Taking over another business.

(3) Any employing unit which acquired the organization, trade or business, or substantially all the assets thereof, of another employing unit and which, if treated as a single unit with such other employing unit, would be an employer under paragraph (1) of this subsection;

Treated as single unit.

Same interests united.

(4) Any employing unit which together with one or more other employing units, is owned or controlled (by legally enforcible means or otherwise), directly or indirectly by the same interests, or which owns or controls one or more other employing units (by legally enforcible means or otherwise), and which, if treated as a single unit with such other employing unit or interests, would be an employer under paragraph (1) of this subsection;

Continuing employer.

(5) Any employing unit which, having become an employer under paragraphs (1), (2), (3) or (4), has not, under section 43:21–8 of this Title, ceased to be an employer subject to this chapter; or

Other units.

(6) For the effective period of its election pursuant to subsection (c) of section 43:21–8 of this Title any other employing unit which has elected to become fully subject to this chapter.

Employment.

(i) (1) "Employment" means service, including service in interstate commerce performed for remuneration or under any contract of hire, written or oral, expressed or implied.

Entire service.

(2) The term "employment" shall include an individual's entire service, performed within or both within and without this State if:

Service in State.

(A) The service is localized in this State; or

Localized service.

(B) The service is not localized in any State but some of the service is performed in this State, and (i) the base of operation, or, if there is no base of operations, then the place from which such service is directed or controlled, is in this State; or (ii) the base of operations or place from which such service is directed or controlled is not in any State in which some part of the service is performed, but the individual's residence is in this State.

Relative to other States.

(3) Services performed within this State but not covered under paragraph (2) of this subsection shall be deemed to be employment subject to this chapter if contributions are not required and paid with respect to such services under an unemploy-

ment compensation law of any other State or of the Federal Government.

Worker not a resident.

(4) Services not covered under paragraph (2) of this subsection, and performed entirely without this State, with respect to no part of which contributions are required and paid under an unemployment compensation law of any other State or of the Federal Government, shall be deemed to be employment subject to this chapter if the individual performing such services is a resident of this State and the commission approves the election of the employing unit for whom such services are performed that the entire service of such individual shall be deemed to be employment subject to this chapter; *provided,* written objections on the part of a substantial proportion of such individuals affected are not presented to the commission within ten days following the filing of such election.

Proviso.

Service localized.

(5) Service shall be deemed to be localized within a State if

In State.

(A) the service is performed entirely within such State; or

In and out of State.

(B) the service is performed both within and without such State, but the service performed without such State is incidental to the individual's service within the State, for example, is temporary or transitory in nature or consists of isolated transactions.

(6) Services performed by an individual for remuneration shall be deemed to be employment subject to this chapter unless and until it is shown to the satisfaction of the commission that

Freedom from control.

(A) such individual has been and will continue to be free from control or direction over the performance of such service, both under his contract of service and in fact; and

Outside employment.

(B) such service is either outside the usual course of the business for which such service is performed, or that such service is performed

outside of all the places of business of the enterprise for which such service is performed; and

Independent business.

(C) such individual is customarily engaged in an independently established trade, occupation, profession or business.

(7) The term "employment" shall not include:

Farming.

(A) Agricultural labor;

Servants.

(B) Domestic service in a private home;

Employee of relative.

(C) Service performed by an individual in the employ of his son, daughter or spouse, and service performed by a child under the age of twenty-one in the employ of his father or mother;

Employee of State.

(D) Service performed in the employ of this State or of any political subdivision thereof or of any instrumentality of this State or its political subdivisions;

Employee of another State.

(E) Service performed in the employ of any other State or its political subdivisions, or of the United States Government, or if an instrumentality of any other State or States or their political subdivisions or of the United States;

Employee of certain organizations.

(F) Services performed in the employ of a corporation, community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, hospital, benevolent, philanthropic, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual;

Services performed for beneficiary societies.

(G) Services performed in the employ of fraternal beneficiary societies, orders, or associations operating under the lodge system or for the exclusive benefit of the members of a fraternity itself operating under the lodge system and providing for the payment of life, sick, accident or other benefits to the members of such society, order, or association, or their dependents;

(H) Services performed as an officer or other employee of any building and loan association of this State, except where such services constitute the principal employment of the individual; services performed as an officer or other employee of any building and loan association where such association is a member of the Federal Home Loan Bank System; services performed as an officer or other employee of any bank which is a member of the Federal Reserve System; Officer of building and loan association.

(I) Service, performed after June thirtieth, one thousand nine hundred and thirty-nine, with respect to which unemployment compensation is payable under the Railroad Unemployment Insurance Act (52 Stat. 1094). Compensation payable under Railroad Unemployment Insurance Act.

(J) Service performed by agents of insurance companies, exclusive of industrial life insurance agents, or by agents of investment companies, who are compensated wholly on a commission basis. Service performed by insurance agents.

(j) "Employment office" means a free public employment office, or branch thereof operated by this State or maintained as a part of a State controlled system of public employment offices. Employment office.

(k) "Fund" means the unemployment compensation fund established by this chapter, to which all contributions required and from which all benefits provided under this chapter shall be paid. Fund.

(l) "State" includes, in addition to the States of the United States of America, Alaska, Hawaii, and the District of Columbia. State.

(m) Unemployment. Unemployment.

(1) An individual shall be deemed "unemployed" for any week during which he is not engaged in full-time work and with respect to which his remuneration is less than his weekly benefit rate. Total unemployed.

(2) The term remuneration, as used in this subsection, shall include only that part of the same which exceeds three dollars ($3.00) for any one (1) week. Remuneration.

Week of unemployment.

(3) An individual's week of unemployment shall be deemed to commence only after his registration at an employment office, except as the commission may by regulation otherwise prescribe.

Unemployment fund.

(n) "Unemployment compensation administration fund" means the unemployment compensation administration fund established by this chapter, from which administrative expenses under this chapter shall be paid.

Wages.

(o) "Wages" means remuneration payable by employers for employment.

Remuneration.

(p) "Remuneration" means all compensation payable for personal services, including commissions and bonuses and the cash value of all compensation payable in any medium other than cash.

Week.

(q) "Week" means such period or periods of seven consecutive calendar days ending at midnight, as the commission may by regulation prescribe.

Calendar quarter.

(r) "Calendar quarter" means the period of three consecutive months ending on March thirty-first, June thirtieth, September thirtieth, or December thirty-first, excluding, however, any calendar quarter or portion thereof which occurs prior to January first, one thousand nine hundred and thirty-seven, or the equivalent thereof as the commission may by regulation prescribe.

Investment company.

(s) "Investment company" means any company as defined in paragraph 1. a of chapter three hundred twenty-two of the laws of one thousand nine hundred and thirty-eight, entitled "An act concerning investment companies, and supplementing Title 17 of the Revised Statutes by adding thereto a new chapter entitled 'investment companies.'"

Section amended.

4. Section 43:21–21 of the Revised Statutes is amended to read as follows:

Reciprocal benefit relations.

43:21–21. (a) The commission is hereby authorized to enter into arrangements with the appropriate agencies of other States or the Federal Government whereby potential rights to benefits accumulated under the unemployment compensation

laws of several States or under such a law of the Federal Government, or both, may constitute the basis for the payment of benefits through a single appropriate agency under terms which the commission finds will be fair and reasonable as to all affected interests and will not result in any substantial loss to the fund.

Arrangements with other States.

(b) The commission is also authorized to enter into arrangements with the appropriate agencies of other States or of the Federal Government (1) whereby wages or services, upon the basis of which an individual may become entitled to benefits under the unemployment compensation law of another State or of the Federal Government, shall be deemed to be wages for employment by employers for the purposes of this chapter; *provided,* such other State agency or agency of the Federal Government has agreed to reimburse the fund for such portion of benefits paid under this chapter, upon the basis of such wages or services as the commission finds will be fair and reasonable as to all affected interests; and (2) whereby the commission will reimburse other State or Federal agencies charged with the administration of unemployment compensation laws with such reasonable portion of benefits, paid under the law of any such other States or of the Federal Government upon the basis of employment or wages for employment by employers, as the commission finds will be fair and reasonable as to all affected interests. Reimbursements so payable shall be deemed to be benefits for the purposes of this chapter, but no reimbursement so payable shall be charged against any employer's account for the purposes of section 43:21–7 of this chapter. The commission is hereby authorized to make to other State or Federal agencies and receive from such other State or Federal agencies reimbursements from or to the fund, in accordance with arrangements pursuant to this section.

Proviso.

Reciprocal agreements with other States.

(c) The commission is also authorized to enter into reciprocal agreements with the appropriate

agencies of other States covering services on vessels engaged in interstate or foreign commerce whereby such services performed for a single employer, under any contract of hire, partly within and partly without this State, shall be deemed to be performed in their entirety either within or without this State.

Effective.

5. This act shall take effect on the first day of January, one thousand nine hundred and forty-six.

Approved April 2, 1945.

CHAPTER 74

AN ACT relating to workmen's compensation, and amending sections 34:1–57, 34:15–10, 34:15–12, 34:15–13, 34:15–14, 34:15–16, 34:15–22, 34:15–26, 34:15–36, 34:15–37, 34:15–38, 34:15–53, 34:15–55.1, 34:15–64, 34:15–66, 34:15–75, and 34:15–95, and supplementing chapter fifteen of Title 34 of the Revised Statutes.

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

1. This act shall be known as the workmen's compensation amendments of one thousand nine hundred and forty-five.

Section amended.

2. Section 34:1–57 of the Revised Statutes is amended to read as follows:

Workmen's compensation bureau.

34:1–57. The workmen's compensation bureau shall consist of the commissioner who shall act as chairman, a director, deputy commissioners of compensation appointed by the commissioner; and

such referees and other employees as may, in the judgment of the commissioner, be necessary. Appointments under this section shall be made in accordance with the provisions of Title 11, Civil Service.

Director.

The director of the bureau shall be designated by the commissioner from among the deputy commissioners of compensation with approval of the Governor. Such deputy commissioner shall also serve as secretary of the bureau, and may continue to perform the duties of a deputy commissioner of compensation. He shall receive compensation of nine thousand five hundred dollars ($9,500.00) per annum, and upon his designation he shall retain all of his prior civil service status as a deputy commissioner of compensation under the provisions of Title 11, Civil Service.

Secretary.

Compensation.

Director

The director, subject to supervision and direction of the commissioner, shall:

(a) be the administrative head of the bureau;

(b) prescribe the organization of the bureau, and the duties of his subordinates and assistants, except as may otherwise be provided by law;

(c) direct and supervise the activities of all members of the bureau;

(d) make an annual report to the commissioner of the work of the bureau, which report shall be published annually for general distribution at such reasonable charge, not exceeding cost, as the commissioner shall determine.

Deputy commissioner of compensation.

3. The first director of the workmen's compensation bureau to be designated under this act shall be the deputy commissioner of compensation serving upon the effective date hereof in the capacity of secretary of the bureau.

Section amended.

4. Section 34:15–10 of the Revised Statutes is amended to read as follows:

Employment of minors.

34:15–10. In the employment of minors, this article shall be presumed to apply unless the notice be given by or to the parent or guardian of the minor. If the injured employee at the time of the accident or compensable occupational disease is a minor under fourteen years of age employed in violation of the labor law or a minor between fourteen and eighteen years of age employed, permitted or suffered to work without an employment certificate or special permit if required by law or at an occupation prohibited at the minor's age by law, a compensation or death benefit shall be payable to the employee or his dependents which shall be double the amount payable under the schedules provided in sections 34:15–12 and 34:15–13 of this Title.

Possession of employment certificate.

The possession of such duly issued employment certificate shall be conclusive evidence for an employer that the minor has reached the age certified to therein and no extra compensation shall be payable to any minor engaged in an employment allowed by the law for the age and sex certified to in such certificate. If the certificate presented by the employee as one issued to him shall have been really issued to another child and the real age of the employee shall be such that his employment in any capacity or in the particular capacity he was employed by the employer was prohibited and if the employer shall show to the satisfaction of the workmen's compensation bureau that he accepted the certificate in good faith as having been issued to the employee and could not have, despite reasonable diligence, discovered the fraud, in such event no extra compensation shall be paid to the employee illegally employed.

Employer liable for extra compensation.

The employer alone and not the insurance carrier shall be liable for the extra compensation or death benefit which is over and above the amount of the compensation or death benefit provided under said sections 34:15–12 or 34:15–13. Any provision in

an insurance policy undertaking to relieve an employer from the liability for the extra compensation or extra death benefit shall be void.

Not to deprive infant under eighteen years of rights.

Nothing in this chapter contained shall deprive an infant under the age of eighteen years of the right or rights now existing to recover damages in a common law or other appropriate action or proceeding for injuries received by reason of the negligence of his or her master.

Not to apply to employees of summer camps.

Nothing in this section regarding the payment of a compensation or death benefit in double the amount payable under the schedules provided in sections 34:15–12 and 34:15–13 of this Title shall apply to employees, of the age of eighteen years or under, employed in summer camps operated by the Boy Scouts of America, the Girl Scouts of America, the Knights of Columbus, the Young Men's Christian Association, the Young Women's Christian Association, the Young Men's Hebrew Association, or any domestic corporation organized solely for religious or charitable purposes.

Section amended.

5. Section 34:15–12 of the Revised Statutes is amended to read as follows:

Schedule of compensation.

34:15–12. Following is a schedule of compensation:

Temporary disability.

a. For injury producing temporary disability, sixty-six and two-thirds per cent of the wages received at the time of the injury, subject to a maximum compensation of twenty-five dollars per week and a minimum of ten dollars per week. This compensation shall be paid during the period of such disability, not, however, beyond three hundred weeks.

Total in character.

b. For disability total in character and permanent in quality, sixty-six and two-thirds per cent of the wages received at the time of injury, subject to a maximum compensation of twenty-five dollars per week and a minimum of ten dollars per week. This compensation shall be paid for a period of four hundred and fifty weeks, at which time compensation payments shall cease unless the employee

shall have submitted to such physical or educational rehabilitation as may have been ordered by the rehabilitation commission, and can show that because of such disability it is impossible for him to obtain wages or earnings equal to those earned at the time of the accident, in which case further weekly payments shall be made during the period of such disability, the amount thereof to be the previous weekly compensation payment diminished by that portion thereof that the wage, or earnings, he is then able to earn, bears to the wages received at the time of the accident. If his wages or earnings equal or exceed wages received at the time of the accident, then his compensation rate shall be reduced to five dollars. In calculating compensation for this extension beyond four hundred and fifty weeks the minimum provision of ten dollars shall not apply. This extension of compensation payments beyond four hundred and fifty weeks shall be subject to such periodic reconsiderations and extensions as the case may require, and shall apply only to disability total in character and permanent in quality, and shall not apply to any accident occurring prior to July fourth, nineteen hundred and twenty-three.

Partial in character.

c. For disability partial in character, but permanent in quality, the compensation shall be based upon the extent of such disability. In cases included in the following schedule the compensation shall be that named in the schedule, to wit:

Loss of thumb.

d. For the loss of the thumb, sixty-six and two-thirds per cent of daily wages during seventy-five weeks.

Loss of first finger.

e. For the loss of the first finger, commonly called index finger, sixty-six and two-thirds per cent of daily wages during fifty weeks.

Second finger.

f. For the loss of a second finger, sixty-six and two-thirds per cent of daily wages during forty weeks.

Third finger.

g. For the loss of a third finger, sixty-six and two-thirds per cent of daily wages during thirty weeks.

h. For the loss of a fourth finger, commonly called little finger, sixty-six and two-thirds per cent of daily wages during twenty weeks. Fourth finger.

i. The loss of the first phalange of the thumb or of any finger shall be considered to be equal to the loss of one-half of such thumb or finger, and the compensation shall be for one-half of the periods of time above specified. The loss of any portion of the thumb or any finger between the terminal joint and the end thereof shall be compensated for a like proportion of the period of time prescribed for the loss of the first phalange of such member. Part of thumb.

j. The loss of the first phalange and any portion of the second shall be considered as the loss of the entire finger or thumb, but in no case shall the amount received for more than one finger exceed the amount provided in this schedule for the loss of a hand. Part of finger.

k. For the loss of a great toe, sixty-six and two-thirds per cent of daily wages during forty weeks. Great toe.

l. For the loss of one of the toes other than a great toe, sixty-six and two-thirds per cent of daily wages during fifteen weeks. One toe.

m. The loss of the first phalange of any toe shall be considered to be equal to the loss of one-half of such toe, and compensation shall be for one-half of the period of time above specified. Part of toe.

n. The loss of the first phalange and any portion of the second shall be considered as the loss of the entire toe. Part of toe.

o. For the loss of a hand, or of the thumb and the first and second fingers (on one hand), or four fingers (on one hand), sixty-six and two-thirds per cent of the daily wages during two hundred and thirty weeks. Loss of hand.

p. For the loss of an arm, sixty-six and two-thirds per cent of daily wages during three hundred weeks. Arm.

q. For the loss of a foot, sixty-six and two-thirds per cent of daily wages during two hundred weeks. Foot.

Leg. r. For the loss of a leg, sixty-six and two-thirds per cent of daily wages during two hundred and seventy-five weeks.

Vision. s. For the loss of vision of an eye, sixty-six and two-thirds per cent of daily wages during one hundred and fifty weeks.

Enucleation of eye. ss. For the enucleation of an eye, sixty-six and two-thirds per cent of daily wages during twenty-five weeks, in addition to such compensation, if any, as may be allowable under subsection s.

Tooth. t. For the loss of a natural tooth, sixty-six and two-thirds per cent of daily wages for four weeks for each tooth lost.

Hearing. u. For the total loss of hearing in one ear, sixty-six and two-thirds per cent of daily wages during sixty weeks. For the total loss of hearing in both ears by one accident, sixty-six and two-thirds per cent of daily wages during two hundred weeks.

Both hands. v. The loss of both hands, or both arms, or both feet, or both legs, or both eyes, or any two thereof as the result of any one accident, shall constitute total and permanent disability to be compensated according to the provisions of paragraph "b."

Amputation. vv. Amputation between the elbow and the wrist shall be considered as the equivalent of the loss of a hand and amputation at the elbow shall be considered equivalent to the loss of the arm. Amputation between the knee and ankle shall be considered as the equivalent of the loss of a foot, and amputation at the knee shall be considered equivalent to the loss of the leg.

Lesser cases involving permanent loss. w. In all lesser or other cases involving permanent loss, or where the usefulness of a member or any physical function is permanently impaired, the compensation shall be sixty-six and two-thirds per cent of daily wages, and the duration of compensation shall bear such relation to the specific periods of time stated in the above schedule as the disabilities bear to those produced by the injuries named in the schedule. In cases in which the disability is determined as a percentage of total and permanent

disability the duration of the compensation shall be a corresponding portion of five hundred and fifty weeks. Should the employer and employee be unable to agree upon the amount of compensation to be paid in cases not covered by the schedule, either party may appeal to the workmen's compensation bureau for a settlement of the controversy.

Inguinal hernia.

x. Inguinal hernia is a disease which ordinarily develops gradually, being very rarely the result of an accident. Where there is a real traumatic hernia resulting from the application of force directly to the abdominal wall, either puncturing or tearing the wall, compensation will be allowed. All other cases will be considered as either congenital or of slow development and not compensable, being a disease rather than an accidental injury; unless preponderant proof is offered that the hernia was immediately caused by such sudden effort or severe strain that, first, the descent of the hernia immediately followed the cause; second, that there was severe pain in the hernial region; third, that there was such prostration that the employee was compelled to cease work immediately; fourth, that the above facts were of such severity that the same was noticed by the claimant and communicated to the employer within twenty-four hours after the occurrence of the hernia (days when the business is not in operation, such as Sundays, Saturdays or holidays shall be excluded from this twenty-four-hour period); fifth, that there was such physical distress that the attendance of a licensed physician was required within twenty-four hours after the occurrence of the hernia. In the case of hernia as above defined, the provisions of paragraph "a" of this section and sections 34:15–14 and 34:15–15 of this Title shall apply, until such time as the employee is able to resume some kind of work with the aid of a truss or other mechanical appliance. If the employee refuses to permit of an operation the employer shall meet the requirements above specified, pay the reasonable costs of the truss or

Congenital hernia.

Employee refuses operation.

other appliance found necessary, and also pay compensation for twenty weeks, following which the obligation shall cease and terminate, unless death results from the hernia, in which case the provisions of section 34:15–13 of this Title shall apply. However, if the employee shall elect to undergo an operation, by a physician selected by the employer, the employer shall meet all the expense incident to such operation and recovery, together with compensation as provided in paragraph "a" of this section during the periods of disability prior to and following the operation, subject to the provisions of said section 34:15–14. If the employee refuses the services of the physician selected by the employer, preferring one of his own selection, the employer shall be relieved of obligations concerning medical expense due to the operation and recovery, but shall pay compensation during the prior and resulting periods of disability. If death results from the hernia or operation, the provisions of said section 34:15–13 shall apply.

Employer to meet all expense.

Death from hernia.

Weekly compensation.

y. The weekly compensation payments specified in this section are all subject to the same limitation as to maximum and minimum as are stated in paragraph "a" hereof.

Death.

z. In case of the death of the person from any cause other than the accident or occupational disease, during the period of payments for permanent injury, the remaining payments shall be paid to such of his or her dependents as are included in the provisions of said section 34:15–13 or, if no dependents, the remaining amount due, but not exceeding two hundred and fifty dollars, shall be paid in a lump sum to the proper person for funeral expenses; but no compensation shall be due any other person than the injured employee on account of compensation being paid in excess of four hundred and fifty weeks on account of disability total in character and permanent in quality as provided by paragraph "b" of this section.

6. Section 34:15–13 of the Revised Statutes is amended to read as follows: Section amended.

34:15–13. In case of death, compensation shall be computed, but not distributed, on the following basis: Compensation computed.

a. For one dependent, thirty-five per cent of wages. One dependent.

b. For two dependents, forty per cent of wages. Two dependents.

c. For three dependents, forty-five per cent of wages. Three dependents.

d. For four dependents, fifty per cent of wages. Four dependents.

e. For five dependents, fifty-five per cent of wages. Five dependents.

f. For six or more dependents, sixty per cent of wages. Six 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 the occurrence of occupational disease, or at the time of death, namely: Husband, wife, parents, step-parents, 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. Dependency shall be conclusively presumed as to the decedent's widow and natural children under eighteen years of age who were actually a part of the decedent's household at the time of his death. Every provision of this article 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. The foregoing schedule applies only to persons wholly dependent, and in the case of persons only partially dependent, except in the case of the widow and children who were actually a part of the decedent's Dependents. Adopted children. Schedule applies to certain persons.

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 ten-dollar minimum shall not apply to such compensation. In determining the number of dependents, where the deceased employee was a minor, the number of persons dependent upon the deceased employee shall be determined in the same way as if the deceased employee were an adult, notwithstanding any rule of law as to the person entitled to a minor's wages.

Compensation.

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.

Expenses of last sickness.

i. If death results from the accident or occupational disease, whether there be dependents or not, expenses of the last sickness of the deceased employee shall be paid in accordance with the provisions for medical and hospital service as set forth in section 34:15–15 of this Title. Also the cost of burial, not to exceed two hundred and fifty dollars ($250.00), shall be paid to the dependent or other person having paid said costs of burial. In the event that the said dependent or other person has paid less than two hundred and fifty dollars ($250.00) the said dependent or other person shall be reimbursed in the amount paid and, if the costs of burial exceed the amount so paid, the difference between the said amount and two hundred and fifty dollars ($250.00) or so much thereof as may be necessary to pay the costs of burial, shall be paid

Burial expenses.

to the undertaker or embalmer. In the event that no part of the costs of burial has been paid, the amount of such cost of burial, not to exceed two hundred and fifty dollars ($250.00), shall be paid to the undertaker or embalmer.

Computing compensation.

j. In computing compensation to those named in this paragraph, except husband, wife, parents and step-parents, 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; *provided, however,* that payments to such physically or mentally deficient persons as are for such reason dependent shall be made during the full compensation period of three hundred weeks.

Proviso.

Compensation in case of death.

k. The maximum compensation in case of death shall be twenty-five dollars per week and the minimum ten dollars per week, except in the case of partial dependency as provided in this section. This compensation shall be paid during three hundred weeks and if at the expiration of three hundred weeks there shall be one or more dependents under eighteen years of age compensation shall be continued for such dependents until they reach eighteen years of age at the schedule provided under paragraphs "a" to "f" of this section.

Section amended.

7. Section 34:15–14 of the Revised Statutes is amended to read as follows:

34:15–14. No compensation other than medical aid shall accrue and be payable until the employee has been disabled seven days, whether the days of disability immediately follow the accident, or whether they be consecutive or not. These days shall be termed the waiting period. The day that the employee is unable to continue at work by reason of his accident, whether it be the day of the accident or later, shall count as one whole day of the waiting period. Should the total period of disability extend beyond four weeks, additional compensation shall at once become payable covering the above prescribed waiting period.

Waiting period.

Section amended.

8. Section 34:15–16 of the Revised Statutes is amended to read as follows:

Compensation to run consecutively.

34:15–16. Compensation for all classes of injuries shall run consecutively, and not concurrently, except as provided in section 34:15–15 of this Title, as follows: First, medical and hospital services and medicines as provided in said section 34:15–15. After the waiting period, compensation during temporary disability. If total period of disability extends beyond four weeks, compensation to cover waiting period. Following both, either or none of the above, compensation consecutively for each permanent injury. Following any or all or none of the above, if death results from the accident, expenses of last sickness and burial. Following which compensation to dependents, if any.

Medical care furnished.

Where an employer or his insurance carrier desires to pay for or furnish medical, surgical, or hospital treatment, drugs, orthopedic or prosthetic appliances, after the date when payments under sections 34:15–12 and 34:15–13 of this Title have terminated, the employer or his insurance carrier may, in writing, reserve the defense of the jurisdictional limitations provided by sections 34:15–27, 34:15–34, 34:15–41 and 34:15–51 of this Title; *provided,* that the reservation is approved by a deputy commissioner after advising the petitioner personally of his rights and of the effect of such reservation.

Proviso.

Section amended.

9. Section 34:15–22 of the Revised Statutes is amended to read as follows:

Procedure in case of dispute.

34:15–22. Procedure in case of dispute shall be in accordance with article four of this chapter (Sec. 34:15–49 et seq.).

No agreement between an employee and his employer or insurance carrier for compensation shall operate as a bar to the formal determination of any controversy, unless such agreement has been approved by a deputy commissioner in open court; *provided,* that after a petition has been filed and when the petitioner is represented by an attorney

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licensed in the State of New Jersey, and when it shall appear to the deputy commissioner that the only issue involved is the extent of disability, the deputy commissioner may, with the consent of the parties, after considering the sworn testimony of the petitioner and such other witnesses present, together with any stipulations of the parties, enter a determination and rule for judgment which shall include a finding of fact as to the amount of the then present disability. Such determination and rule for judgment may be reopened only in accordance with the provisions of section 34:15–27 of this Title.

Section amended.

10. Section 34:15–26 of the Revised Statutes is amended to read as follows:

Determine the amount to be paid.

34:15–26. When any proceedings have been taken under the provisions of article two of this chapter, the bureau or the judge of the court of common pleas shall, as a part of the determination and order, either for payment or for commutation of payment, settle and determine the amount of compensation to be paid by the injured employee or his dependents, on behalf of whom such proceedings are instituted, to his legal advisers, and it shall be unlawful for any lawyer, or other person acting in that behalf, to ask for, contract for or receive any larger sum than the amount so fixed; and in the order determining weekly payments where no commutation is made, the bureau or the said judge shall also determine the amount to be paid per week from the compensation payment on account of the legal fee thus awarded, and it shall be unlawful for the legal adviser, or other person acting in that behalf, to ask for, contract for or receive a larger sum per week than the allowance thus determined.

Section amended.

11. Section 34:15–36 of the Revised Statutes is amended to read as follows:

Willful negligence.

34:15–36. "Willful negligence" within the intent of this chapter shall consist of (1) deliberate act or deliberate failure to act, or (2) such conduct

as evidences reckless indifference to safety, or (3) intoxication, operating as the proximate cause of injury.

Employer. "Employer" is declared to be synonymous with master, and includes natural persons, partnerships, and corporations; "employee" is synonymous with servant, and includes all natural persons who perform service for another for financial consideration, exclusive of casual employments, which shall be defined, if in connection with the employer's business, as employment the occasion for which arises by chance or is purely accidental; or if not in connection with any business of the employer, as employment not regular, periodic or recurring;

Proviso. *provided, however,* that forest fire wardens and forest fire fighters employed by the State of New Jersey shall, in no event, be deemed casual employees.

Selling of magazines. A person engaged in the vending, selling or offering for sale or delivering directly to the general public newspapers, magazines or periodicals or acting as sales agent or distributor as an independent contractor of or for any such newspaper, magazine or periodical shall not be considered an employee within the provisions of this chapter.

Section amended. 12. Section 34:15–37 of the Revised Statutes is amended to read as follows:

Wages. 34:15–37. "Wages," when used in this chapter, shall be construed to mean the money rate at which the service rendered is recompensed under the contract of hiring in force at the time of the accident. Board and lodging when furnished by the employer as part of the wages shall be included and valued at eight dollars per week, unless the money value of such advantages shall have been otherwise fixed

Daily wage. by the parties at the time of hiring. Where prior to the accident, the rate of wages is fixed by the output of the employee, the daily wage shall be calculated by dividing the number of days the workman was actually employed into the total amount the employee earned during the preceding

six months, or so much thereof as shall refer to employment by the same employer. Where the rate of wages is fixed by the hour, the daily wage shall be found by multiplying the hourly rate by the customary number of working hours constituting an ordinary day in the character of the work involved. In any case the weekly wage shall be found by multiplying the daily wage by five, or if the employee worked a greater proportion of the week regularly, then by five and one-half, six, six and one-half or seven, according to the customary number of working days constituting an ordinary week in the character of work involved. Five days shall constitute a minimum week. Gratuities, received regularly in the course of employment from others than the employer, shall be included in determining the weekly wage only in those cases where the employer or employee has kept a regular daily or weekly record of the amount of gratuities so received. In such cases the average weekly amount of gratuities over a period of six months, or for the entire time of employment, whichever period is less, shall be added to the fixed weekly wage to determine the employee's total weekly wage. If no such record has been kept, then the average amount of the weekly gratuities shall be fixed as ten dollars per week.

Weekly wage.

Minimum week.

Gratuities.

13. Section 34:15–38 of the Revised Statutes is amended to read as follows:

Section amended.

34:15–38. 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 employee was able to work during this time, and divide the re-

Number of weeks compensation payable.

mainder by seven. If, however, the total period of disability extends beyond four weeks, the waiting period shall not be subtracted from the number indicated above. The resulting whole number and sevenths will be the required period for which compensation is payable on account of temporary disability.

Section amended.

14. Section 34:15–53 of the Revised Statutes is amended to read as follows:

Fix time for hearing.

34:15–53. Within ten days after the filing of an answer, or the expiration of the time for filing an answer if no answer is filed, the secretary of the bureau shall fix a time and place for hearing the petition, or shall send the petition and answer or a transcript of the petition and answer to the commissioner, a deputy commissioner or one of the referees, in which case such commissioner, deputy commissioner or referee, within fifteen days after the filing of the answer, shall fix a time and place for the hearing of the petition. Such time shall be not less than four weeks nor more than six weeks after the filing of the petition. The petition shall be heard either in the county in which the injury occurred or in which the petitioner or defendant resides, or in which the defendant's place of business is located, or in which the defendant may be served with process. When a time and place has been fixed for such hearing, the commissioner, deputy commissioner or the referee to whom the cause has been referred shall give at least ten days' notice to each party of the time and place of hearing. The commissioner, deputy commissioner or any referee to whom a cause has been referred, shall have power to adjourn the hearing thereof from time to time in his discretion.

Notice of hearing.

Section amended.

15. Section 34:15–55.1 of the Revised Statutes is amended to read as follows:

34:15–55.1. Any employer, not a resident of this State, or any employer not licensed to do business in this State, or any resident employer who becomes a nonresident of this State after the occur-

rence of an injury to an employee, who shall employ or who shall have employed any person to perform work, labor or services within this State shall be deemed by the accepting of the privilege of engaging in such work, labor and services by his or its employees to make, constitute and appoint the secretary of the workmen's compensation bureau as his or its agent for the acceptance of process in any proceeding by any such employee or dependent or representative of such employee, under and by virtue of this chapter; and the acceptance of such privilege or the entering into this State for the purpose of engaging in such employment shall be a signification of such employer that any such process issued against him or it, which is so served, shall be of the same legal force and validity as if served upon him or it personally.

Secretary of bureau agent for service of process.

Service of such process shall be made by leaving a copy of the petition with the secretary of the bureau, or some one designated by him in his office, and such service shall be sufficient service upon such nonresident employer; *provided,* that notice of such service and a copy of the petition are forthwith sent by registered mail to the respondent to the address stated in such petition, by the secretary of the bureau, or such person acting for him in his office, and the respondent's return receipt and the affidavit of the secretary of the bureau, or such person in his office acting for him, of the compliance therewith are appended to such petition and filed in the office of the secretary of the bureau wherein such action may be pending; *provided, also,* that the date of the mailing and the date of the receipt of the return card aforesaid are properly indorsed on such petition and signed by the secretary of the bureau, or some one acting for him.

Service of process.

Proviso.

The workmen's compensation bureau in which such action is pending may order such continuance as may be necessary to afford the respondent a reasonable opportunity to defend the action. The secretary of the bureau shall keep a record of all

Continuance.

such processes which shall show the day and hour of such service.

Service on nonresidents.

This section shall be construed to extend the right of service of process upon nonresidents and shall not be construed as limiting any provisions for the service of process now or hereafter existing.

Section amended.

16. Section 34:15–64 of the Revised Statutes is amended to read as follows:

Commissioner to make rules.

34:15–64. The commissioner and the deputy commissioners may make such rules and regulations for the conduct of the hearing not inconsistent with the provisions of this chapter as may, in his judgment, be necessary. The official conducting any hearing under this chapter may, in his discretion, allow to the party in whose favor judgment is entered, costs of witness fees and a reasonable attorney fee, not exceeding twenty per cent of the judgment; and a reasonable fee not exceeding fifty dollars for any one witness, or one hundred fifty dollars in any one case, for medical witnesses residing in the State, when in his judgment the services of an attorney and medical witnesses were necessary for the proper presentation of the case. When, however, prior to any hearing compensation has been offered or paid, the reasonable allowance for attorney fee shall be based upon only that part of the judgment or award in excess of the amount of compensation theretofore offered or paid. When the amount of the judgment, or when that part of the judgment or award in excess of compensation theretofore offered or paid, is less than two hundred dollars, an attorney fee may be allowed not in excess of fifty dollars.

Allowance of costs.

Approval of counsel fees.

All counsel fees of claimants' attorneys for services performed in matters before the workmen's compensation bureau, whether or not allowed as part of a judgment, shall be first approved by the bureau before payment. Whenever a judgment or award is made in favor of a petitioner, the deputy commissioner or referee shall direct amounts (including counsel fees and witness

fees) to be deducted for the petitioner's expenses and to be paid directly to the persons entitled to the same, the remainder to be paid directly to the petitioner.

17. Section 34:15–66 of the Revised Statutes is amended to read as follows: Section amended.

34:15–66. Either party may appeal from the judgment of the commissioner, deputy commissioner, or referee, to the court of common pleas of the county in which the accident occurred, by filing with the secretary of the bureau, and with the clerk of the county where the accident occurred, a notice of appeal. Such notice shall be filed within thirty days after the judgment has been rendered and shall briefly describe the judgment and state the intention of the party to appeal therefrom. The filing of notice shall stay the execution of the judgment until the determination or dismissal of the appeal. The appellant shall, within fifteen days after filing notice of appeal, send to the clerk of the court of common pleas of the county in which the accident occurred, a transcript of the record and testimony in the cause, which transcript shall be prepared by appellant and submitted to the secretary of the bureau for certification. Within ten days after filing of transcript, a judge of the court of common pleas, upon application of appellant, shall fix a time and place for the hearing of the appeal, at least ten days' notice of which shall be served upon the respondent by the appellant. The trial of the 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 judge, who shall in a summary manner decide the merits of the controversy, and the judgment on any such appeal shall be conclusive and binding. This determination shall be made within ninety days after the filing of the transcript, regardless of whether or not the appeal has then been heard or argued, and such determination shall be filed in writing with the

Appeal.

Filing of notice.

Fix time for hearing.

Determination of appeal.

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.

Costs.

Costs may be awarded by the 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 him. Any appeal may be dismissed by the judge 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 chapter. Nothing herein contained shall be construed as limiting the jurisdiction of the Supreme Court to review questions of law and fact by certiorari. Appeals to the Court of Errors and Appeals may be taken from a judgment of the Supreme Court only as limited by section 2:27–350 of the Revised Statutes.

Section amended.

18. Section 34:15–75 of the Revised Statutes is amended to read as follows:

Compensation of volunteer fireman.

34:15–75. Compensation for injury and death, either or both, of any volunteer fireman or of any forest fire warden or forest fire fighter employed by the State of New Jersey, shall be based upon the weekly salary or compensation received by such person in his private employment. Any such person whose income is derived from any source other than wages or salaries shall be entitled to receive the maximum compensation by this chapter authorized. Compensation shall in no case exceed the sum of twenty-five dollars per week, and where the fireman, forest fire warden or forest fire fighter was not employed at the time of injury or death, compensation shall be ascertained and paid upon the basis of the weekly compensation last received by him when so employed.

19. Section 34:15–95 of the Revised Statutes is amended to read as follows: Section amended.

34:15–95. The sums collected under section 34:15–94 of this Title shall constitute a fund out of which a sum shall be set aside each year by the Commissioner of Labor from which compensation payments in accordance with the provisions of paragraph (b) of section 34:15–12 of this Title shall be made to persons totally disabled, as a result of experiencing a subsequent permanent injury under conditions entitling such persons to compensation therefor, when such persons had previously been permanently and partially disabled from some other cause; *provided, however,* that, notwithstanding the time limit fixed therein, the provisions of paragraph (b) of said section 34:15–12 relative to extension of compensation payments beyond four hundred and fifty weeks shall, with respect to payments from the fund constituted pursuant to the provisions of this section, apply to any accident occurring since June twenty-seventh, one thousand nine hundred and twenty-three; *provided further, however,* that no person shall be eligible to receive payments from such fund: Sums collected. Proviso. Proviso.

(a) If the disability resulting from the injury caused by his last compensable accident in itself and irrespective of any previous condition or disability constitutes total and permanent disability within the meaning of this Title.

(b) If permanent total disability results from the aggravation, activation or acceleration, by the last compensable injury, of a pre-existing noncompensable disease or condition.

(c) If the disease or condition existing prior to the last compensable accident is not aggravated or accelerated but is in itself progressive and by reason of such progression subsequent

to the last compensable accident renders him totally disabled within the meaning of this Title.

(d) If a person who is rendered permanently partially disabled by the last compensable injury subsequently becomes permanently totally disabled by reason of progressive physical deterioration or pre-existing condition or disease.

Not to deny benefits to persons previously disabled.

Nothing in the provisions of said paragraphs a, b, c and d, however, shall be construed to deny the benefits provided by this section to any person who has been previously disabled by reason of total loss of, or total and permanent loss of use of, a hand or arm or foot or leg or eye, when the total disability is due to the total loss of, or total and permanent loss of use of, two or more of said major members of the body, or to any person who in successive accidents has suffered compensable injuries, each of which, severally, causes permanent partial disability, but which in conjunction result in permanent total disability. Nor shall anything in paragraphs a, b, c and d, aforesaid apply to the case of any person who is now receiving or who has heretofore received payments from such fund.

Compensation payable.

Upon the approval of an application for benefits, the compensation payable from such fund shall be made from the date when the final payment of compensation by the employer is or was payable for the injury or injuries sustained in the employment wherein the employee became totally and permanently disabled; *provided,* that no payment from such fund shall be made for any period prior to the date of filing of application therefor; *provided, however,* that a person who has received compensation payments from said fund and who is reinstated or ordered placed on said fund shall receive payments from the date of last payment from said fund, save only in the case of a person to whom payments have been made and then dis-

Proviso.

Proviso.

continued or suspended because of the rehabilitation of such person in accordance with the provisions of paragraph (b) of section 34:15–12 of this Title, in which case payments from said fund shall be made from the date of filing application for reinstatement. Payments to such totally disabled employees shall be made from said fund by the State Treasurer upon warrants of the Commissioner of Labor. This section shall be applicable to any accident occurring since June twenty-seventh, one thousand nine hundred and twenty-three, insofar as the eligibility of and benefits payable to such employee of this class is concerned; *provided, however,* that nothing contained herein shall limit or deprive those persons now receiving or who have received the benefits under this section from participating in said fund. All payments from the fund herein created shall be made by semimonthly installment payments. From the fund herein created the Commissioner of Labor may use in any one fiscal year a sum not to exceed the sum of twelve thousand five hundred dollars ($12,500.00) for the cost of administration of the fund including personnel, printing, professional fees, and expenses incurred by the Commissioner of Labor in the prosecution of defenses in the bureau, and of appeals and proceedings for review of decisions on applications for benefits from said fund. No costs or counsel fee for the applicant shall be allowed against the fund.

Cost of administration.

The Commissioner of Labor shall annually submit an accounting of the fund to the State Comptroller.

Accounting.

All payments into the fund established by section 34:15–95 of the Revised Statutes which may have heretofore been made or required at any time or times are hereby validated and confirmed, notwithstanding that at the time of such payment or payments the fund may have equaled or exceeded the sum of two hundred thousand dollars ($200,000.00).

Payments validated.

Effective.

20. This act shall take effect immediately; *provided, however,* that the amendments to sections 34:15–12, 34:15–13, 34:15–36, 34:15–37, and 34:15–75 of the Revised Statutes shall apply to any accident or compensable occupational disease occurring on or after January first, one thousand nine hundred and forty-six.

Approved April 2, 1945.

CHAPTER 75

AN ACT concerning elections, and amending section 19:31–11 of the Revised Statutes.

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

Section amended.

1. Section 19:31–11 of the Revised Statutes is amended to read as follows:

Change of residence notice.

19:31–11 a. In counties other than counties of the first class, change of residence notice shall be made either by a written request forwarded to the commissioner by mail or by calling in person at the office of the commissioner or the municipal clerk, as the case may be. The commissioner shall

Forms furnished.

provide change of residence notices in card form for the use of any registered voter moving to another address within the same election district or to another election district. Copies of these notices shall also be available at the office of the municipal clerk in each municipality other than a municipality which is a county seat. Each municipal clerk shall transmit daily to the commissioner all the filled out change of residence notices that he may have in his

Form of notice.

office at the time. These notices shall be printed upon cards, shall contain a blank form showing where the applicant last resided and the address and exact location to which he has moved and shall

have a line for his signature. Upon receipt of such change of residence notice the commissioner shall cause the signature to be compared with the permanent registration forms of the applicant and, if such signature appears to be of and by one and the same legal voter, the commissioner shall cause the entry of the change of residence to be made on the permanent registration forms and the registrant shall thereupon be qualified to vote in the election district to which he shall have so moved. If the commissioner is not satisfied as to the signature on the request for a change of residence, a notice shall be sent by registered mail with return card request to the registrant at his new address directing him to appear at a time to be fixed in the notice not less than ten days from the date thereof at the office of the commissioner to answer such questions as may be deemed necessary to determine the applicant's place of residence and eligibility to vote. If the registrant fails to appear at the time and place as directed and a return registry card has been received by the commissioner, or if the notice is returned as not delivered or if it is not returned as undelivered and no return registry card is received, the registration forms of the applicant shall be placed in the inactive file until such time as he establishes to the satisfaction of the commissioner the accuracy of the signature on such change of residence notice; *provided, however,* that such application for change of residence shall be filed with the commissioner or municipal clerk, as the case may be, on or before the fortieth day preceding any election.

Signature compared.

Proviso.

b. In counties of the first class change of residence notice shall be made either by a written request signed by the registrant and forwarded to the commissioner by mail and actually received by him or by calling in person at the office of the commissioner or the municipal clerk, as the case may be. The commissioner shall provide change of residence notices in card form for the use of any registered voter moving to another address within the

Change of residence notices in first class counties.

Forms furnished.

same election district or to another election district within the same county. Copies of these notices shall also be available at the office of the municipal clerk in each municipality other than a municipality which is a county seat. Each municipal clerk shall transmit daily to the commissioner all the filled out change of residence notices that he may have in his office at the time. These notices shall be printed upon cards, shall contain a blank form showing where the applicant last resided and the address and exact location to which he has moved and shall have a line for his signature.

Signature compared.

Upon receipt of such change of residence notice the commissioner shall cause the signature to be compared with the permanent registration forms of the applicant and if such signature appears to be of and by one and the same legal voter, the commissioner shall cause the entry of the change of residence to be made on the permanent registration forms and the registrant shall thereupon be qualified to vote in the election district to which he shall have so moved. If the commissioner is not satisfied as to the signature on the request for a change of residence, a notice shall be sent by mail with postage prepaid to the registrant at his new address directing him to appear at a time to be fixed in the notice, not less than ten days from the date thereof, at the office of the commissioner to answer such questions as may be deemed necessary to determine the applicant's place of residence and eligibility to vote. If such registrant fails to appear at the time and place as directed or if the notice is returned as not delivered or if it is not returned as undelivered, the registration forms of the applicant shall be placed in the inactive file until such time as he establishes to the satisfaction of the commissioner the accuracy of the signature on such change of residence notice; *provided, however,* that such application for change of residence shall be filed with the commissioner or municipal clerk, as the case may be, on or before the fortieth day preceding any election.

Proviso.

c. In any county any voter who shall move within the same county after the time above prescribed for filing an application for change of residence without having made application for change of residence shall be permitted to vote in the district from which he has moved, upon signing an affidavit which shall set forth (1) the date upon which he moved, (2) the address from which he moved, (3) the address to which he moved, and such affidavit shall constitute a transfer to the said new residence for any subsequent election. The county clerk shall furnish to the election board of each district form affidavits for this purpose and the said district boards shall turn over all signed affidavits to the commissioner.

Permitted to vote upon signing affidavit.

2. This act shall take effect immediately.

Approved April 2, 1945.

CHAPTER 76

AN ACT concerning elections, and amending sections 19:17–1, 19:17–3, 19:18–7, 19:23–50 and 19:23–53 of the Revised Statutes.

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

1. Section 19:17–1 of the Revised Statutes is amended to read as follows:

Section amended.

19:17–1. After the district board shall have counted the ballots cast at such election it shall make quadruplicate statements of the result thereof in substantially the following form; *provided,* that if no officers or public questions were voted upon at the election by the voters of the entire State or of more than one county thereof or of a congressional district, such statements need only be made in triplicate:

Statement of results.

Proviso.

Form of Statement

Form of statement.

A statement of the result of an election held in the.....ward of the..... election district of the.....of..... in the county of....., on the.....day of November, in the year of our Lord one thousand nine hundred and....., for a member of the Senate, members of the General Assembly, a sheriff and three coroners, for said county or as the case may be.

The whole number of names on the signature copy register or register of voters is.....

The whole number of names on the poll book is.....

The whole number of ballots rejected is.....

For member of Senate,

received votes.
received votes.

For members of the General Assembly,

received votes.
received votes.

For sheriff,

received votes.
received votes.

For coroners,

received votes.
received votes.

For each public question,

received Yes votes.
received No votes.

Make under each head a list of the names of all the persons for whom any vote or votes were cast for the office or offices or cast upon any public question designated therein; state opposite to the same, in words written at full length, the number of votes cast for each person for such office or offices or votes cast upon any public question and fill in all other blanks in the form above given to conform to the facts of the case.

2. Section 19:17–3 of the Revised Statutes is amended to read as follows:

Section amended.

19:17–3. After the district board shall have made up and certified such statements, it shall at the same time and with the ballot boxes, as hereinafter provided, deliver or safely transmit one of the statements to the clerk of the municipality wherein such election is held, who shall forthwith file the same. In counties of the first class one of such statements shall forthwith be filed with the superintendent of elections of the county. The superintendent may arrange to accept such certificates in such municipality within the county at the office of the clerk of such municipality or some other convenient place. Any municipal clerk who shall refuse to permit such superintendent or his deputies or assistants access to his office for the purpose of collecting such certificates or any municipal clerk or other person who shall interfere or obstruct the superintendent, his deputies or assistants in the collection of such certificates, or any member of a district board who shall willfully fail or refuse to deliver such statement to the superintendent, his deputies or assistants as the case may be, shall be guilty of a misdemeanor. In all counties the board shall, immediately after election, deliver or safely transmit another of the statements to the clerk of the county, who shall forthwith file the same.

Statement filed with municipal clerk.

Superintendent of elections.

Refusal of clerk to deliver certificate.

If officers were voted for or public questions were voted upon at the election by the voters of the entire State or of more than one county thereof, or of a congressional district, then the board shall, immediately after the election, inclose, seal up and transmit the fourth statement to the Secretary of State by mail in stamped envelopes to be furnished by the Secretary of State, addressing the same in the following manner: "To the Secretary of State of New Jersey, Trenton, New Jersey." In each year in which the board is required by this section to transmit a statement to the Secretary of State the statement required by section 19:17–4 of this Title shall be inclosed in the same envelope and

Transmit four statements in certain cases.

forwarded therewith. If no statement hereunder be required to be so transmitted in any year then the statement required by said section 19:17–4 shall be transmitted by the board in an envelope addressed as above provided. Upon receiving such statements the Secretary of State shall forthwith file the same in his office.

Statement filed.

Section amended.

3. Section 19:18–7 of the Revised Statutes is amended to read as follows:

Records preserved five years.

Ballots preserved for two years.

Sold after five years.

19:18–7. All registry books and statements of results of elections required to be filed with the Secretary of State, the superintendent of elections, the county clerks of the various counties and the municipal clerks of the various municipalities shall be preserved by such officials for a period of five years after the holding of any election at which they were used, and all ballots, used or unused, for any election shall be preserved by such officials for a period of two years after the holding of any election, and thereafter shall be sold by such officials as waste paper, the proceeds to be paid into the State, county and municipal treasuries, respectively. The several county and municipal clerks may also sell all registry books which have been on file in their office for a period of five years, the proceeds to be paid into the county and municipal treasury, respectively.

Section amended.

4. Section 19:23–50 of the Revised Statutes is amended to read as follows:

Board to prepare three statements.

19:23–50. The district boards shall at the conclusion of the canvass make up and sign three statements of the result of such election. The statements shall in words at length show the total number of names of persons entitled to vote, the whole number of ballots cast for each political party as indicated by the party names at the head of the respective party tickets, the whole number of ballots rejected for each political party, and the number of votes received by each person as a candidate for nomination for office or position.

5. Section 19:23–53 of the Revised Statutes is amended to read as follows: Section amended.

19:23–53. The district board shall immediately deliver or transmit this statement to the clerks of the county and municipality within which such primary election was held. In counties of the first class one of such statements shall forthwith be filed with the superintendent of elections of the county. The superintendent may arrange to accept such certificates in each municipality within the county at the office of the clerk of such municipality or some other convenient place. Any municipal clerk who shall refuse to permit such superintendent or his deputies or assistants access to his office for the purpose of collecting such certificates or any municipal clerk or other person who shall interfere or obstruct the superintendent, his deputies or assistants in the collection of such certificates, or any member of a district board who shall willfully fail or refuse to deliver such statement to the superintendent, his deputies or assistants as the case may be, shall be guilty of a misdemeanor. Statement filed with clerk. Refusal of clerk to deliver certificates.

6. This act shall take effect immediately.

Approved April 2, 1945.

CHAPTER 77

AN ACT concerning elections, and amending section 19:31–21 of the Revised Statutes.

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

1. Section 19:31–21 of the Revised Statutes is amended to read as follows: Section amended.

19:31–21. A person whose name appears in the signature copy register and who upon applying for a ballot or voting authority shall have given the Sign signature comparison record.

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information and signed the signature comparison record as provided in this Title and whose signature in the signature comparison record shall have been compared by a member of the district board and in the presence and view of the challengers with the signature of the applicant as recorded in the register shall be eligible to receive a ballot or voting authority unless it be shown to the satisfaction of a majority of the members of the district board that he is not entitled to vote in the district or has otherwise become disqualified.

Not required to sign if unable to write when registered.

No person shall be required to sign the signature comparison record as a means of identification if he shall have been unable to write his name when he registered, or if, having been able to write his name when registered, he subsequently shall have lost his sight or lost the hand with which he was accustomed to write or shall by reason of disease or accident be unable to write his name when he applies to vote, but each such person shall establish his identity in the manner provided in this Title.

Announce name and party.

In addition to signing the signature comparison record and after the comparison of the signature with the signature in the register, a person offering to vote at a primary election for the general election shall announce his name and the party primary in which he wishes to vote.

Place numbers of ballot on record.

After a person has voted the member of the district board having charge of the signature copy registers shall place the number of the person's ballot in the proper column on the record of voting form of such person, which number shall constitute a record that the person has voted. In the case of a primary election for the general election such member of the district board shall also place in the proper column on the record of voting form the first three letters of the name of the political party whose primary ballot such person has voted.

Ascertain if permanently registered.

In the event that the duplicate permanent registration form of any person cannot be found in the signature copy register at the time he applies for

a ballot or voting authority, a member of the district board shall promptly ascertain from the commissioner or a duly authorized clerk if such person is permanently registered. Upon information that such is the fact, such member of the district board shall require the person applying for a ballot or voting authority to obtain an order from the commissioner authorizing him to receive a ballot or voting authority. The commissioner shall specially authorize and deputize clerks to issue such orders in municipalities within his county. The commissioner or his clerk shall require the voter to sign his name upon such order for the purpose of signature comparison. The district board shall require the voter to again sign his name on said order, in the presence of the board, and if the signatures compare, to permit him to vote. At primary elections the commissioner or his duly authorized clerk shall endorse on the order the political party whose ballot such person voted at the last preceding primary election. The order shall be returned to the commissioner at the same time and along with the signature copy registers.

Voter to sign name.

Order returned.

2. This act shall take effect immediately.

Approved April 2, 1945.

CHAPTER 78

AN ACT for the relief of Reginald S. B. Burdge.

Preamble. WHEREAS, Reginald S. B. Burdge, while in the performance of his duties as engineer in the water department of the borough of Allenhurst, sustained severe injuries which have resulted in the amputation of both of his legs, and by reason thereof is incapacitated and no longer able to retain his position and perform the duties thereof; and

Preamble. WHEREAS, the said Reginald S. B. Burdge, over a period of years, rendered efficient and faithful service to the borough of Allenhurst in the performance of his duties; now, therefore,

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

Authorized to pay pension. 1. The borough of Allenhurst is hereby authorized to grant and empowered to pay to the said Reginald S. B. Burdge a pension of one thousand forty dollars ($1,040.00) per annum, which said pension shall be paid in semimonthly installments during the term of his natural life. The said borough of Allenhurst shall provide in its annual budget for the payment of the aforesaid pension, and from the time of the passage of this act and the adoption of its next budget, shall pay said pension hereby granted from any funds available therefor.

2. This act shall take effect immediately.

Approved April 2, 1945.

CHAPTER 79

AN ACT concerning procedure in district courts, and amending section 2:32–206 of the Revised Statutes.

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

1. Section 2:32–206 of the Revised Statutes is amended to read as follows: Section amended.

2:32–206. Appellant shall, within twenty days after the determination or direction sought to be reviewed, except as provided by section 2:32–207 of this Title, give notice of his appeal to the other party or his attorney. File notice of appeal within twenty days.

When an appeal shall be taken pursuant to this section no execution shall be stayed or delayed thereby unless the appellant shall enter into a bond to the other party, with sufficient surety to be approved by the judge of the district court, for the costs of the appeal, regardless of its outcome, and for double the amount, if any, of the judgment rendered against him, and conditioned for the payment thereof, if appellant does not prosecute the appeal or it is dismissed. Bond to stay execution.

The security, as regards the amount of the judgment, interest thereon and costs of appeal, shall not be required in any case where the judge shall permit the appellant to pay the amount of such judgment, together with a sufficient amount, to be determined by the district court judge, to cover interest thereon and costs of the appeal, into the hands of the clerk of the district court, and the same shall have been paid accordingly. Where no bond has been filed, and execution has been issued, all moneys realized thereon shall be paid to the clerk and held by him until the final disposition of the appeal. Payment of amount of judgment into court.

2. This act shall take effect immediately.

Approved April 2, 1945.

CHAPTER 80

AN ACT concerning taxation, and supplementing chapter four of Title 54 of the Revised Statutes.

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

C. 54:4-3.29. Loans exempt from taxation.

1. All veterans' loans under the provisions of the Veterans' Business Loan Act (1944), or under the provisions of Title III of the Servicemen's Readjustment Act of 1944 (Public Law 346, 78th Congress, Chapter 268—2nd Session), as amended and supplemented from time to time, while held by a savings bank of this State, shall be exempt from taxation under this chapter.

2. This act shall take effect immediately.

Approved April 2, 1945.

CHAPTER 81

AN ACT concerning the investment of deposits in savings banks, and supplementing article six of chapter six of Title 17 of the Revised Statutes.

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

C. 17:6-53.1. May invest money.

1. Every savings bank, including any savings bank organized under a special charter as a stock company previous to March eighth, one thousand eight hundred and seventy-seven, may invest moneys deposited with it in:

Veterans' loans.

(a) Veterans' loans under the provisions of the Veterans' Business Loan Act (1944) (P. L. 1944, c. 126), as amended and supplemented from time to time; and

(b) Loans made to veterans under the provisions of Title III of the Servicemen's Readjustment Act of 1944 (Public Law 346, 78th Congress, Chapter 268—2d Session), as amended or supplemented from time to time, in accordance with the rules and regulations made thereunder; *provided,* the Administrator of Veterans' Affairs shall guarantee or make a commitment to guarantee any such loan under said Act of Congress.

Loans under Servicemen's Readjustment Act.

Proviso.

2. In case a mortgage on real or personal property is taken as security for any such loan, it shall not be subject to the provisions of sections 17:6–55 or 17:6–59 of the Revised Statutes; *provided, however,* that in every such case such property shall be located within the State of New Jersey.

C. 17:6-53.2. Not subject to sections 17:6-55 and 17:6-59.

3. This act shall take effect immediately.

Approved April 2, 1945.

CHAPTER 82

AN ACT to amend "An act relating to the licensing, regulation and supervision of insurance agents, insurance brokers and insurance solicitors, supplementing chapters twenty-two, thirty-two and thirty-six of Title 17 of the Revised Statutes and repealing sections 17:22–1, 17:22–2, 17:22–3, 17:22–4, 17:22–5, 17:23–3, 17:32–6 and 17:32–11 of the Revised Statutes and section one of 'An act concerning the licensing of agents for insurance companies in certain cases, supplementing chapter twenty-two of Title 17, and amending section 17:33–1 of the Revised Statutes,' approved May sixteenth, one thousand nine hundred and forty-one (P. L. 1941, c. 118)," approved April twentieth, one thousand nine hundred and forty-four (P. L. 1944, c. 175).

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

Section amended.

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

C. 17:22-6.9.

9. After the receipt of such application in due form, properly verified and certified, it shall be the duty of the commissioner or his deputy, or any salaried employee of the department designated by the commissioner, within a reasonable time and in a place reasonably accessible to the applicant, to subject each first-time applicant for license and if the commissioner deems necessary, any applicant for renewal of license, to personal examination in order to determine his trustworthiness and competency to act as such agent, broker or solicitor. If the applicant for a broker's or solicitor's license be a nonresident licensed broker, solicitor or agent, the commissioner may waive such examination;

Personal examination.

provided, the State issuing such license requires no like examination of licensed brokers, solicitors or agents of this State. If the application is for license as an insurance agent, either first-time or for an additional group or groups of insurance, the commissioner may waive the examination if, at the time, the applicant has previously passed the examination for and holds an unexpired broker's license issued in accordance with the provision of this act, or if the applicant is a citizen of this State and has served in the armed forces of the United States in any war and has been honorably discharged and was the holder at any time of an agent's certificate of authority or a broker's license in this State, the commissioner may waive examination. When it is shown from such application and examination that the applicant

Proviso.

If applicant has served in armed forces.

(a) intends in good faith to act as an insurance agent, broker or solicitor, and

(b) is actively to engage in the general insurance business, or a particular group or groups thereof with the general public, and

(c) is of good reputation, and

(d) has had experience or training, or is otherwise qualified by education in the kind or kinds of insurance for which he desires to be licensed, and

(e) is a resident of this State or has his principal office for the conduct of such business in this State (unless such application be for a nonresident broker's or solicitor's license), and

(f) is reasonably familiar with the insurance laws of this State, and with the provisions, terms and conditions of the policies or contracts he is proposing to solicit, negotiate or effect, and

(g) he is then engaged in or intends to engage in the business of writing or negotiating insurance as his principal business or occupation or as a substantial part thereof, separate and apart from any connection which he may

have with any partnership or corporation whose principal business is lending of money, and

(h) is not seeking such license principally for the purpose of negotiating or writing insurance on property owned by him, or in which he has an insurable interest, or on property or insurable interests of a relative or his employer, and

(i) is worthy of a license,

the commissioner shall issue to the applicant a license to transact business in this State as an insurance agent, broker or solicitor, as the case may be. A license may be issued by the Commissioner to and in the name of any copartnership or corporation engaged in the insurance brokerage business upon written request and payment of the twenty-five dollars ($25.00) fee prescribed in section thirteen of this chapter; *provided,* all members of the copartnership or all the officers of the corporation, as the case may be, actively engaged in the insurance brokerage business of the copartnership or corporation in this State hold an unexpired license as an insurance broker issued in accordance with the provisions of this act. Where the request is for license in the name of a corporation organized under the laws of a foreign State or jurisdiction and it shall appear in the application, by affidavit of the president or other officer of a foreign corporation, that the sole business sought to be transacted by it is that of a broker, as herein defined, the commissioner may grant such license, notwithstanding the corporation has not complied with the provisions of the general corporation act and obtained a license thereunder to transact business in this State, if with the first request for such license the corporation shall file with the commissioner a duly executed power of attorney as is required in section seven of this act to be filed by a nonresident individual applicant for a broker's license. Licenses so issued shall expire annually as follows: To

License fee.

Proviso.

License in name of corporation.

File power of attorney.

agents on April thirtieth; and to brokers and solicitors on December thirty-first, unless sooner revoked by the commissioner for cause as provided in this act. A license so issued to a solicitor shall be suspended upon termination of the required established solicitor relationship but shall be reinstated upon a written request from another licensed agent or broker with whom such solicitor has established a solicitor relationship. Expiration date.

2. This act shall take effect immediately.

Approved April 2, 1945.

CHAPTER 83

AN ACT providing for the establishment, construction and maintenance of freeways and parkways and for the acquisition of rights-of-way, property or any rights or interests therein needed for the construction of freeways and parkways, for the establishment and maintenance of parking areas and recreational and other necessary noncommercial facilities, for the treatment of borders and landscape areas, in connection with freeways and parkways, and for the control or exclusion of private access or direct access of abutters therefrom and the control of public access thereto in certain cases, and supplementing Title 27 of the Revised Statutes.

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

1. As used in this act, "freeway" shall mean a State highway especially designed for through mixed traffic over which abutters have no easement, or right, of light, air or direct access, by reason of C. 27:7A-1. "Freeway."

the fact that their property abuts upon such way, with infrequent public entrances and exits and with or without service roads.

"Parkway." "Parkway" shall mean a State highway especially designed for through passenger traffic over which abutters have no easement, or right, of light, air or direct access, by reason of the fact that their property abuts upon such way, with special treatment in landscaping and planting between roadways and along its borders, which borders may also include service roads open to mixed traffic, recreational facilities such as pedestrian, bicycle and bridle paths, overlooks and picnic areas, and other necessary noncommercial facilities.

C. 27:7A-2. 2. Upon recommendation of the State Highway Commissioner and upon subsequent designation by the Legislature of any projected State Highway, or portion thereof, as a freeway or as a parkway, the State Highway Commissioner shall have authority to arrange with landowners, at the time of purchase of the rights-of-way for such highway or portion thereof, for the control of public or private access or for complete exclusion of direct access of abutters to the State highway right-of-way. Such arrangements shall be made part of the purchase contract. In the event that no agreement can be reached between the parties, the commissioner shall have the power to acquire said rights of access by condemnation.

Purchase of rights-of-way.

C. 27:7A-3. Property needed for freeway. 3. Property needed for any freeway is declared to be all those lands or interests therein required for the travelled way together with those lands or interests therein necessary for maintenance and protection of the present and future use of the highway, not to exceed a total average width of right-of-way for a freeway of three hundred feet, except where needed in connection with a grade separation and connecting roadways at an intersection with another main highway. The State Highway Commissioner shall have the authority to control the number of access roads and their location and design.

C. 27:7A-4. Property needed for freeway.

4. Property needed for any parkway is declared to be all those lands or interests therein required for the travelled way, together with those properties, including lands and interests therein, necessary to provide land between roadways, to provide occasional parking areas, to provide for treatment of borders and landscape areas and to provide recreational facilities as referred to in the definition of a parkway under section one of this act.

C. 27:7A-5. Purchase or condemnation of property.

5. Upon recommendation of the State Highway Commissioner and upon subsequent designation by the Legislature of any existing State highway, or portion thereof, as a freeway or parkway, the State Highway Commissioner shall have the authority to acquire, either by purchase or condemnation, such property rights, easements and access rights as may be necessary to make such existing highway or portion thereof a freeway or parkway as defined in this act.

C. 27:7A-6. Regulation of parkways.

6. The State Highway Commissioner shall have the authority to restrict the use of roadways in parkways to passenger motor vehicles and to make such other regulations as may be proper or necessary to carry out the provisions of this act; *provided, however,* if any highway or any portion or portions thereof over which autobuses lawfully operate is designated a parkway, or a part of a parkway, no such restriction or regulation shall prevent the use by autobuses, in accordance with other laws applicable thereto, of such portion or portions of such parkway as include such highway or portion or portions thereof, or of such portion or portions of such parkway as shall be necessary to provide ingress and egress for such autobuses in connection with such use.

Proviso.

C. 27:7A-7. Regulation of facilities.

7. The State Highway Commissioner shall also have authority to make reasonable regulations for the installation, construction, maintenance, repair, renewal and removal of tracks, pipes, mains, conduits, cables, wires, towers, poles and other equipment and appliances (herein called "facilities") of any public utility as defined in section 27:7–1 of the

Revised Statutes, in, on, along, over or under any such freeway or parkway. Whenever the State Highway Commissioner shall determine that it is necessary that any such facilities which now are, or hereafter may be, located in, on, along, over or under any such freeway or parkway should be relocated in such freeway or parkway, or should be removed from such freeway or parkway, the public utility owning or operating such facilities shall relocate or remove the same in accordance with the order of the State Highway Commissioner; *provided, however,* that the cost and expenses of such relocation or removal, including the cost of installing such facilities in a new location, or new locations, and the cost of any lands, or any rights or interests in lands, and any other rights, acquired to accomplish such relocation or removal, shall be paid by the State Highway Commissioner. In case of any such relocation of facilities, as aforesaid, the public utility owning or operating the same, its successors or assigns, may maintain and operate such facilities, with the necessary appurtenances, in the new location or new locations for as long a period, and upon the same terms and conditions, as it had the right to maintain and operate such facilities in their former location. No order of the State Highway Commissioner for the removal of such facilities from such freeway or parkway or the relocation thereof outside of such freeway or parkway shall be effective except as such order is approved by the Board of Public Utility Commissioners.

Proviso.

C. 27:7A-8. Commercial enterprises not conducted by agency of State.

8. No commercial enterprises or activities shall be authorized or conducted by the State Highway Commissioner or any other agency of the State within or on the property acquired for or designated as a freeway or parkway, as defined in this act; *provided, however,* that nothing herein shall prevent the operation, in the manner provided by law, of autobuses within or on the property used for or designated as a freeway as defined in this act, or the operation, in the manner provided by

Proviso.

law, of autobuses within or on the property used for or designated as a parkway as defined in this act to the extent provided for in section six of this act.

Access roads.

The State Highway Commissioner, in order to permit the establishment of adequate fuel or other service facilities by private owners or their lessees, for the users of a freeway or parkway, shall provide for access roads within the State's right-of-way of any freeway or parkway established or designated as provided in this act, at points which, in his opinion, will best serve the public interest.

Signs of service facilities.

The location of such fuel and other service facilities may be indicated to users of the freeway or parkway by appropriate signs, the size, style and specifications, of which, shall be determined by the State Highway Commissioner.

C. 27:7A-9. Powers.

9. The powers contained in this act are in addition to all the powers that the State Highway Commissioner has at the time this act becomes effective, and any limitation herein contained shall be interpreted as applying only to freeways and parkways created under this act.

10. This act shall take effect immediately.

Approved April 3, 1945.

CHAPTER 84

AN ACT regulating the termination of tenancies and the recovery of possession of the demised premises by landlords in certain cases, and providing that the same shall be inoperative except in certain cities.

Preamble.

WHEREAS, certain landlords have been and are taking undue advantage of the existing housing shortage which has created a serious emergency in certain cities of this State; and

Preamble.

WHEREAS, the peace, welfare and morals of the general public is threatened to such an extent as to make necessary and advisable the passage of measures which shall tend to promote the general welfare by curbing oppressive actions of landlords who seek unduly to raise rents, profiteer in rents, terminate tenancies for no valid cause and otherwise deprive their tenants of housing facilities; therefore,

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

C. 46:8-11. Continuance of lease.

1. Except as herein otherwise provided, any tenancy for dwelling purposes now existing, whether under a lease, or from month to month, or otherwise, shall continue, notwithstanding the expiration of the tenancy by its terms, or by the service of a notice to end the tenancy by the landlord to the tenant, either prior or subsequent to the passage of this act; *provided,* the tenant is otherwise entitled to continue in possession, under the terms of the letting and shall continue to pay the rent as stipulated at the beginning of his tenancy.

Proviso.

C. 46:8-12. Notice of termination of lease.

2. Any tenancy now existing and which shall continue under the provisions of this act, may be terminated by a landlord, who is also the owner of the demised premises, by a notice in writing to that effect, to the tenant, which shall be served upon the tenant not less than six months prior to the date of termination specified in the notice; *provided,* the owner and landlord, in good faith, desires the premises for actual use by himself and his family, for dwelling purposes, as his principal year around home and legal residence, and is otherwise legally entitled to terminate the tenancy on the date specified for such termination.

Proviso.

C. 46:8-13.

3. Any owner and landlord who shall elect to terminate a tenancy, in order to secure possession of the demised premises for use by himself and his family, and who does terminate the tenancy for

such purpose, in accordance with the provisions of this act, but who fails to make such use within thirty days after the premises are vacated by the tenant, or who fails to continue such use for a period of not less than one year after obtaining possession of the premises, unless such failure to use or to continue the use of, the premises, results from causes beyond the control of the said owner, shall be guilty of a misdemeanor. Failure to use premises. Guilty of misdemeanor.

4. Any provision of any letting which waives any provision of this act or which is contrary to any of its provisions shall be deemed to be against public policy and void. C. 46:8-14. Void.

5. All acts or parts of acts inconsistent with the provisions of this act are suspended during the period when this act shall be effective. C. 46:8-15. Inconsistent acts suspended.

6. Nothing in this act shall apply to any tenancy covering sixteen rooms, or more, held by one tenant in one building; nothing in this act shall apply to any tenancy for dwelling purposes limited to the whole or to a particular part of the period of any year beginning on May first and ending on October first, which tenancy is commonly known as a "summer rental"; and nothing in this act shall be construed to limit in any way the powers of the Board of Tenement House Supervision. C. 46:8-16. Not to apply in certain cases.

7. This act shall be inoperative except in cities bordering on the Atlantic ocean in counties of the fifth class having a population of less than one hundred fifty thousand according to the last Federal census. C. 48:8-17. Counties of fifth class.

8. This act shall take effect immediately and shall cease to be in effect on July fourth, one thousand nine hundred and forty-seven. C. 46:8-18. Effective.

Filed April 4, 1945.

CHAPTER 85

AN ACT concerning State Police, and amending sections 53:1–2, 53:1–3, 53:1–6 and 53:1–7 of the Revised Statutes.

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

Section amended.

1. Section 53:1–2 of the Revised Statutes is amended to read as follows:

Superintendent of State Police.

53:1–2. The Superintendent of State Police, hereinafter referred to as the superintendent, shall be appointed by the Governor, by and with the advice and consent of the Senate, for a term of five years and one hundred days, and shall be removable by the Governor after charges have been preferred and a hearing granted.

Salary.

The superintendent shall receive an annual salary of nine thousand dollars ($9,000.00) unless otherwise provided by law, payable semimonthly, and 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 ($20,000.00) for the faithful performance of his duties.

Section amended.

2. Section 53:1–3 of the Revised Statutes is amended to read as follows:

Deputy superintendent.

53:1–3. The superintendent may appoint a deputy superintendent at an annual salary of six thousand dollars ($6,000.00), payable semimonthly.

Section amended.

3. Section 53:1–6 of the Revised Statutes is amended to read as follows:

Salaries of personnel.

53:1–6. The personnel enumerated in section 53:1–5 of this Title shall receive salaries which shall be fixed by the superintendent according to salary ranges for the various positions designated in said section, from time to time established, by the Civil Service Commission.

Any person assigned to detective work in the department shall receive, while on such duty, an increase of sixty dollars ($60.00) a year above his annual salary as so fixed. Detective salary.

All of said salaries shall be payable semimonthly.

4. Section 53:1–7 of the Revised Statutes is amended to read as follows: Section amended.

53:1–7. All persons holding positions enumerated in section 53:1–5 of this Title shall receive such increases in salaries, based upon length of service as the Civil Service Commission shall, from time to time, establish within the salary ranges. Increase in salaries.

5. This act shall take effect immediately.

Approved April 4, 1945.

CHAPTER 86

AN ACT concerning the salaries of the holders of certain offices, positions and employments in the State service.

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

1. In every case in which the amount of the salary to be paid to the holder of any office, position or employment in the State service is limited by a specific statutory maximum or a specific statutory minimum or a specific statutory maximum and a specific statutory minimum, such maximum or minimum or such maximum and minimum hereby are abolished and abrogated; *provided,* that the Civil Service Commission shall establish salary ranges for such office, position or employment, and thereafter the amount of such salary shall be fixed according to the salary ranges so established from time to time, except in any case in which the salary of any present holder of any such office, position or employment would be reduced thereby. C. 52:14-15.27. Maximum and minimum salary abolished. Proviso.

C. 52:14-15.28. Statutory increases abolished.

2. In every case in which specific statutory increases in the amount of any salary of the holder of any office, position or employment are provided, such specific statutory increases hereby are abolished and abrogated; *provided,* the Civil Service Commission shall establish automatic increases in such salary, based upon length of service, within the salary ranges established from time to time therefor, and such salary shall thereafter automatically be increased accordingly, unless the head of the department and the Civil Service Commission shall agree that the service record of the holder of such office, position or employment does not warrant any such increase in salary.

Proviso.

C. 52:14-15.29. Not applicable to department heads.

3. This act shall not apply to the head of any department or the head of any division or bureau of any department nor to any case in which the salary of any holder of any such office, position or employment is specifically fixed by any act of the Legislature.

4. This act shall take effect immediately.

Approved April 4, 1945.

CHAPTER 87

AN ACT concerning the office of Commissioner of Banking and Insurance, and amending section 17:1–2 of the Revised Statutes.

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

Section amended.

1. Section 17:1–2 of the Revised Statutes is amended to read as follows:

Appointment of commissioner.

17:1–2. The chief officer of the department, to be denominated the Commissioner of Banking and Insurance and hereinafter in this Title designated the "commissioner," shall be appointed by the

Governor, by and with the advice and consent of the Senate, and shall hold office for the term of three years, and until his successor is appointed, confirmed and qualifies unless sooner removed by the Governor for cause. No person shall be appointed commissioner who is in any way connected with the management or control of any corporation, firm, association, institution or licensee affected by this chapter, and his term of office shall immediately cease if at any time he becomes so interested. Before entering upon the discharge of his duties the commissioner shall give bond, conditioned for the faithful discharge of his duties, in the sum of twenty-five thousand dollars ($25,000.00) with two good and sufficient sureties, freeholders of this State to be approved by the Governor, and take an oath of office before one of the justices of the Supreme Court in form similar to that required of the Secretary of State. The bond and oath of office shall be filed in the Department of State.

Term.

Bond.

Oath.

Neither the commissioner nor any of his deputies or examiners shall have any dealings or transactions in any capacity with any bank or trust company under the jurisdiction of the department save in the strict performance of his duties, except the institutions with which he was dealing prior to his appointment, under penalty of immediate termination of his office or employment.

Certain transactions prohibited.

The commissioner shall receive an annual salary of ten thousand dollars ($10,000.00), to be paid monthly by the State Treasurer, on the warrant of the Comptroller.

Salary.

2. This act shall take effect immediately.

Approved April 4, 1945.

CHAPTER 88

AN ACT concerning the Executive Department, and amending section 52:15–3 of the Revised Statutes.

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

Section amended.

1. Section 52:15–3 of the Revised Statutes is amended to read as follows:

Appointment secretary to Governor.

52:15–3. The Governor may appoint and commission a person to be known as the secretary to the Governor who shall hold his office during the pleasure of the Governor and shall keep a correct record of all executive proceedings and decisions and do all other acts appertaining to his office which shall be required of him by the Governor.

Salary.

The secretary to the Governor shall receive an annual salary of ten thousand dollars ($10,000.00). He shall pursue no other occupation during his incumbency that will intefere with the daily discharge of the duties of his office.

2. This act shall take effect immediately.

Approved April 4, 1945.

CHAPTER 89

AN ACT concerning the office of the State Treasurer, and amending section 52:18–1 of the Revised Statutes.

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

1. Section 52:18–1 of the Revised Statutes is amended to read as follows: Section amended.

52:18–1. The State Treasurer shall receive a salary of ten thousand dollars ($10,000.00) per annum, and no fees. Salary.

2. This act shall take effect immediately.

Approved April 4, 1945.

CHAPTER 90

AN ACT concerning the office of Secretary of State, and amending section 52:16–3 of the Revised Statutes.

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

1. Section 52:16–3 of the Revised Statutes is amended to read as follows: Section amended.

52:16–3. The Secretary of State shall receive an annual salary of ten thousand dollars ($10,000.00) which shall be full compensation for all services rendered by him as Secretary of State, clerk of the Court of Errors and Appeals, clerk of the prerogative court and register in the prerogative court, clerk of the Court of Pardons, or in any other official capacity whatever. Salary.

2. This act shall take effect immediately.

Approved April 4, 1945.

CHAPTER 91

A SUPPLEMENT to "An act concerning war adjustment in the compensation of certain persons holding State office, position or employment whose compensation is paid from State funds or from funds derived from Federal sources, or holding office, position or employment in an educational institution whose compensation is paid in whole or part through the board of regents, or holding Federal office, position or employment who receive supplemental compensation from State funds and concerning additional compensation in lieu of a further salary increase for persons holding office, position or employment under the Delaware River Joint Toll Bridge Commission and making appropriation therefor," approved April fourteenth, one thousand nine hundred and forty-four (P. L. 1944, c. 119).

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

War adjustment payment continued.

1. The purpose of this act is to continue war adjustment payments to the persons who received such payments during the fiscal year one thousand nine hundred and forty-four to one thousand nine hundred and forty-five in all cases where increments, reclassification and increases in compensation received since July first, one thousand nine hundred and forty-four, do not equal or exceed one hundred twenty dollars ($120.00) per year and thus guarantee to all State employees for the fiscal year one thousand nine hundred and forty-five to one thousand nine hundred and forty-six a total income comparable to that received during the fiscal year one thousand nine hundred and forty-four to one thousand nine hundred and forty-five.

Rules and regulations.

2. In order to insure fair and equitable treatment for all State employees and to carry out the purpose of this act, the State Treasurer, the President of the Civil Service Commission and the Commissioner of Taxation and Finance are empowered to make such rules and regulations as, in their discretion, are necessary or proper, to carry out such objectives.

War adjustment continued.

3. All persons who receive war adjustment payments under the act to which this act is a supplement shall continue to receive war adjustment payments at the rate of one hundred twenty dollars ($120.00) a year during the fiscal year beginning July first, one thousand nine hundred and forty-five, and ending June thirtieth, one thousand nine hundred and forty-six; *provided, however,* that in each case such war adjustment payment shall be reduced in each payroll period by an amount equal to any amount of increase in the rate of compensation excluding war adjustment payments for each payroll period over the rate of compensation excluding war adjustment payments payable to such person as of July first, one thousand nine hundred and forty-four.

Proviso.

War adjustment for veterans.

4. Any person on leave of absence granted because of entry into any branch of the military or naval forces of this State or of the United States or any organization authorized by the United States to serve with the Army or Navy, who comes back into the active service as a State employee in the fiscal year one thousand nine hundred and forty-five to one thousand nine hundred and forty-six shall receive for each payroll period after his return, the same war adjustment payment under this act as he would have received if he had continued in the active State service as a State employee.

Effective.

5. This act shall take effect July first, one thousand nine hundred and forty-five.

Approved April 4, 1945.

CHAPTER 92

AN ACT making appropriations to the State Treasurer.

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

Appropriation for war adjustment payments.

1. There is appropriated to the State Treasurer the sum of four hundred thousand dollars ($400,000.00) and in addition all unexpended balances in the appropriation made to him by pamphlet laws of one thousand nine hundred and forty-four, chapter one hundred nineteen, which appropriation shall be available during the fiscal year 1945-1946 for payment of war adjustment payments in cases in which a deficiency exists in any departmental funds for such purpose and to meet any salary increases or increment arising out of any civil service reclassification whether of classified, unclassified or other employees in cases in which a deficiency exists in any departmental funds for such purpose.

2. This act shall take effect July first, one thousand nine hundred and forty-five.

Approved April 4, 1945.

CHAPTER 93

AN ACT providing that the State Treasurer shall have a seal and for the use of such seal.

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

C. 52:18-10.1. Seal of State Treasurer.

1. The State Treasurer shall have a seal which shall contain the coat of arms of the State and further the words "State Treasurer New Jersey."

Such seal shall be affixed to documents and other papers for which the seal shall be required.

2. This act shall take effect immediately.

Approved April 4, 1945.

CHAPTER 94

AN ACT concerning the preparation and administration of a program for the rehabilitation of alcoholics and the promotion of temperance education by the Commissioner of Alcoholic Beverage Control, the Commissioner of Institutions and Agencies, the Commissioner of Education and the Director of Health, constituted the Commission on Alcoholism and Promotion of Temperance.

WHEREAS, the health of its people is a primary concern of the State; and Preamble.

WHEREAS, alcoholism is recognized as a disease and the alcoholic as a sick person; and Preamble.

WHEREAS, pursuant to section 33:1–3 of the Revised Statutes, a primary task and duty of the Commissioner of Alcoholic Beverage Control is the promotion of temperance; and Preamble.

WHEREAS, pursuant to section 18:14–86 of the Revised Statutes, the development of temperance education is recognized as desirable; therefore, Preamble.

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

1. The Commissioner of Alcoholic Beverage Control, the Commissioner of Institutions and Agen- C. 33:4-1. Commission on alcoholism.

cies, the Commissioner of Education and the Director of Health, are hereby constituted a commission, to be known as the Commission on Alcoholism and Promotion of Temperance, and empowered to prepare and administer a program for the rehabilitation of alcoholics and the promotion and furtherance of temperance and temperance education in this State; to utilize such facilities in this State, including equipment, and professional and other personnel, as may be made available for said purposes; and to expend such sums for said purposes as may, from time to time, be appropriated therefor by the Legislature.

Prepare program.

2. This act shall take effect immediately.

Approved April 4, 1945.

CHAPTER 95

AN ACT concerning taxation, and amending section 54:2–40 of the Revised Statutes.

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

1. Section 54:2–40 of the Revised Statutes is amended to read as follows:

Section amended.

54:2–40. A copy of the petition of appeal shall be served by the appellant upon the county board of taxation whose judgment is appealed from, or its secretary, and upon the assessor, clerk or attorney of the taxing district. Service of such copies shall be evidenced by affidavit upon the original petition of appeal filed with the State Board or service thereon acknowledged. A copy of the judgment of the board shall be sent to the taxpayer, and, when the judgment causes a change in the amount of taxes to be paid, to the secretary of the county board of taxation in whose county the appeal was originally filed, to the assessor and the collector of the taxing district.

Copy of petition of appeal served.

Approved April 5, 1945.

CHAPTER 96

AN ACT concerning the estates of certain minors, and amending section 3:7–29 of the Revised Statutes.

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

1. Section 3:7–29 of the Revised Statutes is amended to read as follows: Section amended.

3:7–29. In all cases where the value of the real estate of any minor shall not exceed one hundred dollars ($100.00) and the value of the personal estate of any minor shall not exceed five hundred dollars ($500.00), either parent of such minor or a person standing in loco parentis to such minor shall be entitled to receive the same for the use and benefit of such minor without being appointed guardian, upon his making and execution of an affidavit before the ordinary, orphans' court or surrogate, setting up that the value of such minor's real estate will not exceed one hundred dollars ($100.00), the said minor's personal estate will not exceed five hundred dollars ($500.00), and specifying in detail said assets and setting up that; Guardian in certain instances.

(a) affiant is such minor's parent and that the other parent has consented to such receipt, or is dead, or has absconded, or has absented himself leaving the minor without sufficient provision for maintenance and education, or is in the armed forces of the United States, or is not present in the continental United States, or Minor's parent.

(b) affiant is a person standing in loco parentis to such minor, and that said minor's parents have consented to such receipt, or are dead, or have absconded, or have absented themselves leaving the minor without sufficient provision for maintenance and education, or are in such armed forces, or are not present in the continental United States, as the case may be; and Loco parentis.

Consent.

upon his filing such consent in writing with said affidavit, in cases in which such consent is required by this act, and

Delivery of assets.

any bank, building and loan association or other corporation or any person or society who shall have possession of any assets of such minor shall pay or deliver the same to such parent or person standing in loco parentis, as the case may be, upon receipt of a copy of said affidavit, marked a true copy by the surrogate, and shall be forever discharged from all claims by any guardian who may thereafter be appointed or by any other person, for the assets so paid or delivered.

2. This act shall take effect immediately.

Approved April 5, 1945.

CHAPTER 97

AN ACT concerning workmen's compensation, and amending section 34:15–67 of the Revised Statutes.

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

Section amended.

1. Section 34:15–67 of the Revised Statutes is amended to read as follows:

Allowance of attorney fee.

34:15–67. The court of common pleas may, in its discretion, allow a reasonable attorney fee to the party prevailing in the trial of such appeal, which fee may be taxed in the costs and recovered against the unsuccessful party. In cases where application is made to the Supreme Court for a writ of certiorari to review the judgment of the court of common pleas and such writ is refused, or in cases where the judgment of the court of common pleas is reviewed by the Supreme Court by certiorari, the court of common pleas may allow a reasonable at-

torney fee to the party opposing the allowance of the writ of certiorari, or to the party prevailing on the certiorari, for his services on the application for the certiorari or on the certiorari, as the case may be, which fee shall be taxed in the costs and become a part of the final judgment in the cause, and may be recovered against the unsuccessful party. In cases where an appeal is taken from the judgment of the Supreme Court to the Court of Errors and Appeals, the court of common pleas may allow a reasonable attorney fee to the party prevailing on the appeal to the Court of Errors and Appeals for his services on the appeal, which fee shall be taxed in the costs and become a part of the final judgment in the cause, and may be recovered against the unsuccessful party.

Application of act.

2. This act shall apply to all cases presently pending and undetermined.

3. This act shall take effect immediately.

Approved April 5, 1945.

CHAPTER 98

AN ACT to include in the organizations entitled to delegates to the annual State Agricultural Convention the United Milk Producers of New Jersey, and amending section 4:1–6 of the Revised Statutes.

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

Section amended.

1. Section 4:1–6 of the Revised Statutes is amended to read as follows:

Organizations entitled to two delegates.

4:1–6. Each of the following organizations shall be entitled to be represented in the annual convention by two delegates: each county board of agriculture, the New Jersey State Horticultural

Society, the New Jersey State Poultry Association, Jersey Chick Association, the American Cranberry Growers' Association, the New Jersey State Grange, Patrons of Husbandry, the New Jersey Association of Nurserymen, the United Milk Producers of New Jersey and the New Jersey Florists' Club.

Organizations entitled to one delegate.

Each of the following organizations shall be entitled to be represented in the annual convention by one delegate: the State Agricultural College, the State Experiment Station, each Pomona Grange, Patrons of Husbandry, North Jersey Society for Promotion of Agriculture, New Jersey Guernsey Breeders' Association, Incorporated, Holstein Friesian Co-operative Association of New Jersey, the E. B. Voorhees Agricultural Society, New Jersey Field Crop Improvement Co-operative Association, New Jersey State Potato Association, New Jersey Beekeepers' Association, the Co-operative Growers' Association of Beverly, New Jersey, and the Blueberry Co-operative Association of New Jersey.

Certification of delegates.

Prior to the time fixed for the holding of the annual convention each of the organizations named in this section shall choose from its members the authorized number of delegates and certify to the convention their qualification as such. The credentials shall be filed with the proper convention officer or committee, and upon the acceptance thereof by the convention such persons shall have all the rights and powers of delegates.

2. This act shall take effect immediately.

Approved April 5, 1945.

CHAPTER 99

AN ACT to define the boundary lines between the borough of Hawthorne and borough of Prospect Park in the county of Passaic.

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

Boundary line defined.

1. It is hereby determined that the boundary line between the borough of Hawthorne and the borough of Prospect Park in the county of Passaic be hereby defined as follows: Beginning in the middle of the Passaic river where the center line of Prescott avenue extended southerly would intersect the same, and running thence (1) north, eighteen degrees and nineteen minutes west along said center line so extended and the center line of Prescott avenue to a stake on the top of the hill which is distant two thousand nine hundred and fifty-five feet from said beginning point two thousand nine hundred and fifty-five feet to a stake on the top of the hill; thence (2) north, thirty degrees and twenty-five minutes east, seven hundred and eighty-eight feet and six inches to a stake and stone heap; thence (3) north, twenty-five degrees and ten minutes east, five hundred and forty-five feet and thirty one-hundredths of a foot to a cross cut on a rock, thence (4) north, twenty-two degrees and two minutes east, six hundred and thirteen feet and six inches to a spike set in a rock; thence (5) north, thirteen degrees and twenty-three minutes east, four hundred and twenty-five feet and thirty one-hundredths of a foot to a cross cut on a rock; thence (6) north, one degree and fifty-five minutes east, one hundred and fifty-two feet and ninety one-hundredths of a foot to a stake; thence (7) north, fifteen degrees and fifteen minutes east, three hundred and twenty-five feet and eighty one-hundredths of a foot to a cross cut on a rock; thence

(8) north, ten degrees east, two hundred and ninety feet to a cross cut on a rock; thence (9) north, seven degrees and forty-one minutes east, five hundred and seventy-eight feet and forty one-hundredths of a foot to a stake; thence (10) north, seventeen degrees and fifty-nine minutes west, two hundred and thirty-three feet and forty one-hundredths of a foot to a stake; thence (11) north, nine degrees and twenty-five minutes east, nine hundred and twenty-five feet and thirty one-hundredths of a foot to a spike set in a rock; thence (12) north, sixteen degrees and eight minutes east, two hundred feet to a stake; thence (13) north, twenty-two and a half degrees east, one hundred and fifty-four feet and forty one-hundredths of a foot to a stake; thence (14) north, twenty degrees and forty-one minutes east, one hundred and forty-three feet and twenty one-hundredths of a foot to a cross cut on a rock; thence (15) north, two degrees and thirty-three minutes east, four hundred and seventy-two feet and fifty one-hundredths of a foot to a cross cut on a rock; thence (16) north, one degree and fifty-seven minutes east, four hundred and twenty-four feet to a cross cut on a rock; thence (17) north, seven degrees and seventeen minutes east, two hundred and sixty feet and twenty one-hundredths of a foot to a cross cut on a rock; thence (18) north, two degrees and nine minutes east, nine hundred and fifteen feet and twenty one-hundredths of a foot to a cross cut on a rock; thence (19) north, six degrees and twenty minutes west, five thousand one hundred and eighty-eight feet and twenty-five one-hundredths of a foot to a stake standing in the corner of the county line between the counties of Passaic and Bergen; thence (20) along said county line, north thirteen degrees east, two thousand four hundred and eighty-five feet to a large stone lying on the south side of Goffle Hill road near the residence of Abner Predmore; thence (21) still along said county line south, forty-three degrees and thirty-eight minutes east, seven thousand two hundred and seventy-five feet to the end of a stone wall near

Coe's Hotel; thence (22) still along said county line south, forty-four degrees and thirty minutes east, two thousand nine hundred and ninety-seven feet to the center of Cherry (formerly Goetschius) land; thence (23) southwesterly along the center line of said Cherry land to the middle of the Passaic river; and thence (24) westerly along the middle of the Passaic river the several courses thereof to the place of beginning.

2. This act shall take effect immediately.

Approved April 5, 1945.

CHAPTER 100

AN ACT concerning district courts, and amending section 2:8–13 of the Revised Statutes.

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

1. Section 2:8–13 of the Revised Statutes is amended to read as follows: Section amended.

2:8–13. If a district court judge shall resign or die during his term of office or if, at the conclusion of his term of office of five years, a district court judge declines or fails to perform the duties of his office until his successor is appointed and qualified, another judge of a district court may, upon the request of the Governor, conduct the business of the court in his stead, until the appointment and qualification of his successor, for which services the acting judge shall receive, from the municipality or other body charged with the payment of the salaries of the officers of the court, the same compensation as was received by the judge so resigning, dying or failing to act, for the time during which he so acts, which shall be paid upon the certificate of the clerk of the court, filed with the disbursing officer of the municipality or other body. Judges declines or fails to perform duties.

2. This act shall take effect immediately.

Approved April 5, 1945.

CHAPTER 101

AN ACT concerning venereal diseases, and supplementing article three of chapter four of Title 26 of the Revised Statutes.

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

C. 26:4-49.7.

1. When it appears to any criminal judicial district court, any justice of the peace in any county, any police justice or recorder in any municipality, the court of oyer and terminer, court of quarter sessions, court of special sessions, or the court of common pleas in the county, from the evidence or otherwise, that any person coming before such court on any charge, may have a venereal disease in an infectious stage, it shall be the duty of such court, justice of the peace, police justice or recorder to order the person to submit to a medical examination for venereal diseases, in a jail or at a hospital or clinic or by such physician as may be selected or appointed for the purpose, and if found to have a venereal disease in an infectious stage to submit to treatment in such jail, hospital or clinic or by such officer or to other treatment permitted under the medical practice act.

Medical examination by order of court.

Medical examination required.

2. The warden or other person in charge of any jail, house of correction, or other penal or correctional institution shall require and cause a medical examination for venereal diseases to be made of any person therein confined for a period of seven days or longer and such warden or other person in charge may require such examination to be made of any person therein confined for a shorter period of time. The superintendent or other person in charge of any detention or contagious disease hospital, or any State, county or city charitable institution shall require and cause a medical examination for venereal diseases to be made of all persons

admitted as soon as practicable after admission. Any board or agency operating such jail or institution shall provide a physician licensed to practice medicine and suitable facilities, equipment and supplies to examine inmates for venereal disease and to treat any inmate who is known or found to have a venereal disease and who is in need of treatment. The warden, superintendent or other person in charge of such jail or institution may isolate any inmate who refuses to submit to such examination or who refuses to permit the taking of specimens or any inmate with an infectious venereal disease. If a person has a venereal disease or if any person has refused to submit to examination or to allow specimens to be taken, the warden, superintendent or other person in charge shall notify the State department and may also notify the local health officer of the expected date of release of such person and the facts of the case. Such notifications shall be made, if possible, at least five days prior to the actual date of release, and shall be made not later than the day following the date of release in any case.

Inmate isolated.

Notify State department.

3. This act shall take effect immediately.

Approved April 7, 1945.

CHAPTER 102

AN ACT concerning venereal diseases, and supplementing article three of chapter four of Title 26 of the Revised Statutes.

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

1. For the purposes of this act "migrant laborer" shall mean any seasonal, temporary or migrant worker entering New Jersey and living in a

C. 26:4-49.5. Migrant labor.

tent, vehicle, building or structure used as living quarters directly or indirectly in connection with any work or place where work is being performed, whether or not rent is paid or reserved in connection with the use or occupancy of such premises.

C. 26:4-49.6.

2. Any migrant laborer who cannot show satisfactory evidence of examination for syphilis, gonorrhea and other venereal diseases having been performed by a health department or licensed physician within ninety days prior to entry into New Jersey shall submit to such examination as prescribed by the State Department of Health within thirty days after such entry. Said examination shall be performed by a duly licensed physician chosen by the migrant laborer or provided by the State Department of Health.

Examination.

Notify State Department of Health.

Any person who shall employ one or more migrant laborers shall notify the State Department of Health within five days of the commencement of such employment whether such person or persons have been examined as required by this section.

3. This act shall take effect immediately.

Approved April 7, 1945.

CHAPTER 103

AN ACT concerning venereal diseases, and amending section 26:4–41 of the Revised Statutes.

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

Section amended.

1. Section 26:4–41 of the Revised Statutes is amended to read as follows:

Identity not disclosed.

26:4–41. No person shall disclose the name or address or the identity of any person known or suspected to have a venereal disease except to the person's physician or to a health authority, or, in

the event of a prosecution under this article or under the criminal law of this State, to a prosecuting officer or to the court; *provided, however,* that the person's physician or a health authority may disclose the name, address or identity of such person when and only when the physician or health authority shall deem such disclosure necessary in order to protect the health or welfare of the person or of his family or of the public; *and provided further,* that nothing herein shall be construed as in any way restricting such disclosures to the State Department of Health.

Proviso.

Proviso.

Documents, records or reports which contain or would reveal the name, address or identity of a person known or suspected to have a venereal disease or treated for such a disease shall not be open to inspection except by an authorized representative of the State Department of Health or, in the event of a prosecution under this article or under the criminal laws of this State, by a prosecuting officer or the court; *provided, however,* that the custodian of any such documents, records or reports may permit inspection of them by a licensed physician or a health official whenever said custodian shall deem such inspection necessary in order to protect the health or welfare of the person or of his family or of the public.

Records not open for inspection.

Proviso.

2. This act shall take effect immediately.

Approved April 7, 1945.

CHAPTER 104

AN ACT concerning venereal diseases, and amending sections 26:4–27, 26:4–28, 26:4–36, 26:4–37 and 26:4–48 of the Revised Statutes, and supplementing article three of chapter four of Title 26 of the Revised Statutes.

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

Section amended.

1. Section 26:4–27 of the Revised Statutes is amended to read as follows:

26:4–27. As used in this article:

Venereal disease.

"Venereal disease" includes syphilis, gonorrhea, chancroid, lymphogranuloma venereum and granuloma inguinale.

Treating a venereal disease.

"Treating a venereal disease" includes the treatment of or attempt to treat a venereal disease by prescription, formula, patented or proprietary medicine or compound or otherwise, or the sale or gift, for the purpose of treating or attempting to treat such a disease, of any prescription, formula, patented or proprietary medicine or compound which either by itself or in connection with any other treatment, medicine, or compound is claimed to be useful, or to cure, relieve, or arrest in any way any venereal disease.

Licensed health officer.

"Licensed health officer" shall mean and include only a person holding office as a local health officer who holds a valid health officer's license issued by the State Department of Health.

Section amended.

2. Section 26:4–28 of the Revised Statutes is amended to read as follows:

Infectious diseases.

26:4–28. Syphilis, gonorrhea, chancroid, lymphogranuloma venereum and granuloma inguinale are hereby declared to be infectious and communicable diseases, dangerous to the public health.

3. Section 26:4–36 of the Revised Statutes is amended to read as follows: Section amended.

26:4–36. Quarantine for venereal disease has the purpose of preventing transmission of venereal diseases and shall mean and include, restriction of the actions, behavior and movements of a person or confinement to a defined place and area. Quarantine.

A local board or health officer or any physician shall report to the State department, and any licensed health officer or the State Director of Health or the authorized representative of either may quarantine for venereal disease the following persons: Report.

a. Any person who has or who is believed upon reasonable grounds to have a venereal disease in its infectious stage, if he is likely to spread the disease to others by reason of his failure or refusal to submit to treatment or by reason of his habits, or for any other reason.

b. Any person who refuses or neglects to submit to a medical examination for venereal disease required under authority of any section of this article.

c. Any person who refuses or neglects to supply, or to permit to be taken, the specimens required or requested under authority of any section of this article.

d. Any person who refuses or neglects to submit to treatment for a venereal disease in an infectious stage.

Such quarantine shall continue until the infected person is free from the disease or until such time as in the judgment of the health officer or his authorized representative who established the quarantine or by the State director or his authorized representative, it shall be safe for such infected person to be released from quarantine. Continuance of quarantine.

Any person included in paragraphs b, c or d of this section shall be liable to the penalty provided for in section 26:4–49 in addition to the imposition of the penalty prescribed by section 26:4–129.

Section amended.

4. Section 26:4–37 of the Revised Statutes is amended to read as follows:

Notice.

26:4–37. In establishing quarantine for venereal disease, the licensed health officer or the State Director of Health, or the authorized representative of either shall by notice in writing define the restriction of the actions, behavior and movements of the person or the place and the limits of the area within which the person is to be quarantined. Such person while so quarantined shall observe and obey said notice restricting his actions, behavior and movements or remain within the place and area defined by said health officer, director or representative in said notice. The custodian, if any, of such person shall safely keep and confine said person and said notice shall be sufficient warrant and authorization therefor.

Removal of person.

Whenever a licensed health officer or the State Director of Health or the authorized representative of either shall quarantine any person for venereal disease under authority of this article, he may also order the removal of such person to the place and area within which the person is to be quarantined for venereal disease, and the person shall proceed to such place at the time and in the manner specified.

Complaint.

A licensed health officer or the State Director of Health or the authorized representative of either one of them may file a complaint with any district court in any city or judicial district, any justice of the peace in any county, any police justice, or recorder in any municipality or the court of common pleas in the county against the following persons:

Refuses to obey notice.

a. Any person, who while quarantined for venereal disease fails, refuses or neglects to observe and obey said notice restricting his actions, behavior and movements, or to remain within the place and area defined by said health officer, director or representative or to proceed to a place for quarantine for venereal disease at the time and in the manner specified by said health officer, director or representative.

b. Any person who fails, refuses or neglects to submit to, observe or obey the conditions of any commitment or to comply with any order made by any district court in any city or judicial district, a justice of the peace in any county, any police justice or recorder in any municipality or the court of common pleas in the county under authority of this article. Refuses to obey order.

c. Any of the persons included in section 26:4–36 of this article.

The complaint shall be by affidavit setting forth the section violated and the reasons for filing said complaint. Complaint by affidavit.

Upon filing the said complaint either a summons shall issue commanding the person to appear before the court, justice of the peace, police justice or recorder at a specified time or a warrant shall issue, returnable forthwith, directed to the sheriff or any constable in the county, or any police officer, commanding him to bring the person named in the complaint before said court, justice of the peace, police justice or recorder. Issuance of summons.

Upon the return of the summons or warrant the court, justice of the peace, police justice or recorder shall proceed to hear and determine the matter in a summary way and without a jury. If the court, justice of the peace, police justice or recorder finds that the person is one of those listed in this section against whom a complaint may be filed, he may commit such person to a State, county, or municipal hospital which will receive the person, or to any other place or institution suitable for and willing to receive the person for detention, examination, care and treatment, whether the hospital, place or institution be located within or without the county, or to the county jail or may make any order for the examination, care or treatment of said person which may be deemed proper under the circumstances. Hearing.

Papers impounded.

The complaint, commitment, and all other papers relating to the case shall be impounded and shall not be open to public inspection, and hearings shall not be open to the public.

Person held until discharged.

Any person committed under the provisions of this statute shall be held in the place to which committed until discharged by the court, justice of the peace, police justice or recorder who heard the case or by the judge of the court of common pleas of the county from which the person is committed or by a justice of the Supreme Court, or by order of the Director of the State Department of Health.

Report to State department.

The local health officer having jurisdiction shall report to the State department any person quarantined for venereal disease, or upon whom a summons is served or against whom a warrant is issued under authority of this article except where the action is initiated by the State Director of Health or his authorized representative.

Section amended.

5. Section 26:4–48 of the Revised Statutes is amended to read as follows:

Rules and regulations.

26:4–48. The State department shall make and enforce any rule or regulation for the quarantining and treatment of a venereal disease which it may deem necessary for the protection of the public health.

Define stages.

The State Department of Health shall by rule and regulation define the stages of venereal diseases to be regarded as infectious within the meaning of this article.

Power and authority.

The State Director of Health or any person or official authorized by him in writing for that purpose shall have the same power and authority as that conferred by any section or sections of this article upon any local board of health or health officer for the purposes of isolation or quarantine or to require or request examinations or submissions of specimens or treatment, observation or care for venereal diseases.

C. 26:4-48.1.

6. In any quarantine for venereal disease or any commitment or court order imposed by authority of this act upon any person who, since immediately

prior to the onset of the person's infection with a venereal disease, has been continuously a member of a well-recognized church, the principles of which are opposed to medical treatment for disease, any requirement to follow a course of medical treatment shall be optional, but in such case the termination of the period of quarantine, commitment or applicability of the court order shall be determined by the duration of the infectious stage of the disease, as defined by the State Department of Health; *provided, however,* that nothing herein shall be construed as exempting any such person from any other provision of this act, including the requirements to submit to medical examination and to supply specimens or permit such specimens to be taken, where such person has or there are reasonable grounds to believe such person may have a venereal disease in an infectious stage.

Member of well-recognized church.

Proviso.

7. This act shall take effect immediately.

Approved April 7, 1945.

CHAPTER 105

AN ACT concerning the education of certain orphans, and amending section 38:20–3 of the Revised Statutes.

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

1. Section 38:20–3 of the Revised Statutes is amended to read as follows:

Section amended.

38:20–3. Application for such benefits shall be made to the Department of Economic Development, which may make rules and regulations to effectuate the provisions hereof. It may ascertain and pass upon the eligibility of the applicant and satisfy itself of the attendance of such applicants

Application for benefits.

Allotments.

and the accuracy of the charges made by the institution which the applicant attends. No more than four annual allotments of one hundred fifty dollars ($150.00) each shall be allowed any such applicant.

2. This act shall take effect immediately.

Approved April 7, 1945.

CHAPTER 106

AN ACT concerning certain blind persons, and amending sections 38:18–1, 38:18–2 and 38:18–3 of the Revised Statutes.

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

Section amended.

1. Section 38:18–1 of the Revised Statutes is amended to read as follows:

"Soldier."

38:18–1. As used in this chapter the word "soldier" means and includes any officer, soldier, sailor, marine, nurse or any other person, male or female, regularly enlisted or inducted, who was, or shall have been a part of the military or naval forces of the United States, and who took part in any war in which the United States was engaged, or who took part or shall have taken part in the present wars with the governments of Japan, Germany and Italy, or any of them, and who was a resident of this State at the time he was or shall be commissioned, enlisted, inducted, appointed or mustered into the military or naval service of the United States, and who has been or shall have been given an honorable or ordinary discharge or release therefrom.

Section amended.

2. Section 38:18–2 of the Revised Statutes is amended to read as follows:

Monthly payments.

38:18–2. A soldier, who has sustained a total loss of sight as a result of his service during any of the

wars mentioned in section one of this chapter, shall be paid for the term of his life, the sum of five hundred dollars ($500.00) annually, in monthly payments.

Section amended.

3. Section 38:18–3 of the Revised Statutes is amended to read as follows:

Evidence submitted to department.

38:18–3. Evidence of the service and disability mentioned in this chapter shall be furnished to the Department of Economic Development, which shall examine the same and upon being satisfied that the service was performed and the soldier has been rendered totally blind as a result thereof, shall so certify to the State Comptroller who shall, upon receipt thereof, draw his warrant on the State Treasurer in favor of the applicant in the sum of five hundred dollars ($500.00) annually, which the State Treasurer shall pay out of the money appropriated therefor by the Legislature.

4. This act shall take effect immediately.

Approved April 7, 1945.

CHAPTER 107

AN ACT concerning raccoons, and amending section 23:4–1 of the Revised Statutes.

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

Section amended.

1. Section 23:4–1 of the Revised Statutes is amended to read as follows:

Protection of certain game life.

23:4–1. No person shall capture, kill, injure, destroy or have in possession any quail, rabbit, hare, gray, black or fox squirrel, raccoon, woodchuck, English or ring-necked pheasant, ruffed grouse, wild turkey, partridge, reedbird, wild swans, wood duck, wild geese, brant, wild ducks, rails or marsh hens, gallinules, coot (commonly known as crow

duck), upland plover, black-bellied plover, golden plover, greater or lesser yellowlegs; willets, sandpipers, dowitchers or robin snipe, brown backs, curlews, turnstones or calico backs, godwits or marlin, tattlers, Wilson snipe or jacksnipe, woodcock or any other birds commonly known as shore birds, surf snipe or bay snipe, or any other game bird or game animal, unless an open season is prescribed therefor, and then only during the respective open seasons fixed by this section.

The open seasons shall be as follows: for

Open season for certain birds.

Wild geese, brant, wild ducks, except wood duck, coot, Wilson snipe or jacksnipe, gallinules, sora, marsh hen or mud hen and other rails (other than coot) and woodcock, shall be the same as the open season fixed for such birds by the regulations of the United States Bureau of Biological Survey, made under the provisions of an Act of Congress relating to migratory birds;

Quail, rabbit, hare, gray, black or fox squirrel, male English or ring-necked pheasant, ruffed grouse, or partridge, except as hereinafter in this article is restricted, from November tenth to December fifteenth; *provided, however,* no person shall capture, kill, injure, destroy or have in his possession any of the birds or animals mentioned in this paragraph on the first day of any open season for such birds and animals before nine ante meridian.

Proviso.

Woodchuck, from July first to September thirtieth; *provided, however,* that woodchuck may be taken at any time from cultivated farms by landowners or occupants of farms, members of their family, guests or hired help.

Raccoon, from November first to January fifteenth between sunset and sunrise only, except during the open season for deer.

Possession.

The birds and animals for which an open season is prescribed by this section may be possessed during the respective open seasons therefor and for the additional period of ten days immediately succeeding the open seasons.

A person violating any provision of this section shall be liable to a penalty of twenty dollars ($20.00) for each bird or animal or part thereof unlawfully captured, killed, injured, destroyed or had in possession. Penalty.

2. This act shall take effect immediately.

Approved April 7, 1945.

CHAPTER 108

AN ACT concerning fraternal associations or societies.

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

1. When a conveyance of real estate has been made to the trustees of any fraternal association or society, by their individual names as trustees of the said fraternal association or society, or when a conveyance of real estate has been made to individuals and such individuals have made a declaration that they hold such real estate as trustees for any fraternal association or society, which declaration has been recorded, said trustees or their survivors or successors in office may convey such real estate to the fraternal organization or society of which they are trustees by its corporate name. Such conveyance shall vest in such fraternal organization or society as good, effective and valid a title as if said conveyance to the trustees or to the individuals had been made directly to the fraternal organization or society by its corporate name. Conveyance to trustees. Valid title.

2. This act shall take effect immediately.

Approved April 7, 1945.

CHAPTER 109

AN ACT to authorize the revival and extension in perpetuity of the corporate existence of certain fire companies which have continued to act as such companies under color of their certificates of incorporation after the expiration of the limited periods of existence for which they were incorporated; and vesting in such companies, upon the revival of their corporate existence, the title to all undisposed of property and assets acquired by such companies whether as de jure or as de facto corporations, including the proceeds of the sale of property held by their surviving trustees as statutory trustees upon dissolution; and supplementing chapter eight of Title 15 of the Revised Statutes.

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

C. 15:8-9.

1. Whenever the limited period of corporate existence of any fire company incorporated under the act entitled "An act for the incorporation of fire companies," approved April twenty-first, one thousand eight hundred and seventy-six, as supplemented and amended, has heretofore expired and prior to such expiration no certificate extending in perpetuity the corporate existence of such fire company was filed under section 15:8–8 of the Revised Statutes, and such fire company since the expiration of its limited period of corporate existence has continued to act as a fire company under color of its certificate of incorporation, it shall be competent and lawful for the surviving persons that were members of such fire company at the time of the expiration of its limited period of corporate existence and such other persons as may be associated

Where corporate existence has expired.

with them as members of such fire company under color of the by-laws or other regulations thereof, by the majority vote of such persons present at a meeting called and held as provided in section two, to authorize by resolution the revival and extension in perpetuity of the corporate existence of such fire company and the making, filing and recording of a certificate for that purpose in the office of the county clerk of the county in which the certificate of incorporation of such fire company was filed and recorded, which certificate of revival and extension of corporate existence shall be made and executed by not less than ten of such persons named and delegated to make and execute such certificate in the resolution authorizing the making, filing and recording of the same, a majority of which persons so named and delegated shall be persons that were members of such fire company at the time of the expiration of its limited period of corporate existence.

C. 15:8-10. Meeting called.

2. The meeting authorized in section one may be called by any three or more of the surviving persons that were members of such fire company at the time of the expiration of its limited period of corporate existence, and shall be held at the usual meeting place of such company or at such other place in the same municipality as shall be designated in the call of the meeting. Notice of the date, time, place and purpose of the meeting shall be given by the persons calling the same to the surviving persons that were members of such fire company at the time of the expiration of its limited period of corporate existence and to such other persons as may be associated with them as members of such fire company under color of the by-laws or other regulations thereof, by one publication of such notice, at least ten days prior to the date fixed for the meeting, in a newspaper circulating in the vicinity where the usual meeting place of such fire company is located, and also by forwarding a copy of such notice by first-class mail with prepaid postage, at least ten days prior to the

date fixed for the meeting, to each of the persons entitled to such notice, addressed to him at his last known address. Failure to mail such notice to any person entitled thereto or failure of any person to receive such notice shall not invalidate the proceedings or any action taken at the meeting held pursuant to the notice. At such meeting the persons present and authorized under section one to vote thereat shall proceed to vote upon the question of the adoption of the resolution provided for in section one, and if a majority of such persons present and voting shall vote in favor of the adoption of such resolution the same shall be deemed to be duly adopted, and pursuant thereto a certificate of revival and extension in perpetuity of the corporate existence of such fire company shall be made, executed, filed and recorded in conformity with the provisions of sections one and three.

C. 15:8-11. Contents of certificate.

3. The certificate provided for in sections one, two and in this section shall set forth the name of such fire company, the date and place of record of its certificate of incorporation, the original period of its corporate existence and the date of the expiration thereof, a copy of the resolution authorizing the making, filing and recording of such certificate, and the date, place and manner of the adoption of such resolution; and shall be made by and executed under the hands and seals of the persons named and delegated to make and execute such certificate in the resolution authorizing the same, and the execution thereof shall be acknowledged by the persons executing the same before an officer authorized to take the acknowledgment and proof of deeds in this State; and such certificate of revival and extension of corporate existence shall thereafter be filed and recorded in the office of the county clerk of the county in which the certificate of incorporation of such fire company was recorded and filed; and for filing and recording such certificate the county clerk shall be entitled to receive the usual fees allowed by law for the filing and record-

ing of the certificate of incorporation of a volunteer fire company.

C. 15:8-12. Filed and recorded.

4. Upon the filing and recording in the office of the county clerk of the certificate provided for in sections one, two and three the corporate existence of the fire company named in such certificate shall be deemed to be revived and extended in perpetuity for all intents and purposes and shall be deemed to be continuous from the date of the filing and recording of its original certificate of incorporation, and such fire company shall forthwith be vested with the title to all property and assets, both real and personal, acquired by such fire company whether during the original period of its corporate existence or during the time thereafter in which it continued to act as a de facto corporation under color of its certificate of incorporation, except such property and assets as were previously sold and conveyed or otherwise disposed of by such fire company as a de jure or as a de facto corporation or by its surviving trustees as statutory trustees upon dissolution, and shall be entitled to receive from such statutory trustees, as the property of such fire company, all property in their possession as such statutory trustees including all funds in their hands derived from the sale and conveyance of any property formerly owned by such fire company; *provided, however,* that such fire company, upon the revival and extension of its corporate existence, shall be deemed to have assumed and shall be subject to all valid outstanding obligations and liabilities of any and every kind whatsoever incurred by such fire company during the original period of its corporate existence or thereafter during the time in which it acted as a de facto corporation under color of its original certificate of incorporation.

Proviso.

5. This act shall take effect immediately.

Approved April 7, 1945.

CHAPTER 110

AN ACT to amend "An act relating to trust deeds by persons in the military service or armed forces of the United States of America or any of its allies, and as to the acknowledgment, recording and effect thereof," approved April eighth, one thousand nine hundred and forty-three (P. L. 1943, c. 155).

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

Section amended.

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

C. 46:2C-2. Acknowledgments taken before certain officers.

2. Any such deed may be acknowledged before any notary public of any State, or before any other officer authorized by the law of this State to take acknowledgments and proofs of deeds, or before any commissioned officer in the military service or armed forces of the United States or any of its allies, and shall be sufficient if the certificate of acknowledgment shall certify over the signature of such officer that the person before whom the same was taken, is such an officer, and that the person making such acknowledgment and executing such deed of trust, appeared before him, and was in the military service or armed forces of the United States of America or one of its allies, and that such person executed and delivered the same as his act and deed; and such acknowledgment, when so taken, shall have the same force and effect as though taken before the Chancellor of this State.

2. This act shall take effect immediately.

Approved April 7, 1945.

CHAPTER 111

AN ACT concerning counties.

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

C. 40:25-4.1. May enter into contract.

1. Any county may enter into any contract with the United States of America, or with any board, body, officer or agency thereof, for the purchase of any equipment, supplies, materials or other property without publicly advertising for bids therefor.

C. 40:25-4.2. Funds not included in budget. Proviso.

2. Any such contract may be entered into by any county although the cost of the same is to be met by funds not included in the budget of appropriations for the year; *provided,* prior thereto there shall have been regularly adopted by the board of chosen freeholders a resolution authorizing an emergency appropriation sufficient to meet the cost of carrying out the provisions of the contract. Such emergency appropriation shall not be subject to any limitations of law as to the amount of the appropriation or the purpose for which the appropriation is made.

C. 40:25-4.3. Designation of person to enter bid.

3. Any county, by resolution of the board of chosen freeholders, may designate any person holding office or position in the county to enter a bid on behalf of such county at any sale of any equipment, supplies, materials or other property owned by the United States of America or by any board, body, officer or agency thereof, and such county may provide by resolution for any down payment required if said bid is accepted.

May issue notes.

4. Each county may borrow money and issue its negotiable notes to meet any such emergency appropriation. Each such note shall be authorized by resolution of the board of chosen freeholders, shall be designated "special emergency note," may be renewed from time to time, but at least one-fifth of all such notes and renewals thereof shall mature not later than the last day of the fiscal year next

succeeding the fiscal year in which such emergency appropriation was made to meet which such notes were issued; and at least one-fifth of all such notes and renewals thereof shall mature in each year thereafter until all are paid so that all such notes and renewals thereof shall have matured not later than the last day on the fifth fiscal year next succeeding the fiscal year in which such emergency appropriation was made to meet which such notes were issued.

5. This act shall take effect immediately.

Approved April 7, 1945.

CHAPTER 112

AN ACT to provide for the drainage and acquisition of lands, and supplementing chapter thirty of Title 40 of the Revised Statutes.

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

C. 40:30-18. May erect dams.

1. The board of chosen freeholders of any county may erect, construct, operate and maintain ditches, watercourses, pumps, dykes, dams, tide banks and such other works and such filling and excavating as in its judgment may be necessary to drain any area required to be drained, and to clear out ditch, renew and repair ditches and drains as may be erected and constructed, and to deepen, widen, straighten any ditch or watercourse and remove obstructions in any ditch or watercourse and control the flow of surplus and surface waters. It may also erect, construct and maintain bridges and roads over and across said ditches and watercourses, in addition to its present power and authority to erect, construct and maintain bridges and roads.

C. 40:30-19. May acquire real estate.

2. The board of chosen freeholders of any county may acquire any real estate, easements, rights-of-way, or other property or any interest or estate therein within the county limits, or any outstanding easements, right or interest in any real estate in its possession for any of the purposes herein provided, which it may deem necessary or useful for the proper exercise of any power expressly or impliedly conferred upon it, by purchase, gift or condemnation in the manner provided in chapter one of the Title, Eminent Domain (R. S., section 20:1–1 et seq.), and enter upon and take property in advance of making compensation therefor where for any reason it cannot acquire the property by agreement with the owner. Upon the board of chosen freeholders exercising the right of condemnation and entering upon and taking land in advance of making compensation therefor, it shall present a petition, and proceedings shall be had to fix the compensation, to be paid to the owner, as provided in said chapter one of the Title, Eminent Domain.

C. 40:30-20. Provide in budget for payment.

3. The board of chosen freeholders of any county is hereby authorized to provide in its budget or otherwise for the payment of the drainage, acquisition of any interest in the real estate required for any of the purposes herein mentioned, and for the erection, construction, operation and maintenance of any of the work authorized herein.

C. 40:30-21. May contract for payment.

4. The board of chosen freeholders of any county, in addition to the provisions herein contained, may contract with any municipality in the county for the payment of a proportionate share of the cost thereof as between the county and such municipality.

5. This act shall take effect immediately.

Approved April 7, 1945.

CHAPTER 113

AN ACT concerning fiduciaries, and amending sections 3:8–11, 3:8–12, and 3:8–15 of the Revised Statutes.

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

Section amended.

1. Section 3:8–11 of the Revised Statutes is amended to read as follows:

In case of large estates deposit may be made with fiduciary agent.

3:8–11. If the value of an estate or fund is so great that the court in which the fiduciary received his appointment or to which he is accountable or the surrogate, as the case may be, deems it inexpedient to require security in the full amount prescribed by law, or if the estate or fund is in cash or is invested in securities in which a fiduciary may by law invest money entrusted to him in his fiduciary capacity without special order of any court, the said court or surrogate, as the case may be, may direct that any securities for the payment of money belonging to the estate or fund be deposited in some savings bank, savings institution or trust company incorporated under the laws of this State, or in some national bank, having safe deposit boxes for the use of private individuals, and that any money belonging to the estate or fund be deposited in some savings bank, savings institution or trust company incorporated under the laws of this State or in some national bank, which depository shall be approved by the court or surrogate and designated in the order.

Section amended.

2. Section 3:8–12 of the Revised Statutes is amended to read as follows:

Court may fix amount of bond.

3:8–12. After deposit has been made pursuant to section 3:8–11 of this Title, the court or surrogate may fix the amount of the bond with respect to the value of the remainder only of the estate or fund, or in case all of said estate or fund is so

deposited, then in such amount as the court or surrogate shall determine to be sufficient under the circumstances.

Section amended.

3. Section 3:8–15 of the Revised Statutes is amended to read as follows:

Depository to issue certificate.

3:8–15. A depository receiving a deposit pursuant to section 3:8–11 of this Title, shall issue a certificate in duplicate and deliver one certificate to the court or surrogate authorizing the deposit and the other to the fiduciary. The certificates shall set forth the amount and nature of the securities, or amount of money, deposited.

4. This act shall take effect immediately.

Approved April 7, 1945.

CHAPTER 114

AN ACT vesting the title to real estate of which Alice M. Dingler died seized, and which is alleged to have escheated to the State of New Jersey in the year of one thousand nine hundred and forty-three in Catherine Dingler.

Preamble.

WHEREAS, John L. Dingler and Alice M. Dingler, both late of the borough of Woodlynne, county of Camden and State of New Jersey, were seized in their lifetime of all that certain piece of land and premises, situate in the borough of Woodlynne, county of Camden and State of New Jersey, described as follows:

Description.

Beginning in the south line of Woodlynne avenue (formerly Second street) 81 feet west from the southwest corner of Woodlynne and Powelton avenues; thence west along the south line of Woodlynne avenue 19 feet 4 inches to extended middle line of party wall between Nos. 1712 and 1714

Woodlynne avenue; and extending thence south between parallel lines of that width, at right angles to Woodlynne avenue, the west line thereof passing through the middle line of said party wall, 100 feet in depth; and

Preamble. WHEREAS, the said property was purchased with moneys belonging to the said John L. Dingler; and

Preamble. WHEREAS, the said John L. Dingler died on February fifteenth, one thousand nine hundred and forty-three, and the property thereupon became vested in his wife, Alice M. Dingler, who died intestate on October fifth, one thousand nine hundred and forty-three; and

Preamble. WHEREAS, the said Alice M. Dingler left no person or persons capable of inheriting the said land and premises and the same are alleged to have escheated to the State of New Jersey; and

Preamble. WHEREAS, the said John L. Dingler left one child, to wit: Catherine Dingler; and

Preamble. WHEREAS, the Camden County Welfare Board also has a lien against the said premises for three hundred ninety-four dollars and nine cents ($394.09) for old age assistance given both decedents prior to their death; 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:*

Title vested in Alice M. Dingler. 1. All the estate, right, title 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 Alice M. Dingler, more particularly hereinbefore described, be and the same

are hereby vested in Catherine Dingler, subject to the lien of the Camden County Welfare Board and such title so as aforesaid vested under the provisions of this act is validated and confirmed.

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

Approved April 9, 1945.

CHAPTER 115

AN ACT vesting the title to real estate of which Clara O'Toole died seized, and which is alleged to have escheated to the State of New Jersey in the year of one thousand nine hundred and forty-four, in Camden County Welfare Board.

Preamble. WHEREAS, Clara O'Toole, late of the borough of Pennsauken, county of Camden and State of New Jersey, departed this life on the twenty-eighth day of May, one thousand nine hundred and forty-four, seized of all those certain tracts and parcels of land situate in the borough of Pennsauken, county of Camden, State of New Jersey, described as follows:

Tract I. Tract I. Beginning at a point in the west line of Fern road the distance of 69.31 feet south from the southwest corner of Fern road and Water Works road; thence southwardly along the said west line of Fern road, the distance of 40 feet to a point; thence westwardly between parallel lines of that width or frontage, and at right angles to Fern road, the distance of 100 feet, in length or depth.

Tract II. Tract II. Beginning at a point in the west line of Fern road, the distance of 67.31 feet south from the southwesterly corner of Fern road and Water

Works road, thence southwardly along the said west line of Fern road, the distance of 2 feet to a point, thence westwardly between parallel lines of that width or frontage, and at right angles to Fern road, the distance of 100 feet in length or depth; and

Preamble.

WHEREAS, the said Clara O'Toole left no person or persons capable of inheriting the said lands; and the same are alleged to have escheated to the State of New Jersey; and

Preamble.

WHEREAS, the Camden County Welfare Board has a lien against the said premises in the amount of one thousand five hundred and five dollars and thirty-nine cents ($1,505.39), which is more than the value of the equity therein; 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:*

Title vested in Camden county welfare board.

1. All the estate, right, title 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 Clara O'Toole, more particularly hereinbefore described, be and the same are hereby vested in Camden County Welfare Board subject to the lien of the Camden County Welfare Board and such title so as aforesaid vested under the provisions of this act is validated and confirmed.

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

Approved April 9, 1945.

CHAPTER 116

AN ACT providing that persons in the armed services of the United States may hunt and fish for the duration of the present war without a license, and amending section 23:3–1 of the Revised Statutes.

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

1. Section 23:3–1 of the Revised Statutes is amended to read as follows: Section amended.

23:3–1. No person shall at any time hunt for, take, kill or pursue, with a gun or any firearm of any kind or character, a wild bird, animal or fowl, or take or attempt to take any skunk, mink, muskrat, otter or other fur-bearing animal by means of a trap, or set a trap for any fur-bearing animal, and no male person above the age of fourteen years shall at any time take or attempt to take fish in any of the fresh waters of this State by the method commonly known as angling with a hand line or rod and line, unless he has first procured a proper license and button therefore as hereinafter provided, and unless at the time of the hunting, trapping or fishing he has the license and button on his person and exhibits it for inspection to any warden, deputy warden, police officer or other person requesting to see it. A person under fourteen years of age, who is a bona fide resident of this State, may trap fur-bearing animals without license during the season when it is legal so to do. License required. Proviso.

A person who is a resident of this State and is in the armed service of the United States, shall be entitled to hunt and fish in this State from the passage of this act until the conclusion of the present war, without obtaining a license therefor. Proviso.

Nothing in this section shall prevent the occupant of a farm in this State, who actually resides Proviso.

thereon, or the immediate members of his family who also reside thereon, from hunting for, taking, killing or pursuing with a gun or firearm on the farm a wild bird, animal or fowl, from taking any skunk, mink, muskrat, otter or other fur-bearing animal by means of a trap or from setting a trap for a fur-bearing animal on the farm, or from taking fish on the farm with hand line or rod and line, in the manner provided by law during the time when it is lawful so to do, without being licensed hereunder. The exemption of this paragraph shall not apply to a person residing on the farm or in a tenant house thereon who is not a member of the occupant's family, nor to a servant of the occupant.

2. This act shall take effect immediately.

Approved April 9, 1945.

CHAPTER 117

AN ACT concerning elections, and amending section 19:31–13 of the Revised Statutes.

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

Section amended.

1. Section 19:31–13 of the Revised Statutes is amended to read as follows:

Change of name after registration.

19:31–13. Whenever the registrant after his or her original registration shall change his or her name due to marriage, divorce, or by decree of court, the registrant shall be required to reregister and the commissioner upon receipt of information or notice of such change, shall transfer the permanent registration forms of such persons to the inactive file. When notice or information of such change in name has not been received by or filed with the commissioner prior to the fortieth day preceding any election, such person may be per-

mitted to vote under his or her original registration at the next election following such change in name, after signing the signature copy register with both the registered name and his or her new name. Such person shall be required to reregister before being permitted to vote at any subsequent election. The commissioner shall then transfer the former permanent registration form to the inactive file and notify the registrant by regular mail of such transfer and the requirement to reregister before being permitted to vote at any election.

2. This act shall take effect immediately.

Approved April 9, 1945.

CHAPTER 118

AN ACT validating and confirming the appropriation and expenditure of moneys heretofore made by municipalities for purpose of paying all or a portion of the premiums and costs in connection with group forms of life insurance and other policies of insurance issued for the protection, health, safety and welfare of the members of volunteer fire departments and incorporated fire companies.

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

Payment of premiums confirmed.

1. All appropriations and expenditures heretofore made, incurred or paid by any municipality for the purpose of paying all or a portion of the premiums and costs in connection with group forms of life insurance and other policies of insurance issued for the protection, health, safety and welfare of the members of any volunteer fire department

maintained by, or existing in said municipality, or any incorporated volunteer fire company affording fire protection to such municipality, are hereby validated and confirmed.

2. This act shall take effect immediately.

Approved April 9, 1945.

CHAPTER 119

AN ACT concerning testamentary guardians, and amending section 3:7–18 of the Revised Statutes.

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

Section amended.

1. Section 3:7–18 of the Revised Statutes is amended to read as follows:

Bond to ordinary.

3:7–18. Before exercising authority and control over property of his ward, a testamentary guardian shall give bond to the ordinary for the faithful execution of his office in a sum and with sureties to be approved by the ordinary, orphans' court or surrogate, as the case may be, unless it is otherwise directed by the testator's will; *provided*, that in all cases where said minor is or shall be entitled to property from any source, other than the parent making said appointment or other than any policy of life insurance upon the life of said parent, the guardian, before he exercises any authority or control over said property, shall give bond to the ordinary for the faithful execution of his office with respect to said property to which said minor is or shall be entitled from a source other than as aforesaid, in a sum and with sureties to be approved by the ordinary, orphans' court or surrogate, as the case may be.

Proviso.

2. This act shall take effect immediately.

Approved April 9, 1945.

CHAPTER 120

AN ACT authorizing the Commissioner of Taxation and Finance to cancel certain uncollectible claims due the State, and supplementing "An act relating to taxation and finance, providing for the establishment, organization and functions of a State Department of Taxation and Finance, repealing the following sections of the Revised Statutes: 52:18–22, 52:18–23; 52:19–16 to 52:19–36, inclusive; 52:20–3, 52:20–8, 52:20–9, 52:20–10, 52:20–11, 52:20–12, 52:20–16; 52:22–1 to 52:22–22, inclusive; 52:23–1 to 52:23–16, inclusive; 52:25–7, 52:25–8, 52:25–9, 52:25–10, 52:25–15, 52:25–17, 52:25–18, 52:25–19, 52:25–20, 52:25–21, 52:25–22, 52:25–24; 52:31–1, 52:31–7, 52:31–9, 52:31–10, 52:31–11; 54:1–3, 54:1–4, 54:1–5; and repealing sections eight and twelve of an act entitled 'An act creating a State Department of Local Government, prescribing its powers and duties, and transferring to it certain powers and duties vested in the State Auditor,' approved May ninth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 158)," approved April thirteenth, one thousand nine hundred and forty-four (P. L. 1944, c. 112).

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

C. 52:27B-9.1. Moneys due State uncollectible.

1. Where any institution, department, commission, officer or other agency charged with the receipt and collection of any moneys due the State, for the grant, lease or rental of riparian lands or interests therein, shall determine by resolution that moneys due the State as aforesaid are uncollectible,

notification to this effect shall be given to the Commissioner of Taxation and Finance, and the said commissioner is hereby authorized and empowered, after investigation and upon review, in his discretion, to cancel any such sum or sums due as aforesaid, and further to order such claims removed from the State financial records and from the records of any such institution, department, commission, officer or agency as aforesaid.

Commissioner may cancel.

2. This act shall take effect immediately.

Approved April 9, 1945.

CHAPTER 121

AN ACT concerning boards of chosen freeholders of counties of the first class, and amending section 40:20–4 of the Revised Statutes.

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

Section amended.

1. Section 40:20–4 of the Revised Statutes is amended to read as follows:

Filling of vacancies.

40:20–4. Vacancies in the board of chosen freeholders caused by death, resignation or inability to serve in office shall be filled by the remaining members of the board until the annual stated meeting of the board next after the vacancy occurs, and at the first general election held after the vacancy occurs a person shall be elected to fill the office for the unexpired term only.

2. This act shall take effect immediately.

Approved April 9, 1945.

CHAPTER 122

AN ACT to amend "An act concerning elections, providing for the use of voting machines in first- and second-class counties, making an appropriation to the State House Commission, and supplementing chapter forty-eight of Title 19 of the Revised Statutes," approved February ninth, one thousand nine hundred and forty-four (P. L. 1944, c. 7).

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

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

6. As soon as any voting machines are purchased by the State House Commission and the determination is made as to the number to be delivered to any county, the State House Commission shall certify to the board of chosen freeholders of said county the number of voting machines purchased for said county and the amount of the purchase price paid therefor. In the annual budget of said county for the year following the date of such certification, and in each annual budget thereafter until the full amount so certified is paid, the board of chosen freeholders of said county shall appropriate an amount sufficient to pay one-fifth of the total amount or amounts so certified by the State House Commission, together with three per centum (3%) interest from the date of certification; *provided, however,* that, in any year, the board of chosen freeholders may appropriate and pay any amount greater than herein required. C. 19:48-3.8. State House Commission to certify to freeholders. Proviso.

2. This act shall take effect immediately.

Approved April 9, 1945.

CHAPTER 123

AN ACT concerning procedure in the district courts, and supplementing chapter thirty-two of Title 2 of the Revised Statutes.

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

C. 2:32-157.1. Record kept of moneys received.

1. Constables shall keep a full record of all moneys received, which record shall be inspected monthly by the judge of the district court, or the clerk of the court if the judge so directs, and shall deposit all moneys collected on execution in a trust fund. Constables shall make a remittance on each execution at least once a month to the attorney who issued the execution and a report to him when requested.

2. This act shall take effect immediately.

Approved April 9, 1945.

CHAPTER 124

AN ACT providing for a further distribution of the Revised Statutes of the State of New Jersey.

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

Distribution of Revised Statutes.

1. The Secretary of State is hereby authorized to deliver to each member of the Senate and House of Assembly of the one hundred and sixty-ninth session of the New Jersey Legislature, who has not previously received the same, a complete set of the Revised Statutes of this State, including volumes IV and V thereof, and including also the two volumes of the Revised Statutes cumulative supple-

ments covering the years one thousand nine hundred and thirty-eight to one thousand nine hundred and forty-four, inclusive.

2. There is hereby appropriated the sum of two thousand four hundred thirty dollars ($2,430.00) to the Secretary of State for the purpose of purchasing the two volumes of the Revised Statutes cumulative supplements covering the years one thousand nine hundred and thirty-eight to one thousand nine hundred and forty-four, inclusive. Appropriation.

3. This act shall take effect immediately.

Approved April 9, 1945.

CHAPTER 125

AN ACT concerning taxation, and amending section 54:3–21 of the Revised Statutes.

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

1. Section 54:3–21 of the Revised Statutes is amended to read as follows: Section amended.

54:3–21. A taxpayer feeling aggrieved by the assessed valuation of his property, or feeling that he is discriminated against by the assessed valuation of other property in the county, or a taxing district which may feel discriminated against by the assessed valuation of property in the taxing district, or by the assessed valuation of property in another taxing district in the county, may on or before August fifteenth appeal to the county board of taxation by filing with it a petition of appeal. A copy thereof shall also be filed with the assessor, clerk or attorney of the taxing district, setting forth the cause of complaint, the nature and location of the assessed property and the relief sought. The petition shall be signed and sworn to by the File petition of appeal.

petitioner or his agent, and shall be in such form and contain such further information as may be from time to time prescribed by rule of the board, for the better understanding and determination of the appeal.

Approved April 9, 1945.

CHAPTER 126

AN ACT concerning fire districts and volunteer fire companies, and amending section 40:47–27 of the Revised Statutes.

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

Section amended.

1. Section 40:47–27 of the Revised Statutes is amended to read as follows:

May raise and appropriate money.

40:47–27. The governing body of a municipality may raise and appropriate such sum of money, not exceeding five thousand dollars ($5,000.00) annually, as it may deem necessary to aid the board of fire commissioners of any fire district or volunteer fire companies located therein, owning and maintaining their own apparatus; *provided, however,* that all moneys so appropriated in excess of two thousand five hundred dollars ($2,500.00) annually be used for the purchase of new equipment from time to time, with the approval of the governing body, such moneys in excess of two thousand five hundred dollars ($2,500.00) to be accounted for to the governing body annually.

Proviso.

2. This act shall take effect immediately.

Approved April 9, 1945.

CHAPTER 127

AN ACT empowering the State Commissioner of Taxation and Finance or the Director of the Division of Taxation of the State Department of Taxation and Finance to revise, alter, compromise and settle inheritance and estate or transfer taxes, and interest and interest penalties thereon, in certain cases, and supplementing subtitle five of Title 54 of the Revised Statutes.

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

C. 54:36-6.1. Claim of inheritance taxes litigation.

1. Where any lien or claim for any past due transfer inheritance taxes or estate or transfer taxes shall be brought into question, claimed to be invalid or impaired, or shall be in the course of litigation, and the State Commissioner of Taxation and Finance or the Director of the Division of Taxation of the State Department of Taxation and Finance, shall, after investigation, determine that there is reasonable doubt of the State's ability to enforce said lien or claim or to collect the taxes due, or claimed to be due, or that there is a reasonable doubt that said lien is valid or unimpaired, such officer shall be empowered and authorized to enter into an agreement with the executor, administrator or trustee of any estate against whose assets said lien or claim shall be asserted, or the heirs, next of kin or beneficiaries succeeding to the property of any decedent against which such lien or claim is asserted, to alter, revise, compromise and settle all claims or liens for past due inheritance taxes or estate or transfer taxes, together with all interest or interest penalties thereon; *provided, however,* that the executor, administrator, trustee, heir or heirs, next of kin, beneficiary or beneficiaries, shall waive all defenses which might be set up against the claim or lien of the State and

May enter into agreement.

Proviso.

shall submit to such terms of payment and settlement as the Commissioner or Director shall deem to be equitable and just and in the best interest of the State.

C. 54:36-6.2. Amount agreed on to be paid within time fixed.

2. Any such alteration, revision, compromise or settlement shall be null and void unless the amount agreed to be paid pursuant thereto shall be paid within the time or times fixed in said agreement and in such event all payments made thereunder shall belong to the State and shall be credited upon the arrears of taxes and interest or interest penalties due. Upon payment in full of the amount agreed to be paid pursuant to the terms of such agreement of alteration, revision, compromise or settlement, the person or persons so paying shall be entitled to receive a receipt for such payment in the manner and form provided by section 54:35–8 of the Revised Statutes, which shall be a proper voucher as provided therein, and the commissioner or the director shall issue a statement in the manner and form provided in section 54:35–9 of the Revised Statutes, which may be recorded in the manner and form therein set forth. If a judgment or decree has been entered in favor of the State of New Jersey, the commissioner or the director, upon payment of the amount agreed upon or upon determination that the assessment be canceled, shall execute and record a proper satisfaction of the lien, claim, judgment or decree in accordance with the facts.

C. 54:36-6.3. Provisions of this act construed.

3. The provisions of this act shall be construed to be additional legislation on the subject matter covered hereby and not as a revision or repeal of any other act relating to the same or similar subject matter. The provisions of this act shall be interpreted and construed liberally in order to accomplish the purpose thereof, and the commissioner and the director shall have, in addition to their other powers and those in this act specified, all such additional implied and incidental powers as shall be proper and necessary to effect and carry out the expressed intent and purpose of this act.

4. The provisions of this act shall be severable and if any part or provision thereof shall be declared to be unconstitutional, invalid or inoperative, in whole or in part, by a court of competent jurisdiction, this act and any part or provision thereof shall to the extent that it is not unconstitutional, invalid or inoperative, be enforced and effectuated, and the decision of the court shall not affect the validity or effectiveness of the remainder of the act or any part or provision thereof; and this act or any part or provision thereof shall not be deemed to be invalidated or made ineffectual to the extent that its operation is not unconstitutional, by reason of the fact that a court of competent jurisdiction may declare any particular application or applications or operation of this act or any part or provision thereof to be unconstitutional. C. 54:36-6.4. Provisions severable.

5. This act shall take effect immediately.

Approved April 10, 1945.

CHAPTER 128

AN ACT to amend "An act to establish a department of economic development, defining its functions, powers and duties, and providing thereby for the consolidation and co-ordination of post-war planning and activities, and making an appropriation therefor," approved April sixth, one thousand nine hundred and forty-four (P. L. 1944, c. 85).

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 amended to read as follows: Section amended.

3. The Economic Council shall consist of twelve members representing war veterans, industry, ag- C. 52:27C-3. Economic council.

riculture, labor, local government and the public generally. Each member shall be appointed by the Governor, by and with the advice and consent of the Senate, for a term of four years and until his successor is appointed and qualified, except that of those first appointed five shall be appointed for a term of two years. Members of the council shall serve without compensation, but shall be reimbursed for necessary expenses incurred in the performance of their duties. The chairman of the Economic Council shall be elected by the members thereof.

Section amended.

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

Department of veterans services.

4. There shall be within the department a division of veterans services, a division of municipal aid, a division of commerce, a division of planning and engineering and such other divisions as the commissioner may from time to time establish. Each division shall be under the supervision of a director who shall be a person qualified by training and experience to direct the work assigned to it; and two or more divisions may be consolidated by the commissioner. The director of each division shall be appointed by the Governor, by and with the advice and consent of the Senate. The term of office of each director in office, on the day on which this amendment takes effect, shall terminate on such day and each director thereafter appointed shall serve for a term of five years and until his successor shall be appointed and qualified. The compensation of each director shall be fixed by the commissioner, subject to the approval of the Governor. The commissioner may authorize one or more division heads to act for him and in his place, as his deputy or deputies, during his absence or disability.

3. This act shall take effect immediately.

Approved April 10, 1945.

CHAPTER 129

AN ACT to amend "An act to authorize the appointment of a special deputy surrogate," approved April twenty-six, one thousand nine hundred and thirty-eight (P. L. 1938, c. 97).

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 is amended to read as follows: Section amended.

1. The surrogate of each county may appoint under his hand and seal, from among the employees in his office, a competent person to be known as "special deputy surrogate," who shall hold office during the pleasure of the surrogate, but no longer than the term for which the surrogate has or shall have been elected, and shall receive in addition to his regular salary such compensation, payable by the county, not to exceed one thousand dollars ($1,000.00) per year, as shall be recommended by the surrogate and approved by the board of chosen freeholders of the county. C. 2:7-33. Appointment of special deputy surrogate.

2. This act shall take effect immediately.

Approved April 10, 1945.

CHAPTER 130

AN ACT concerning married women, and supplementing chapter two of Title 37 of the Revised Statutes, and validating certain contracts heretofore made by married women.

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

C. 37:2-16.1. Formation of partnerships with married woman.

1. Any married woman may contract with her husband alone or with her husband and any other person or persons for the formation of a partnership, a limited partnership or a partnership association, between or among them and may engage in, and carry on, business, as a general, or as a limited or special, partner, of any general or limited partnership or as a member of any partnership association, so formed, in the same manner and to the same extent as though she were unmarried, and may enter into contracts as such partner and shall be bound by contracts entered into by the other members of such partnership, limited partnership or partnership association, in the same manner and to the same extent as though she were unmarried, and any such contracts shall be legal and obligatory and may be enforced at law or in equity by and against such married woman, as though she were unmarried.

C. 37:2-16.2. Legal contract.

2. Any contract heretofore made by, or on behalf of, any married woman as a partner with her husband alone or with her husband and any other person or persons shall be legal and obligatory and may be enforced at law or in equity by or against such married woman as though she were unmarried.

3. This act shall take effect immediately.

Approved April 10, 1945.

CHAPTER 131

AN ACT concerning the institution and maintenance of actions in the right of any domestic or foreign corporation by the holders of shares or voting trust certificates, and supplementing chapter three of Title 14 of the Revised Statutes.

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

C. 14:3-15. Right of shareholder to bring action.

1. In any action instituted or maintained in the right of any domestic or foreign corporation by the holder or holders of shares, or of voting trust certificates representing shares, of such corporation having a total par value or stated capital value of less than five per centum (5%) of the aggregate par value or stated capital value of all the outstanding shares of such corporation's stock of every class, exclusive of shares held in the corporation's treasury, unless the shares or voting trust certificates held by such holder or holders have a market value in excess of fifty thousand dollars ($50,000.00), the corporation in whose right such action is brought shall be entitled, at any stage of the proceeding before final judgment, to require the complainant or complainants to give security for the reasonable expenses, including counsel fees, which may be incurred by it in connection with such action and by the other parties defendant in connection therewith for which it may become subject pursuant to law, its certificate of incorporation, its by-laws or under equitable principles, to which the corporation shall have recourse in such amount as the court having jurisdiction shall determine upon the termination of such action. The amount of such security may thereafter, from time to time, be increased or decreased in the discretion of the court having jurisdiction of such action upon showing

that the security provided has or may become inadequate or is excessive.

C. 14:3-16. Complainant shareholder.

2. In any action, suit or proceeding brought or maintained in the right of a domestic or foreign corporation by the holder or holders of shares, or of voting trust certificates representing shares, of such corporation, it must be made to appear that the complainant was a shareholder or the holder of a voting trust certificate at the time of the transaction of which he complains or that his share or voting trust certificate thereafter devolved upon him by operation of law.

C. 14:3-17. Effective.

3. This act shall take effect immediately and shall apply to all such actions, suits or proceedings now pending in which no final judgment has been entered, and to all future actions, suits and proceedings.

Approved April 10, 1945.

CHAPTER 132

AN ACT concerning taxation, providing for the taxation of insurance companies, individuals, partnerships and unincorporated associations transacting the business of insurance in this State as insurers, supplementing Title 54 of the Revised Statutes, amending sections 54:4–20, 54:4–22, 54:13–1, 54:13–11, 54:13–15 and 54:17–4 of the Revised Statutes, and repealing sections 17:32–7, 17:32–12, 54:4–21, 54:13–13, 54:13–14, 54:17–1, 54:17–2 and 54:17–3 of the Revised Statutes.

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

C. 54:18A-1. Annual tax.

1. Every stock, mutual and assessment insurance company organized or existing under any general or special law of this State, and every stock, mu-

tual and assessment insurance company organized or existing under the laws of another State or foreign country and transacting business in this State shall pay to the Director of the Division of Taxation an annual tax, in each calendar year on or before the first day of June, in the amount specified in sections two and three of this act.

C. 54:18A-2. Rate of tax as to certain companies.

2. The tax specified in section one of this act, except as to life insurance companies and except as to marine insurance as described by chapter sixteen of Title 54 of the Revised Statutes, shall be two per centum (2%) upon the taxable premiums collected by such company during the year ending December thirty-first next preceding on all business of the company in this State, less the amount of any franchise taxes and taxes on its property, exclusive of taxes on real estate and of taxes payable pursuant to this section, paid in this State by the company pursuant to any law of this State during the said year. Any taxes paid to the treasurer of any firemen's relief association of this State pursuant to section 54:18–1 of the Revised Statutes shall be considered a part of the tax payable under this act.

C. 54:18A3. Tax rate as to life insurance companies.

3. The tax specified in section one of this act as to life insurance companies, shall be two per centum (2%) upon the taxable premiums collected by the company during the year ending December thirty-first next preceding under all policies or contracts of insurance on residents of this State and one per centum (1%) upon the taxable considerations collected by the company during the said year under annuity contracts on residents of this State, less the amount of any franchise taxes and taxes on its property, exclusive of taxes on real estate and of taxes payable pursuant to this section, paid in this State by the company pursuant to any law of this State during the said year; *provided, however,* that no such deduction on account of any such franchise or property taxes so paid shall be made from the tax payable pursuant to this section in the calendar year one thousand nine hundred and

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forty-five; *and provided further,* that such deduction from the tax payable pursuant to this section in each of the calendar years one thousand nine hundred and forty-six to one thousand nine hundred and fifty-four, inclusive, shall be, respectively, twenty per centum (20%) in the year one thousand nine hundred and forty-six, twenty-five per centum (25%) in the year one thousand nine hundred and forty-seven, thirty-five per centum (35%) in the year one thousand nine hundred and forty-eight, forty per centum (40%) in the year one thousand nine hundred and forty-nine, forty-five per centum (45%) in the year one thousand nine hundred and fifty, fifty per centum (50%) in the year one thousand nine hundred and fifty-one, sixty-five per centum (65%) in the year one thousand nine hundred and fifty-two, seventy-five per centum (75%) in the year one thousand nine hundred and fifty-three, and ninety per centum (90%) in the year one thousand nine hundred and fifty-four of the amount of such franchise and property taxes so paid during each of the respective preceding years one thousand nine hundred and forty-five to one thousand nine hundred and fifty-three, inclusive.

C. 54:18A-4. Taxable premiums.

4. Subject to the provisions of section six of this act, the taxable premiums collected, as specified in section two hereof, shall consist of all gross premiums, policy fees, premium deposits and assessments provided for by the respective policies or contracts and collected by the company, except reinsurance, less the amount of premiums, policy fees, premium deposits and assessments returned to the insured during the year on policies canceled, except reinsurance, and less any so-called dividends or unused or unabsorbed portion of all premiums, policy fees, premium deposits or assessments returned or credited to policyholders during the year for which the tax is determined.

C. 54:18A-5. Gross contract premiums.

5. Subject to the provisions of section six of this act, the taxable premiums and taxable considerations, as specified in section three of this act, are

hereby defined to be gross contract premiums and gross considerations, less the sum of the following:

(a) Premiums received for reinsurance assumed and premiums or considerations (but excluding cash surrender values) returned on policies or contracts,

(b) Dividends paid in cash, used by policyholders in payment of renewal premiums, or left on deposit with the company, and

(c) Discount on premiums paid in advance.

C. 54:18A-6.

6. In the event that the taxable premiums collected by any company, as specified in sections two and three of this act, during any year ending December thirty-first, exceed twelve and one-half per centum (12½%) of the total premiums collected by the company during the same year on all policies and contracts of insurance, whenever and wherever issued, the taxable premiums of such company shall not exceed a sum equal to twelve and one-half per centum (12½%) of such total premiums calculated as specified in sections four and five of this act.

Taxable premiums not to exceed sum equal to 12½% of total premiums.

C. 54:18A-7.

Taxes payable.

7. The taxes imposed by this act shall be first payable in the year one thousand nine hundred and forty-five on the basis of taxable premiums and taxable considerations collected during the year ending December thirty-first, one thousand nine hundred and forty-four; *provided, however,* that any taxes paid prior to the effective date of this section or payable prior to the effective date of this section and subsequently paid under any law of this State in force on the effective date of this section, assessed on the basis of premiums and considerations collected during the year ending December thirty-first, one thousand nine hundred and forty-four, or on the basis of the net value of policies in force on December thirty-first, one thousand nine hundred and forty-four, shall be credited against the taxes imposed by section three of this act.

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C. 54:18A-8. Annual report.

8. Every insurance company subject to the provisions of this act shall, on or before the first day of March of each year, make to the Commissioner of Banking and Insurance an annual report, signed and sworn to by an officer of the company, or by its United States manager, if a company of a foreign country, in such form and containing such matters as may be necessary for the carrying out of the provisions of this act. The commissioner shall annually, on or before the first day of May of each year, ascertain and report to the Director of the Division of Taxation all facts necessary to enable the Director of the Division of Taxation to ascertain, fix and collect the amount to be paid by each company subject to the tax imposed by this act.

Section amended.

9. Section 54:4–20 of the Revised Statutes is amended to read as follows:

Taxed on full value of property.

54:4–20. Associations or corporations of this State whose business is that of the assurance on lives shall be assessed and taxed upon the full amount or value of their property, exclusive of real estate and exclusive of all shares of stocks owned by such life insurance company and exclusive of nontaxable property and of property exempt from taxation, deducting from such amount or value the amount of their debts and liabilities. Such amount or value of property to be assessed and taxed and the amount or value of such debts and liabilities to be deducted therefrom shall be as the same are reported in the annual statement of such company for the calendar year next preceding the date of such assessment and filed with the Department of Banking and Insurance of the State of New Jersey. To ascertain such amount a statement of the amount or value of such properties and of such debts and liabilities of the association or corporation as they existed on the next preceding December thirty-first shall be annually made to the assessor or taxing officer in the taxing district where the principal office of the association or corporation is located, upon the oath of the president, secretary or treasurer, or other officer of the association or corporation. In

stating the liabilities on policies the basis of the statement shall be the value of the policies at the date above mentioned in this section and not the gross amount insured thereby, and the value shall be according to the computation thereof by the Commissioner of Banking and Insurance of this State by such standard of valuation as may be adopted and used by him at the time the computation shall be made according to law; *provided, however,* the assessment of such property of any life insurance company subject to the provisions of this section in the years one thousand nine hundred and forty-five to one thousand nine hundred and fifty-one, inclusive, on which shall be based the tax payable pursuant to this section by such company in each of the years one thousand nine hundred and forty-six to one thousand nine hundred and fifty-two, inclusive, respectively, shall be not less than a minimum of ninety per centum (90%) in the year one thousand nine hundred and forty-five, eighty per centum (80%) in the year one thousand nine hundred and forty-six, seventy-five per centum (75%) in the year one thousand nine hundred and forty-seven, seventy per centum (70%) in the year one thousand nine hundred and forty-eight, sixty-five per centum (65%) in the year one thousand nine hundred and forty-nine, sixty per centum (60%) in the year one thousand nine hundred and fifty, and fifty per centum (50%) in the year one thousand nine hundred and fifty-one of the net surplus of such company, as herein defined, computed from the annual statement of such company for the calendar year next preceding the date of such assessment; and such assessment in the year one thousand nine hundred and fifty-two and in any subsequent year, on which shall be based the tax payable pursuant to this section by such company in the year one thousand nine hundred and fifty-three and in any subsequent year, respectively, shall be not less than a minimum of fifty per centum (50%) of such net surplus, as herein defined, computed from the annual statement of such company

for the calendar year one thousand nine hundred and fifty plus thirty per centum (30%) of the amount by which such net surplus, as herein defined, computed from the annual statement of such company for the respective calendar year next preceding the date of such assessment exceeds the net surplus, as herein defined, computed from said annual statement of such company for the calendar year one thousand nine hundred and fifty, except that in the event such net surplus, as herein defined, computed from the annual statement of such company for the respective calendar year next preceding the date of such assessment shall not exceed the net surplus, as herein defined, computed from said annual statement of such company for the calendar year one thousand nine hundred and fifty, then such minimum assessment herein provided for shall not exceed fifty per centum (50%) of the net surplus, as herein defined, computed from the annual statement of such company for the respective calendar year next preceding the date of such assessment. The "net surplus" of such company, for all purposes of this section, is hereby defined as the sum of the paid-up capital and the surplus which represents the excess of the assets over the total of all liabilities of such company, as the same are reported in the annual statement of such company for any specified calendar year and filed with the Department of Banking and Insurance of the State of New Jersey, after deducting from said sum of the paid-up capital and the surplus the asset value of all New Jersey real estate as included in such annual statement, or the asset value of securities amounting to six hundred thousand dollars ($600,000.00), whichever is greater. The capital stock in any such company shall not be regarded for the purposes of this act as a liability, and no part of the amount thereof shall be deducted. The real estate of the corporation shall be separately assessed and taxed where it is located, and no tax shall be assessed against the association or corpo-

ration on personal property in any other taxing district.

10. Section 54:4–22 of the Revised Statutes is amended to read as follows: Section amended.

54:4–22. Every stock insurance company organized under the laws of this State, other than a life insurance company, shall be assessed and taxed in the taxing district where its office is situated, upon the full amount or value of its property (exclusive of real estate and tangible personal property, which shall be separately assessed and taxed where the same is located, and exclusive of all shares of stock owned by such insurance company and exclusive of nontaxable property and of property exempt from taxation), deducting from such amount or value all debts and liabilities certain and definite as to obligation and amount, and the full amount of all reserves for taxes, and such proportion of the reserves for unearned premiums, losses and other liabilities as the full amount or value of its taxable intangible property bears to the full amount or value of all its intangible property; *provided, however,* the assessment against the intangible personal property of any stock insurance company subject to the provisions of this section shall in no event be less than fifteen per centum (15%) of the sum of the paid-up capital and the surplus in excess of the total of all liabilities of such company, as the same are stated in the annual statement of such company for the calendar year next preceding the date of such assessment and filed with the Department of Banking and Insurance of the State of New Jersey, after deducting from such total of capital and surplus the amount of all tax assessments against any and all real estate, title to which stands in the name of such company. Company taxed in taxing district. Proviso.

The capital stock in any such company shall not be regarded for the purposes of this act as a liability and no part of the amount thereof shall be deducted, and the person or persons or corporations holding the capital stock of such company shall not be assessed or taxed therefor.

Section amended.

Domestic corporations subject to franchise tax.

11. Section 54:13–1 of the Revised Statutes is amended to read as follows:

54:13–1. All domestic corporations shall be subject to an annual license fee or franchise tax as hereinafter in this article provided, except:

a. Corporations subject to a tax under the provisions of article two of this chapter, or a tax assessed upon the basis of gross receipts;

b. Railway, canal or banking corporations, savings banks, cemeteries, or religious corporations, or purely charitable or purely educational associations not conducted for profit;

c. Corporations subject to a tax under the provisions of chapter seven of the laws of one thousand nine hundred and thirty-eight, or chapter eight of the laws of one thousand nine hundred and thirty-eight, or any statute or law imposing a similar tax or taxes;

d. Corporations excepted from tax hereunder by section 54:13–7 of this Title;

e. Stock, mutual and assessment insurance companies.

Section amended.

Certain companies to pay tax.

12. Section 54:13–11 of the Revised Statutes is amended to read as follows:

54:13–11. The following companies shall pay an annual tax, for the use of the State, by way of a license for corporate franchises, as provided by this article:

a. Every telegraph, telephone or cable company not subject to tax under chapter thirty-one of this Title (§54:31–1 et seq.), and every express company not owned by a railroad company and otherwise taxed;

b. Every palace, parlor or sleeping car company;

c. Every dam power company organized under the provisions of article two of chapter fourteen of the Title, Public Utilities (§48:14–4 et seq.), and every gas company and electric

light company, not subject to tax under said chapter thirty-one;

d. Every oil or pipe line company not subject to tax under said chapter thirty-one.

13. Section 54:13–15 of the Revised Statutes is amended to read as follows: Section amended.

54:13–15. The license fee or franchise tax on each corporation enumerated in paragraphs "a" and "b" of section 54:13–11 of this Title shall be computed at the rate of two per centum (2%) upon the gross amount of its receipts returned or ascertained as provided in section 54:13–12 of this Title. Rate of tax.

The license fee or franchise tax on each corporation enumerated in paragraph "c" of said section 54:13–11 shall be computed at the rate of one-half of one per centum (½ of 1%) upon the amount of its gross receipts returned or ascertained as provided in said section 54:13–12, and five per centum (5%) upon the dividends in excess of four per centum (4%) declared or paid by such corporation.

The license fee or franchise tax on each oil or pipe line company mentioned in said section 54:13–11 shall be computed at the rate of eight-tenths of one per centum (8/10 of 1%) upon the gross amount of its receipts returned or ascertained as provided in said section 54:13–12 or upon such proportion of the gross receipts so returned or ascertained as the length of its line in this State bears to the whole length of its line.

14. Section 54:17–4 of the Revised Statutes is amended to read as follows: Section amended.

54:17–4. All moneys received by the State Tax Commissioner from insurance companies of other States and countries on account of the tax of two per centum (2%) on premiums for fire insurance, and all payments in lieu of that tax, required by law to be made by such companies, shall be distributed by him as follows: Distribution of tax.

The commissioner shall from time to time in each year, out of the moneys above referred to, pay over to the treasurer of the board of managers of the Payment to New Jersey firemen's home.

New Jersey firemen's home, such sums as the managers, by resolution approved by the Governor, shall demand and require for the proper conduct of the home.

Balance paid to State Treasurer.

After the demands and requirements of the home upon said moneys in any year have been met and discharged or provided for, the balance thereof remaining in the hands of the commissioner shall be paid to the treasurer of the New Jersey State Firemen's Association or to the treasurer of any local relief association organized and existing under the provisions of chapter seventeen of the Title, Pensions and Retirement and Unemployment Compensation (§43:17–1 et seq.), upon the duly authenticated order of the executive committee of the New Jersey State Firemen's Association in such amounts and at such time as may be required.

Sections repealed.

15. Sections 17:32–7, 17:32–12, 54:13–13, 54:13–14, 54:17–1, 54:17–2 and 54:17–3 of the Revised Statutes and all acts and parts of acts inconsistent with this act are hereby repealed, and upon the effective date of section nine of this act, section 54:4–21 of the Revised Statutes is hereby repealed.

C. 54:18A-9. Not to apply to fraternal beneficiary society.

16. This act shall not apply to any fraternal beneficiary society. For the purposes of this act, "insurance company" shall include a corporation, and any person, partnership or unincorporated association required as an insurer to procure from the Commissioner of Banking and Insurance the certificate prescribed by section one of an act entitled "An act to regulate the transaction of the business of insurance by individuals, partnerships and unincorporated associations in this State" approved July eleventh, one thousand nine hundred and thirty-nine (P. L. 1939, c. 188), or under any other statute now in force or hereafter enacted, engaging in any kind or kinds of business specified in section 17:17–1 of the Revised Statutes, subject to the insurance laws of this State; *provided, however,* that no company or society which by its act or certificate of incorporation has for its object the assistance of sick, needy or disabled members, the

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defraying of funeral expenses of deceased members and the provision for the wants of the widows and families of members after death, shall be deemed an insurance company within the purview of this act.

C. 54:18A-10. If any provision unconstitutional.

17. If any section of this act, or any provision thereof, shall be declared to be unconstitutional, invalid or inoperative, in whole or in part, by a court of competent jurisdiction, such section or provision shall, to the extent that it is not unconstitutional, invalid or inoperative, be enforced and effectuated, and no such determination shall be deemed to invalidate or make ineffectual the remaining sections or provisions.

C. 54:18A-11.

18. This act shall take effect immediately; except section nine which shall take effect July first, one thousand nine hundred and forty-five.

Approved April 10, 1945.

CHAPTER 133

AN ACT concerning the sale of lands by boards of education in certain townships, incorporated towns, boroughs and cities, and amending section 18:7–73 of the Revised Statutes.

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

Section amended.

1. Section 18:7–73 of the Revised Statutes is amended to read as follows:

May purchase and improve school grounds.

18:7–73. With the previous authority of a vote of the legal voters of the district, a board may purchase and improve school grounds; erect, lease, enlarge, improve, repair or furnish school buildings and borrow money therefor with or without mortgage. A board of education may sell or dispose of any of its real estate, or rights or interest therein, which cease to be suitable or convenient for the use for which they were acquired or which are

no longer needed for school purposes, in the manner set forth in sections 18:5–25 to 18:5–29, both inclusive, of this Title.

2. This act shall take effect immediately.

Approved April 10, 1945.

CHAPTER 134

AN ACT validating proceedings and decrees in causes for the foreclosure of tax sale certificates by municipalities in certain cases.

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

Proceedings not invalidated.

1. No proceedings in and no final decree in any cause for the foreclosure of a tax sale certificate heretofore had or entered wherein any municipality is the complainant shall be invalidated or impaired by reason of the fact that the complainant has made the husband of a female defendant a party defendant by designating such husband by the surname of such female defendant, prefixed by "Mr." and followed by the words "her husband," instead of designating such husband as a party defendant in the manner specifically provided by law;

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provided, that an affidavit of the complainant or its solicitor, annexed to the bill of complaint and filed therewith sets forth substantially that notwithstanding diligent and careful inquiry therefor, as in the case of absent defendants, the affiant has been unable to ascertain whether such female defendant is married and it is thought necessary or proper to make the husband, if any, of such female defendant a party defendant; and in such case every such proceeding and final decree shall be as valid, binding and conclusive in all respects as it would have been had such husband, if any, been made a party in the manner specifically provided by law.

2. This act shall take effect immediately.

Approved April 10, 1945.

CHAPTER 135

AN ACT concerning procedure in the district courts, and supplementing chapter thirty-two of Title 2 of the Revised Statutes.

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

C. 2:32-153.1. Constable to make report.

1. A constable to whom any execution is delivered for execution shall make report to the party, or attorney of the party, issuing same and request further instructions before returning the execution marked "no levy" or "unsatisfied."

2. This act shall take effect immediately.

Approved April 10, 1945.

CHAPTER 136

AN ACT concerning procedure in district courts, and supplementing chapter thirty-two of Title 2 of the Revised Statutes.

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

C. 2:32-302.1. Judgment by default.

1. Judgment for possession in replevin on behalf of the plaintiff may be entered on affidavit, as in cases on contract, where the defendant fails to enter an appearance.

2. This act shall take effect immediately.

Approved April 10, 1945.

CHAPTER 137

AN ACT to amend "An act concerning the assessment and collection of taxes, and supplementing chapter four of Title 54 of the Revised Statutes," approved December twenty-seventh, one thousand nine hundred and forty-one (P. L. 1941, c. 397).

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

Section amended.

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

C. 54:4-63.2. Property sold or improved after October first.

2. When any parcel of real property has been sold by any municipality as not needed for public use, and the deed has been delivered after October first in any year and before January first following, or when any parcel of real property contains any building or other structure which has been erected, added to or improved after October first in any year and completed before January first following, the assessor shall, after examination and inquiry, determine the full and fair value of such parcel of real property as of said January first, and if such parcel of real estate was not assessed as of October first preceding or if such value so determined exceeds the assessment made as of October first preceding, the assessor shall enter the amount of such assessment or such excess, as an assessment or an added assessment against such parcel of real property, in a list to be known as the "Added Assessment List, 19" (inserting the name of the year in which the assessment is made); such entry to be made opposite the name of the owner and the description and area of the parcel of real property.

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

C. 54:4-63.3. Property sold between January first and October first.

3. When any parcel of real property has been sold by any municipality as not needed for public use, and the deed has been delivered between January first and October first in any year, or when any parcel of real property contains any building or other structure which has been erected, added to or improved after October first and completed between January first and October first following, the assessor shall, after examination and inquiry, determine the full and fair value of such parcel of real property as of the first of the month following the date of the delivery of such deed, or of such completion, and if such property was not assessed as of October first preceding or, if such value so determined exceeds the assessment made as of October first preceding, the assessor shall enter an assessment, as an added assessment against such parcel of real property, in the "Added Assessment List, 19," which assessment shall be determined as follows: by multiplying the amount of such assessment or such excess by the number of whole months remaining in the calendar year after the date of delivery of such deed, or of such completion, and dividing the result by twelve.

3. This act shall take effect immediately.

Approved April 10, 1945.

CHAPTER 138

AN ACT concerning municipalities, and amending section 40:46–6.1 of the Revised Statutes.

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

Section amended.

1. Section 40:46–6.1 of the Revised Statutes is amended to read as follows:

Term of office.

40:46–6.1. Any person who shall be appointed or elected to the position or office of tax collector in any municipality in this State shall hold his office for a period of four years from the first day of January next following his election or appointment. This act shall not apply to any appointment to fill a vacancy which shall run for the unexpired term and until the qualification of a successor.

Tax collector.

The term "tax collector" as used in this section shall be construed to mean and include the official charged with the duty of collecting taxes upon real and personal property in each municipality of this State.

Nothing herein contained shall be taken to affect or repeal any of the provisions of subtitle three of the Title, Civil Service (§11:19–1 et seq.).

2. This act shall take effect immediately.

Approved April 10, 1945.

CHAPTER 139

AN ACT concerning the incorporation and management of congregations or parishes of the Russian Orthodox Greek Catholic Church of North America, and supplementing Title 16 of the Revised Statutes.

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

C. 16:15A-1. Russian Church in America.

1. As used in this chapter, "Russian Church in America" means that group of churches, cathedrals, chapels, congregations, societies, parishes, committees and other religious organizations of the Eastern Confession (Eastern Orthodox or Greek Catholic Church) which were known as (a) Russian American Mission of the Russian Orthodox Church from in or about one thousand seven hundred and ninety-three to in or about one thousand eight hundred and seventy; (b) Diocese of Alaska and the Aleutian Islands of the Russian Orthodox Church from in or about one thousand eight hundred and seventy to in or about one thousand nine hundred and four; (c) Diocese of North America and Alaska of the Russian Orthodox Church from in or about one thousand nine hundred and four to in or about one thousand nine hundred and twenty-four; and (d) Russian Orthodox Greek Catholic Church of North America since in or about one thousand nine hundred and twenty-four and were subject to the jurisdiction of the Most Sacred Synod in Moscow until in or about one thousand nine hundred and seventeen, later the Partriarchate of Moscow but now constitute an autonomous metropolitan district pursuant to resolutions adopted at a general convention (sobor) of said district held at Detroit, Michigan, on or about or between April second to fourth, one thousand nine hundred and twenty-four.

Russian Orthodox Church.

As used in this chapter, a "Russian Orthodox church" is a congregation or parish founded and established for the purpose and with the intent of adhering to, and being subject to the jurisdiction of, the Russian Church in America.

C. 16:15A-2. Incorporation.

2. Any unincorporated Russian Orthodox church in this State may incorporate by executing a certificate setting forth the name by which such church shall be known, its principal place of worship, the number of its trustees and the names of the trustees and their terms of office. There shall be attached to such certificate the permission to incorporate signed by the metropolitan archbishop or other primate or hierarch of the Russian Church in America or by a locum tenens acting in his place. Such certificate shall be executed by not less than six lay members of the church and shall be acknowledged or proved in the same manner as deeds of real estate.

The certificate shall be filed and recorded forthwith in the office of the clerk of the county in which the church is or is to be located, whereupon such church shall be a corporation by the name stated in the certificate.

C. 16:15A-3. Have certain powers.

3. Every Russian Orthodox church incorporated or reincorporated under this chapter shall have all of the powers enumerated in section 16:1–4 of this Title except as hereinafter specifically provided.

C. 16:15A-4. Subject to the jurisdiction of the general convention.

4. Every Russian Orthodox church in this State, whether heretofore or hereafter incorporated, and whether incorporated or reincorporated pursuant to this chapter or any other chapter of this Title, or any general or private law, shall recognize and be and remain subject to the jurisdiction and authority of the general convention (sobor), metropolitan archbishop or other primate or hierarch, the council of bishops, the metropolitan council and other governing bodies and authorities of the Russian Orthodox Church in America, pursuant to the statutes for the government thereof adopted at a general convention (sobor) held in the city of New

York on or about or between October fifth to eighth, one thousand nine hundred and thirty-seven, and any amendments thereto and any other statutes or rules heretofore or hereafter adopted by a general convention (sobor) of the Russian Orthodox Church in America and shall in all other respects conform to, maintain and follow the faith, doctrine, ritual, communion, discipline, canon law, traditions and usages of the Eastern Confession (Eastern Orthodox or Greek Catholic Church).

C. 16:15A-5. Trustees.

5. The trustees of every Russian Orthodox church shall have the custody and control of all the temporalities and property, real and personal, belonging to such church and of the revenues therefrom and shall administer the same in accordance with the by-laws of such church, the normal statutes for parishes of the Russian Orthodox Church in America approved at a general convention (sobor) thereof held at Cleveland, Ohio, on or about or between November twentieth to twenty-third, one thousand nine hundred and thirty-four, and any amendments thereto and all other rules, regulations and usages of the Russian Church in America.

C. 16:15A-6. Reincorporate.

6. Any heretofore incorporated Russian Orthodox church may reincorporate under the provisions of this chapter by filing in the office of the clerk of the county in which its principal place of worship is located a certificate, signed by the trustees in office at the time of such reincorporation, or a majority of them, stating that they desire to reincorporate under the provisions of this chapter, the corporate name by which such church shall be known, its principal place of worship, the number of its trustees and their names and terms of office. Such certificate shall be acknowledged or proved in the same manner as deeds of real estate. Immediately upon the filing and recording of such certificate all of the right, title and interest of such church in any real or personal property and all of its franchises and charter rights shall be vested in the corporation so created, subject to all legal liabil-

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ities of such church, and the original incorporation of such church shall be null and void.

7. This act shall take effect immediately.

Approved April 11, 1945.

CHAPTER 140

AN ACT concerning the dissolution and liquidation of building and loan associations of this State, and amending section 17:12–83 of the Revised Statutes.

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

Section amended.

1. Section 17:12–83 of the Revised Statutes is amended to read as follows:

Powers.

17:12–83. In addition to such other powers as they may exercise, pursuant to statute or otherwise, the trustees may:

Meet and act under the constitution.

a. Meet and act under the constitution of the association to the same extent as the board of directors or managers thereof, and under regulations to be made by a majority of them;

Employ agents.

b. Employ such agents or employees, and retain counsel, to assist them in the liquidation and distribution of the assets of the association as they may deem proper, and pay such agents or employees and counsel such reasonable compensation as they shall determine;

Maintain actions.

c. Demand, sue for, collect, receive and take into their possession, all the goods, chattels, rights and credits, moneys and effects, real estate, books, papers, choses in action, bills, notes, bonds and mortgages, and any other property of any and every description, belonging to the association;

d. Acquire by purchase any real or personal property encumbered by a mortgage forming a part of the assets of the association at a sale of such property upon foreclosure of the mortgage; Acquire encumbered property.

e. Acquire by purchase any real or personal property at a sale thereof in satisfaction of any judgment, decree, or other lien forming a part of the assets of the association; Acquire property by sale.

f. Acquire any real or personal property encumbered by a mortgage forming a part of the assets of the association through the acceptance of a deed or bill of sale to such property in lieu of foreclosure of such mortgage; Acquire property by deed.

g. Acquire any real or personal property in satisfaction of any debt due the association; Acquire property in satisfaction of debt.

h. Sell or convey, without application to or order of court therefor, any real or personal property of the association, upon such terms and conditions as they shall determine. Payment of the purchase price may be deferred upon such sale or conveyance, for a period not to exceed five years, and security may be accepted for the unpaid purchase price. All or part of the consideration for such sale or conveyance may be paid in shares of the association at a valuation fixed by the trustees; *provided, however,* that in the event that the value of said shares to be used for the consideration constitute more than twenty-five per centum (25%) of the entire consideration, then and in that event said sale or conveyance shall not be made except upon approval of the court after application duly made therefor by the trustees; Sell or convey.

i. Make any contract necessary or convenient to effect the sale, conveyance, purchase or acquisition of any real or personal property, the sale, conveyance, acquisition or purchase of which is authorized by this article; Contract to sell.

j. Apply for and accept a loan or loans of money from any source in or out of the State, including any officer, board, commission, corporation or body created by the Federal Government, without limitation as to amount, on the bond, note, mortgage or Accept loans.

other evidence of indebtedness of the association, and upon such terms as the trustees shall by a majority, from time to time determine, and pledge as security for the repayment of any loan or loans so made, all or any part of the securities or assets of the association, but no loan so made shall be construed as the personal obligation of the trustees or any of them; *provided, however,* that the trustees shall not pay any so-called service charge or bonus for obtaining the loan or loans of money, as aforesaid, but nothing herein contained shall be construed to prevent the payment of ordinary and reasonable legal and search fees as may be required for such loan or loans;

Contract for letting.

k. Make any contract for the letting of any real property for a period not to exceed three years;

Compromise with borrowers.

l. Compromise and settle with the borrowers of the association, and to any other thing necessary to wind up the association's affairs, and, after paying all allowances, expenses and costs and satisfying all debts presented to them, the trustees, shall divide the moneys and other property among the members, as far as the money and property shall enable them, proportionately, according to their respective claims, interests or demands.

Nothing herein contained shall divest the commissioner of the jurisdiction and supervision vested in him over the association.

2. This act shall take effect immediately.

Approved April 11, 1945.

CHAPTER 141

AN ACT concerning building and loan associations, and amending section 17:12–82 of the Revised Statutes.

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

1. Section 17:12–82 of the Revised Statutes is amended to read as follows: Section amended.

17:12–82. If the members adopt the resolution at such meeting or any adjourned meeting, they shall, by the vote of a majority of those present and voting in person or by proxy, elect at least three trustees from among the members of the association to wind up and liquidate the affairs of the association. No more than three trustees shall be elected unless the written consent of the commissioner for the election of a greater number is previously obtained by the directors. No one who has served as a director or an officer of such association prior to the date of election of trustees, unless prior to such election there has been filed with the secretary the approval by the commissioner of such person's candidacy for trustee, shall be elected a trustee, nor shall any member of the association whose obligation to the association is in default at the date of election of trustees be elected a trustee. Each trustee shall, before entering upon his duties, give a bond to the association, in the sum the commissioner shall fix, conditioned for the faithful performance of his duties, which bonds shall be filed in the commissioner's office. The Court of Chancery may, upon the application of the commissioner, remove any of the trustees for cause and appoint another or others in his or their place, and in case of any vacancy caused by the failure of a trustee to qualify, or otherwise, may fill it. No person who is not a member of the association shall be appointed

Election of trustees.

Approval of candidacy.

Bond.

Court may remove trustee for cause.

trustee unless it shall be made to appear to the court that no member who consents to accept the trust is qualified to act. Everything required by sections 17:12–81 to 17:12–88 of this Title to be done by the trustees shall be good and effectual to all intents and purposes if performed by a majority. The election or appointment of trustees pursuant to sections 17:12–81 and 17:12–82 of this Title shall not operate to divest the association of title to any real or personal property, or to vest title in the trustees or any of them.

2. This act shall take effect immediately.

Approved April 11, 1945.

CHAPTER 142

AN ACT concerning building and loan associations, and amending section 17:12–45 of the Revised Statutes.

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

Section amended.

1. Section 17:12–45 of the Revised Statutes is amended to read as follows:

Limiting mortgage loans.

17:12–45. No association having mortgage loans outstanding in excess of one hundred thousand dollars ($100,000.00) shall lend on mortgage on a real property unit an amount in excess of ten per centum (10%) of its total mortgage loans outstanding, and associations having mortgage loans outstanding of one hundred thousand dollars ($100,000.00) or less shall not lend on any property more than ten thousand dollars ($10,000.00). No loan on bond and mortgage shall hereafter be made by any such association to an officer, director, attorney or employee of such association nor upon the security of any real estate in the ownership of which any such

officer, director, attorney or employee has any direct or indirect legal or equitable interest, except for the bona fide financing of the home of such officer, director, attorney or employee, nor shall any such loan be made to any corporation in which an officer, director, attorney or employee of such association is an officer, director, employee or stockholder. Loans on bond and mortgage hereafter made by any such association shall be limited to loans upon real estate used or to be used wholly or partially for dwelling purposes.

3. This act shall take effect immediately.

Approved April 11, 1945.

CHAPTER 143

AN ACT concerning building and loan associations, and amending section 17:12–30 of the Revised Statutes.

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

1. Section 17:12–30 of the Revised Statutes is amended to read as follows: Section amended.

17:12–30. No real estate shall be purchased by the association or any loan made on bond and mortgage, except upon a report in writing of not less than three appraisers, at least one of whom shall be an officer or director of the association, or upon the report of an independent, qualified appraiser not an officer, director or employee of the association, appointed by the board of directors, but should the said purchase price or mortgage loan be over ten thousand dollars ($10,000.00), the report must be by the three appraisers and the independent qualified appraiser aforesaid. The report shall be signed by each such appraiser, certifying to the value of the real estate in question to Report of three appraisers.

the best of his judgment. The report shall be filed and preserved among the records of the association.

2. This act shall take effect immediately.

Approved April 11, 1945.

CHAPTER 144

AN ACT concerning building and loan associations, and amending section 17:12–29 of the Revised Statutes.

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

Section amended.

1. Section 17:12–29 of the Revised Statutes is amended to read as follows:

Appointment of examining committee.

17:12–29. The board of directors shall annually appoint a committee of not less than three members of the board who are not officers of the association, to be designated the examining committee. The committee shall cause to be made by a competent accountant, not an officer, director or employee of the association, or by a Federal or State supervisory authority, in a manner and form approved by the commissioner, a thorough audit of the association, including a verification of at least twenty per centum (20%) in number of shareholders' accounts. At least one such audit shall be made in each calendar year. A written report of each such audit shall be made and certified to or sworn to by the person making such audit and one copy thereof shall be retained by the association and another copy thereof filed with the commissioner within sixty days after the completion of such audit. In the event that the board of directors fail to appoint an examining committee, or provide for the making of a proper audit by a competent accountant not an

Written report filed with commissioner.

officer, director or employee of the association, or in the event that the required audit is not properly made, prepared or filed, then in such case it shall be the duty of the Commissioner of Banking and Insurance to make, or cause to be made, a thorough audit in the manner and form approved by the commissioner. A copy of the report shall be kept on file at the offices of the association and shall be subject to inspection during ordinary business hours by any shareholder of such association.

2. This act shall take effect immediately.

Approved April 11, 1945.

CHAPTER 145

AN ACT concerning the recording and cancellation of mortgages made to building and loan associations, and amending section 46:18–8 of the Revised Statutes.

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

1. Section 46:18–8 of the Revised Statutes is amended to read as follows: Section amended.

46:18–8. No mortgage given to any building and loan association shall be canceled of record by the county recording officer of any county unless there shall be indorsed upon such mortgage an authorization to cancel the same, over the signature of the president or vice-president and secretary or treasurer of such association, with its corporate seal affixed thereto. Upon cancellation, or satisfaction as hereinafter set forth, of such mortgage, the recording officer forthwith shall notify, in writing, the Commissioner of Banking and Insurance, that such mortgage has been canceled, or satisfied and the date of recording of such cancellation, or satisfac- Cancellation of mortgage. Commissioner notified of cancellation.

tion. Said notice shall contain an adequate description of such mortgage, including the names of the parties, date of recording, the book and page wherein such mortgage is recorded, in order to properly identify the same.

Cancellation of lost mortgage.

When, however, the cancellation of any mortgage mentioned in this section has been authorized and the mortgage has been lost or destroyed before cancellation, the officers named in this section may, under the seal of such corporation, make and deliver a satisfaction piece, duly acknowledged, to which there shall be attached an 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 the affidavit attached thereto, to the county recording officer wherein the original mortgage is recorded or registered, such production shall be warrant and authority in law for the cancellation of such lost or destroyed mortgage.

Mortgage cancelled by assignee.

Any mortgage mentioned in this section, after the assignment or transfer thereof by any building and loan association, may, the assignment having been duly recorded, be canceled by the assignee of such mortgage, or any subsequent assignee, whose assignment has been duly recorded, in the same manner as a mortgage given to an individual or a corporation other than any such building and loan association.

2. This act shall take effect immediately.

Approved April 11, 1945.

CHAPTER 146

AN ACT concerning building and loan associations of this State, and supplementing chapter twelve of Title 17 of the Revised Statutes.

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

1. It shall be the duty of the Commissioner of Banking and Insurance to adopt rules and regulations with respect to bookkeeping methods and accounting practices designed to produce safety of operation which shall be adopted and followed by the associations of this State. It shall be the duty of the proper officers and employees of the association to comply with such rules and regulations. C. 17:12-36.1. Regulations with respect to bookkeeping.

2. This act shall take effect immediately.

Approved April 11, 1945.

CHAPTER 147

A SUPPLEMENT to "An act relating to the creation of local housing authorities, including the definition of their functions and powers, and to public housing projects undertaken by public bodies, and adding a new chapter to the Revised Statutes, to be known as chapter fourteen-A of Title 55," approved March eighth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 19).

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

1. In addition to those persons already covered by the provisions of "A supplement to 'An act relating to the creation of local housing authorities, C. 55:14A-6.2.

including the definition of their functions and powers, and to public housing projects undertaken by public bodies, and adding a new chapter to the Revised Statutes, to be known as chapter fourteen-A of Title 55,' approved March eighth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 19),'' filed April second, one thousand nine hundred and forty-three, all persons employed, at the time this act becomes effective, by any municipal housing authority created in any municipality, shall hold and thereafter continue to hold their respective employments within and as part of the classified service in accordance with the provisions of subtitle three of Title 11 of the Revised Statutes, and each such person shall be granted seniority rights depending upon the date of entry into such employment. All persons employed by any municipal housing authority after this act becomes effective shall be employed and shall hold their respective employments subject to the provisions of said subtitle three of Title 11.

Employees in classified service.

2. This act shall take effect immediately.

Approved April 10, 1945.

CHAPTER 148

AN ACT to amend and supplement "An act for the establishment of a police and firemen's retirement system for the police and firemen of a municipality, county or political subdivision thereof," approved May twenty-third, one thousand nine hundred and forty-four (P. L. 1944, c. 255).

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 is amended to read as follows: Section amended.

1. The following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings: C. 43:16A.1.

(1) "Retirement system" shall mean the Police and Firemen's Retirement System of New Jersey as defined in section two of this act. Retirement system.

(2) "Policeman or fireman" shall mean any permanent and full-time active uniformed employee, and any active permanent and full-time employee who is a detective, lineman, fire alarm operator or inspector of combustibles, of any police or fire department of a municipality or a fire department of a fire district located in a township or a county police department. Policeman or fireman.

(3) "Member" shall mean any policeman or fireman included in the membership of the retirement system as provided in section three of this act. Member.

(4) "Board of trustees" or "board" shall mean the board provided for in section thirteen of this act to administer the retirement system. Board of trustees.

(5) "Medical board" shall mean the board of physicians provided for in section thirteen of this act. Medical board.

Employer. (6) "Employer" shall mean the county, municipality or political subdivision thereof which pays the particular policeman or fireman.

Service. (7) "Service" shall mean service as a policeman or fireman or county policeman paid for by an employer.

Creditable service. (8) "Creditable service" shall mean service rendered for which credit is allowed as provided under section four of this act.

Regular interest. (9) "Regular interest" shall mean interest as determined from time to time by the board of trustees under the provisions of section thirteen, subsection fifteen, of this act.

Aggregate contributions. (10) "Aggregate contributions" shall mean the sum of the amounts deducted from a member's salary and credited to his account in the annuity savings fund.

Annuity. (11) "Annuity" shall mean payments for life derived from the aggregate contributions of a member. All annuities shall be paid in equal monthly installments.

Pension. (12) "Pension" shall mean payments for life derived from contributions by the employer. All pensions shall be paid in equal monthly installments.

Retirement allowance. (13) "Retirement allowance" shall mean the sum of the pension and annuity, if any.

Earnable compensation. (14) "Earnable compensation" shall mean the full rate of the salary that would be payable to an employee if he worked the full normal working time for his position. In cases where salary includes maintenance, the board of trustees shall fix the value of that part of the salary not paid in money which shall be considered under this act.

Average final compensation. (15) "Average final compensation" shall mean the average annual earnable salary of an employee during his last ten years of service as an employee or if he had less than ten years of service, then his average earnable salary for his total service.

Retirement. (16) "Retirement" shall mean withdrawal from active service with a retirement allowance granted under the provisions of this act.

(17) "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 computed upon the basis of such mortality tables as shall be adopted by the board of trustees, and regular interest. Annuity reserve.

(18) "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 computed upon the basis of such mortality tables as shall be adopted by the board of trustees, and regular interest. Pension reserve.

(19) "Actuarial equivalent" shall mean a benefit of equal value when computed upon the basis of such mortality tables as shall be adopted by the board of trustees, and regular interest. Actuarial equivalent.

(20) "Beneficiary" shall mean any person receiving a retirement allowance or other benefit as provided by this act. Beneficiary.

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

3. (1) After the date of the establishment of this retirement system, any person becoming a policeman or fireman in a county or municipality or fire district located in a township where, prior to the date this act takes effect, a pension fund under chapter sixteen of Title 43 or article four of chapter ten of Title 43 of the Revised Statutes for policemen or firemen has been established, shall become a member of this retirement system as a condition of his employment; *provided,* that his age at becoming a policeman or fireman is not over thirty years; *and further provided,* that he shall furnish such evidence of good health at the time of becoming a member as the board of trustees shall require. C. 43:16A-3. Member of system condition to employment. Proviso.

Any person who became a policeman or fireman in any such county, municipality or fire district after June thirtieth, one thousand nine hundred and forty-four and prior to the effective date of this amendment and supplement and who at the time of becoming such policeman or fireman was over thirty years and not more than thirty-five

years of age, shall become a member of this retirement system as a condition of his employment;

Proviso.

provided, that he shall furnish such evidence of good health at the time of his becoming a policeman or fireman as the board of trustees shall require.

(2) After the date upon which this act becomes effective in any county, municipality or political subdivision thereof, pursuant to a referendum as hereinafter provided (a) Any person becoming a policeman or fireman in any such county, municipality or political subdivision shall become a member of this retirement system as a condition of his employment; *provided,* that his age at becoming a policeman or fireman is not over thirty years; *and provided further,* that he shall furnish such evidence of good health at the time of becoming a member as the board of trustees shall require; and (b) Any person in service as a policeman or fireman in any such county, municipality or political subdivision on the date this act becomes effective therein who, within the time and in the manner permitted by this act, elects to become a member of this retirement system, shall become such member.

May deny right to become member.

(3) The board of trustees may in its discretion deny the right to become members to any class of policemen or firemen whose compensation is only partly paid by the employer or who are serving in a temporary or other than per annum basis, and it may also, in its discretion, make optional with members in any such class their individual entrance into membership.

(4) Should any member in any period of four consecutive years after last becoming a member be absent from service for more than two years, or withdraw his aggregate contributions, or become a beneficiary or die, he shall thereupon cease to be a member.

Section amended.

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

C. 43:16A-4.

4. Only service as a policeman or fireman paid for by an employer, which was rendered by a member since he became a member, or, since he last

became a member in case of a break in service, plus service, if any, covered by a prior service certificate, shall be considered as creditable service for the purposes of this act. Creditable service.

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

9. (1) Upon the receipt of proper proofs of the death of a member in service on account of which no accidental death benefit is payable under section ten, there shall be paid to such person, if living, as he shall have nominated by written designation duly executed and filed with the board of trustees, otherwise to the executor or administrator of the member's estate: C. 43:16A-9. Proofs of death.

(a) His aggregate contributions at the time of death; and

(b) If the member has less than ten years of creditable service an amount equal to his compensation for six months of service preceding his death; if the member has ten or more years of creditable service an amount equal to his compensation for the twelve months of service preceding his death.

(2) The beneficiary of an ordinary death benefit may elect to receive the amount payable in one sum or in equal annual installments over a period of years or as a life annuity.

5. Section ten of the act of which this act is amendatory is amended to read as follows: Section amended.

10. (1) Upon the accidental death of a member before retirement; *provided,* that evidence shall be submitted to the board of trustees justifying the determination that the natural and proximate cause of such death was an accident met in the actual performance of duty within two years preceding the date of such death and that such death was not the result of the member's willful negligence, and accidental death benefit shall be payable. C. 43:16A-10. Accidental death.

(2) The accidental death benefit shall consist of:

Amount of benefit.

(a) The amount of the member's aggregate contributions which shall be paid as an annuity to his designated beneficiary if living, otherwise in one sum to the executor or administrator of the member's estate; and

Pension to widow.

(b) A pension of one thousand dollars ($1,000.00) a year to the widow of the member if he leaves a widow to whom he was married before he attained fifty years of age to continue until her death or remarriage; or, if there is no widow, or if such widow dies leaving children of the deceased member, a pension to each child under age sixteen to continue to age sixteen or prior death, such pension to be four hundred dollars ($400.00) annually if there is only one such surviving child; or three hundred seventy-five dollars ($375.00) annually to each child if two such surviving children; or one thousand dollars ($1,000.00) annually divided equally among the surviving children if there are three or more such children.

Section amended.

6. Section fifteen of the act of which this act is amendatory is amended to read as follows:

C. 43:16A-15. Contributions.

15. (1) The contributions required for the support of the retirement system shall be made by members and their employers except for the expenses of administration which shall be paid by the State.

Percentage of compensation.

(2) Upon the basis of such tables as the board shall adopt and regular interest, the actuary of the retirement system shall determine for each age at entrance into the system the uniform and constant percentage of compensation of the member entering at such age, which, if deducted from each payment of his prospective earnable compensation throughout active service, is computed to be sufficient to provide for all benefits on account of his membership.

Percentage contribution.

(3) The percentage contribution rate of each member shall be fixed according to his age at entrance into membership and shall be one-half of the total percentage contribution rate calculated for such age to be required to provide all benefits except the pensions upon accidental disability and accidental death.

Employer to make contribution.

(4) Each employer shall make a contribution equal to that made by each member in its employ and in addition shall make a contribution equal to the percentage of the compensation of each such member certified by the board to be required to provide the cost of accidental death and accidental disability pensions on his account. Notwithstanding this provision, the board may in its discretion certify an average and uniform rate for payments by all employers, which shall be set on the basis of the annual actuarial valuations to be sufficient to provide with previous contributions of employers all benefits for which employers are responsible.

Contribution certified.

(5) In addition each employer shall make such contribution, if any, as is certified by the board of trustees to be required to provide for accrued liability arising out of all prior service certificates granted to members chargeable to such employer.

Adjustment of contribution.

(6) The percentage rates of contribution payable by members and employers shall be subject to adjustment from time to time by the board of trustees on the basis of annual actuarial valuations and experience investigations as provided under section thirteen, so that the value of future contributions of members and employers, when taken with present assets, shall be equal to the value of prospective benefit payments.

Board of trustees to certify.

(7) The board of trustees shall certify to the chief fiscal officer of each employer the percentage of salary payable by each member and by the employer in behalf of each member. The officer or officers responsible for the payment of salaries of the employer shall cause to be deducted from the salary of each member on each and every payroll of such employer for each and every payroll period the

percentage of earnable compensation of each member certified for payment by the member. In determining the amount earnable by a member in a payroll period, the board of trustees may consider the rate of salary payable to such member on the first day of the payroll period as continuing throughout such payroll period, and it may omit deduction from salary for any period less than a full payment 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 of any member by such an amount as shall not exceed one-tenth of one per centum (1/10 of 1%) of the annual salary upon the basis of which such deduction is to be made.

Deductions made.

(8) The deductions provided for herein shall be made notwithstanding that the minimum salary provided for by law for any member shall be reduced thereby. Every member shall be deemed to consent and agree to the deductions made and provided for herein and shall receipt for his full salary or compensation, and payment of salary or compensation less said deduction shall be a full and complete discharge and acquittance of all claims and demands whatsoever for the service rendered by such person during the period covered by such payment, except as to the benefits provided under this act. The chief fiscal officer of each employer shall certify to the board of trustees on each and every payroll or in such other manner as the board of trustees may prescribe, the amounts to be deducted; and each of said amounts shall be deducted, and when deducted shall be paid into said annuity savings fund, and shall be credited to the individual account of the member from whose salary said deduction was made.

(9) The amount payable each year by the employer based on the percentage rates certified by the board of trustees, together with the amount, if any, payable each year by the employer on account of accrued liability arising out of prior service certificates as certified by the board of trustees,

shall be included in the budget of the employer and levied and collected in the same manner as any other taxes are levied and collected for the payment of the salaries of members. Amount payable included in budget.

(10) The treasurer or corresponding officer of the employer shall pay on or before the twenty-seventh day of December in each year to the State Treasurer the amount so certified as payable by the employer for said year, and shall pay monthly to the State Treasurer the amount of the deductions from the salary of the members in the employ of the employer and the State Treasurer shall credit such amount to the appropriate fund, or funds, of the retirement system. Payment of amount certified.

(11) The expenses of administration of the retirement system shall be paid by the State of New Jersey. The board of trustees shall estimate and certify, annually, to the Governor and to the Budget Commissioner by October fifteenth the amount required during the ensuing fiscal year to provide for the expense of operation of the retirement system and such amount shall be paid by the State to the expense fund for this purpose. For the purpose of organizing the retirement system an appropriation of twenty thousand dollars ($20,000.00) is hereby appropriated from the treasury of the State. Expenses of administration.

(12) Prior to the receipt of contributions from members and employers, any moneys in the funds of the system may be used temporarily to cover disbursements but such moneys shall be restored to their proper funds on or prior to the end of the second year of operation.

7. Section sixteen of the act of which this act is amendatory is amended to read as follows: Section amended.

16. (1) All of the assets of the retirement system shall be credited according to the purpose for which they are held to one of four funds, namely, the annuity savings fund, the pension accumulation fund, the retirement reserve fund and the expense fund. C. 43:16A.16. Assets credited to funds.

Annuity savings fund.

(2) The annuity savings fund shall be a fund in which shall be accumulated contributions from the compensation of members to provide for their annuities. The aggregate contributions of a member withdrawn by him or paid to his estate or his designated beneficiary in event of his death as provided in this act shall be paid from the annuity savings fund. Upon the retirement or death of a member where the aggregate contributions of the member are to be provided in the form of an annuity, the aggregate contributions of the member shall be transferred from the annuity savings fund to the retirement reserve fund.

Pension accumulation fund.

(3) The pension accumulation fund shall be the fund in which shall be credited contributions made by employers. Upon the death of a member in active service due to ordinary causes, any lump sum benefit payable in addition to the employee's contributions shall be charged to the pension accumulation fund. Upon the retirement or death of a member the reserve of any pension payable to or on his account shall be transferred to the retirement reserve fund. All interest and other income from investments shall be credited to the pension accumulation fund and annually the board of trustees shall transfer from the pension accumulation fund to the retirement reserve fund regular interest on the mean amount in the retirement reserve fund for the year. The board of trustees, in its discretion, may transfer to and from the pension accumulation fund any surplus or deficit in the retirement reserve fund.

Retirement reserve fund.

(4) The retirement reserve fund shall be the fund in which shall be held the reserves on all retirement allowances granted to members or their beneficiaries and from which all retirement allowances and benefits in lieu thereof shall be paid. Should a member who retired on account of disability be restored to active service his pension reserve shall be transferred from the retirement reserve fund to the pension accumulation fund and the excess of his aggregate contributions as they

stood at retirement over the amount of annuity payments made shall be transferred to the annuity savings fund. Should the pension of any disabled member 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 pension accumulation fund during the period of such reduction.

(5) The expense fund shall be the fund contributed by the State, and shall be the fund to which shall be credited all money provided by the State to pay the administration expenses of the retirement system, and from which shall be paid all the expenses necessary in connection with the administration and operation of the system. Expense fund.

8. Section twenty of the act of which this act is amendatory is amended to read as follows: Section amended.

20. The provisions of this act shall apply in such municipalities as at the effective date of this act there shall have been established a pension fund for policemen and firemen and in such counties as there shall have been established a pension fund for county police officers, and in any fire district located in a township in which there shall have been established a pension fund for firemen; which pension funds have been established under chapter sixteen of Title 43 of the Revised Statutes or under article four, chapter ten, of Title 43 of the Revised Statutes. C. 43:16A-20. Provisions of act to apply.

The provisions of this act shall apply to the policemen and firemen of any county, municipality or political subdivision thereof on and after January first following the adoption of this act by the voters of such county, municipality or political subdivision thereof as hereinafter provided.

9. Section twenty-three of the act of which this act is amendatory is amended to read as follows: Section amended.

23. No member who shall have served honorably in any such police or fire department for a period of twenty-five years and attained age fifty-five shall be deprived of his pension privileges under this act because of any violation of the rules and regula- C. 43:16A-23. Twenty-five years of service.

tions established for the government of such department, but he may be fined, reprimanded or discharged. A member of the department found guilty before a court of competent jurisdiction may be dismissed or punished in any manner provided by law.

C. 43:16A-26. Adoption of act.

10. Upon the filing of a petition signed by at least ten per centum (10%) of the legal voters of any county, municipality or political subdivision thereof with the clerk of such county, municipality or political subdivision, as the case may be, the question of the adoption of the act of which this act is an amendment and supplement shall be submitted to the voters of such county, municipality or political subdivision at the next general election succeeding the date of the filing of the petition unless such filing date shall occur within five months immediately preceding a general election, in which case it shall be submitted at the second succeeding general election. If a majority of the legal voters voting upon said question at such general election vote in favor of adoption, the act to which this act is an amendment and supplement shall take effect in such county, municipality or political subdivision thereof on January first following the date of such election. If the act is adopted at such election, the clerk of the county, municipality or political subdivision so adopting the act shall immediately notify the board of trustees of the Police and Firemen's Retirement System of New Jersey of such adoption.

C. 43:16A-27. Mail information as to employees covered by act.

11. Whenever the question of the adoption of the act of which this act is an amendment and supplement is to be submitted to the voters at the general election in any year, the chief financial officer of the county, municipality or political subdivision in which the question is to be submitted shall, on or before July fifteenth preceding such election, mail to the board of trustees full information, on forms to be supplied by request by the board of trustees, as to the employees who may be covered if the act is adopted.

Transmit fiscal statement.

The board of trustees shall, prior to August thirty-first of said year, transmit to the governing body of such county, municipality or political subdivision the following fiscal statement with respect to the effect of the adoption of the act:

(1) Estimated cost to the municipality, county or political subdivision, as the case may be, as follows:

(a) The annual normal contribution to be made on account of employees then in service.

(b) The percentage of payroll for employees then in service, to meet the contribution under (a).

(c) The estimated lump sum of accrued liability for services rendered and to be rendered prior to the following January first.

(d) The percentage of present payroll to meet the liability stated in (c).

(e) The estimated annual contribution on account of the accrued liability if paid in ten installments.

(f) The percentage of present payroll, to meet the accrued liability, as stated in (e).

(g) The estimated annual contribution on account of accrued liability if met in twenty-five installments.

(h) The percentage of present payroll, to meet the accrued liability, as stated in (g).

(2) The annual contribution of the employee stated in percentage of pay for the several age brackets as of the following January first.

C. 43:16A-28. Publish fiscal statement.

12. The governing body shall publish on or before September fifteenth of said year, in at least one newspaper having general circulation in such county, municipality or political subdivision, such fiscal statement with respect to the effect of the adoption of the act and a notice that the governing body will determine by resolution, after a public hearing on (insert time and date, which date shall be at least five days after date of publication and

also before October fifth of said year, whether, if the act is adopted, the accrued liability on account of prior service credits shall be paid in one sum or in ten annual installments, or in twenty-five annual installments. At such public hearing any citizen or taxpayer of such county, municipality or political subdivision shall be heard. After the public hearing the governing body shall pass such resolution adopting one of the three methods of payment. Such resolution adopting a method of payment shall be binding if the act is adopted, except that if installment payments are provided for, any installment may be paid before the time such installment becomes due under the method adopted in said resolution. After the passage of such resolution, a certified copy thereof shall be forwarded by the clerk to the board of trustees of the Police and Firemen's Retirement System of New Jersey.

Public hearing.

C. 43:16A-29. Election in writing to become member.

13. Any policeman or fireman in service in any county, municipality or political subdivision thereof prior to the date upon which this act becomes effective in such county, municipality or political subdivision thereof by referendum may become a member of this retirement system as of said date by filing with the board of trustees his election in writing to become such member on or before the date upon which this act becomes effective in such county, municipality or political subdivision thereof under such rules and regulations as the board of trustees shall adopt. Each such policeman or fireman so electing to become a member, shall file, immediately after becoming a member, with the board of trustees a detailed statement of all service rendered by him as policeman or fireman to his present employer prior to the date when this act becomes effective in such county, municipality or political subdivision thereof, 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 as creditable service but, regardless of the

File detail statement of service.

Statement verified.

length of such service, no prior service certificate shall allow more than thirty years of such creditable service. 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 such prior service certificate, 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 employer two additional years of service; in the latter case such certificate shall be void.

C. 43:16A-30. Liable for costs.

14. The county, municipality or political subdivision thereof shall be liable to the board of trustees for the whole costs for the accrued liability on account of service credited on all prior service certificates issued to any policeman or fireman employed by it.

C. 43:16A-31. Board of trustees to certify.

15. The board of trustees shall certify to the chief financial officer of the county, municipality or political subdivision thereof, adopting the act, on or before the first day of February following the adoption of the act, for the then current fiscal year and thereafter on or before the first of December of each year for the ensuing fiscal year, the normal contribution of such county, municipality or political subdivision and also its contribution for accrued liability for prior service credits.

C. 43:16A-32. Information transmitted.

16. The chief financial officer of each county, municipality or political subdivision having employees who are members of this fund shall transmit to the board of trustees such information as the board shall, from time to time, require.

17. This act shall take effect immediately.

Approved April 11, 1945.

CHAPTER 149

AN ACT concerning county jails in the care, custody and control of boards of chosen freeholders, and amending section 30:8–20 of the Revised Statutes.

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

Section amended.

1. Section 30:8–20 of the Revised Statutes is amended to read as follows:

Appointment of warden.

30:8–20. In any county where the board of chosen freeholders shall assume the custody, rule, keeping and charge of the county jail and of the prisoners therein, as provided by section 30:8–19 of this Title, such board shall, by the votes of a majority of all its members for the time being, appoint some fit person to be the keeper or warden of the jail or jails of the county, who shall hold his office for the term of five years and until his successor shall be appointed in his stead and shall have duly qualified and given bond. Such keeper or warden may be removed from office at any time, by the affirmative votes of two-thirds of all the members of the board of chosen freeholders of the county for the time being, for good cause appearing to them. Such keeper or warden before he enters upon the discharge of the duties of his office shall give bond to such board of chosen freeholders, in such sum and with such sureties as such board shall prescribe, conditioned for the full and faithful performance of the duties of his office; *provided, however,* that where any county has adopted the provisions of Title 11 of the Revised Statutes (Civil Service) and the warden or keeper of the county jail has held his said office by virtue of the provisions of said Title 11 of the Revised Statutes, upon such transfer of the custody of the jail to the board of chosen freeholders, such warden in office at the time of the

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passage of this act, shall continue to hold his said office and enjoy tenure therein subject to all of the provisions of said Title 11 of the Revised Statutes. Tenure.

2. This act shall take effect immediately.

Approved April 11, 1945.

CHAPTER 150

AN ACT providing for the retirement of policemen and firemen of the police and fire departments in municipalities of this State, including members of the fire departments of any fire district located in any township and including all police officers having supervision or regulation of traffic upon county roads, and providing a pension for such retired policemen and firemen and members of the police and fire departments, and the widows, children and sole dependent parents of deceased members of said departments, and amending section 43:16–3 of the Revised Statutes.

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

1. Section 43:16–3 of the Revised Statutes is amended to read as follows: Section amended.

43:16–3. The widow of a member of such police or paid or part paid fire department, who shall have been retired on a service retirement pension, or who shall have continued in service after becoming eligible for such pension and shall not have lost his life in the actual performance of his duty, or who shall have been retired on a service disability pension, and which member shall have paid into the fund the full amount of his annual assess-

ments or contributions and if he shall have been retired on pension continued so to do after his retirement and until his death, shall, if she married her husband before the date of his retirement and before he reached fifty years of age and did not marry such member while he was suffering from the last illness which resulted in his death, receive a pension for so long as she remains unmarried equal to one-half of the average salary of her deceased husband but not to exceed the sum of one thousand dollars ($1,000.00) annually for the use of herself and the children of her deceased husband, if any, under sixteen years of age.

Pension to widow.

The widow of a member who shall not have been retired but shall die before becoming eligible for a service retirement pension while still employed by the department and shall not have lost his life in the actual performance of his duty, and the widow of a member who shall have been retired on a non-service disability pension and which member shall have paid into the fund the full amount of his annual assessments or contributions until his death, shall, if she married her deceased husband before the date of his retirement and before he reached fifty years of age, and did not marry such member while he was suffering from the last illness which resulted in his death, receive a pension, for so long as she remains unmarried, equal to one-half of the average salary of her deceased husband, but not to exceed the sum of one thousand dollars ($1,000.00) annually, for the use of herself and the children of her deceased husband, if any, under sixteen years of age. The widow of any member who died on or after July first, one thousand nine hundred and forty-four, and who is not receiving at the time this amendment takes effect a pension equal to the amount provided by this amendment, shall, beginning with the effective date of this act, receive a pension in the amount provided by this amendment.

Amount of pension.

If a member who shall have been retired on a service retirement pension or a member who shall

have continued in service after becoming eligible for such pension and shall not have lost his life in the actual performance of his duty or a member who shall have been retired upon a service disability or nonservice disability pension, or a member who dies while still employed by the department but who shall not have lost his life in the actual performance of his duty, leaves no widow, but leaves a child or children under sixteen years of age, the pension which the widow would have received had she survived such member shall be paid to those children who have not reached sixteen years of age in equal shares, if there be three or more of them, if there be only two they shall be paid twenty dollars ($20.00) each monthly and if there be only one, the child shall be paid twenty-five dollars ($25.00) monthly, until the age of sixteen years is reached but in no event are the pensions paid to the children to exceed in the aggregate the sum of one thousand dollars ($1,000.00) annually.

Pension to children.

If the member dies leaving no widow and no children under sixteen years of age, the pension shall be paid to the dependent parent or parents of the deceased member; but in no event shall any pension paid to a dependent parent exceed five hundred dollars ($500.00) per annum if there be one, or exceed three hundred seventy-five dollars ($375.00) per annum each if there be two.

Pension to parents.

2. This act shall take effect immediately.

Approved April 11, 1945.

CHAPTER 151

AN ACT making an appropriation to the Department of Agriculture.

Preamble. WHEREAS, an emergency situation has been discovered in the condition of the New Jersey dairy herds; and

Preamble. WHEREAS, the discovery came too late to permit the Department of Agriculture to make application in the ordinary course to the Appropriations Committee; and

Preamble. WHEREAS, an emergency appropriation is essential in order to protect the public health; therefore,

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

1. In addition to any appropriation made to the Department of Agriculture there is appropriated to said department the sum of one hundred twenty-five thousand dollars ($125,000.00); one hundred thousand dollars ($100,000.00) of said appropriation is appropriated for the purpose of paying indemnities to the owners of cattle reacting to the tuberculin test; and twenty-five thousand dollars ($25,000.00) of said appropriation is appropriated to the department for payment of expenses incurred by the department in protecting New Jersey from importation of infected cattle and putting into effect preventive measures against the spread of tuberculosis infection in the New Jersey dairy herds.

Appropriation for payment of indemnities to cattle owners.

2. This act shall take effect immediately.

Approved April 11, 1945.

CHAPTER 152

AN ACT concerning the compensation of the boards of chosen freeholders in certain counties, and amending section 40:20–73 of the Revised Statutes.

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

1. Section 40:20–73 of the Revised Statutes is amended to read as follows: Section amended.

40:20–73. In counties where the members of the board of chosen freeholders are not paid an annual salary, each member may receive ten dollars ($10.00), and the director the total sum of fifteen dollars ($15.00) for each day he is actually and necessarily employed in discharging his duties, and the further sum of not more than ten cents ($0.10) per mile for each mile he shall necessarily travel in going to and returning from the sessions of the board by the nearest route, upon filing with the county treasurer an itemized bill therefor, verified by affidavit, and the same being ordered paid by the board of chosen freeholders. Salary of freeholders. Mileage.

No other allowance or emolument shall be received by any such officer, directly or indirectly.

2. This act shall take effect immediately.

Approved April 11, 1945.

CHAPTER 153

AN ACT concerning procedure and regulating the place of imprisonment of certain persons convicted of crimes, and amending section 2:192–3 of the Revised Statutes.

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

Section amended.

1. Section 2:192–3 of the Revised Statutes is amended to read as follows:

Sentence for less than one year.

2:192–3. Every person sentenced under the laws of this State to imprisonment for any time less than one year shall be confined in the common jail of the county where conviction was had, or the county workhouse or penitentiary, in the discretion of the court, and there safely kept until the term of his confinement shall expire and the fine and costs of prosecution be paid, or until he shall be discharged by due course of law; *provided,* in counties of the first class no sentence exceeding six months shall be made to the common jail of the county. Every person so sentenced to the county workhouse or penitentiary shall be transferred to and confined therein within ten days after the sentence.

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Sentence for term of one year or more.

Every person sentenced to hard labor or imprisonment, except as hereinafter provided, for any term of one year or longer shall be imprisoned in the State Prison; except that in any county in which a penitentiary is located, a person sentenced to hard labor and imprisonment for a term of not less than one year and not exceeding eighteen months, shall be imprisoned in the penitentiary of such county instead of the State Prison, unless the person so convicted shall have previously served a term in the State Prison, in which case the person so convicted may, in the discretion of the court, be imprisoned in the State Prison; *provided,* nothing herein contained shall be construed to prevent

Proviso.

the sentence of persons to penitentiaries in counties of the first class to terms of between six months and one year.

Sentenced to county workhouse.

In any county in which a workhouse is located, any person sentenced to hard labor and imprisonment for a term of not less than one year and not exceeding eighteen months, may, in the discretion of the court so sentencing, be imprisoned in such county workhouse instead of the State Prison or county penitentiary.

2. This act shall take effect immediately.

Approved April 11, 1945.

CHAPTER 154

AN ACT concerning taxes, and supplementing chapter five of Title 54 of the Revised Statutes.

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

C. 54:5-111.1. Lien acquired by municipality.

1. When a municipality has or shall have acquired a lien, against any lands in this State, or against any interest, right, title or estate therein, by tax, assessment or sale for taxes, assessments, or other municipal charges and has or shall have become the purchaser at a tax sale, held to enforce the collection of such lien, and has or shall have become the holder of the certificate of such tax sale, and has or shall have acquired said lands or any right, title, interest or estate therein and the equity of redemption thereof, by purchase or otherwise, without having taken or completed proceedings to enforce such lien or to foreclose the right of redemption, the governing body of the municipality, may, by resolution, authorize and direct such officer or officers of the municipality, as shall be designated in the resolution, to execute a certificate of

Resolution to cancel lien.

cancellation of the lien and of the certificate of tax sale which certificate shall recite the acquisition in lieu of enforcement and foreclosure. Such certificate of cancellation may be made by an endorsement upon the certificate of tax sale which is to be canceled.

C. 54:5-111.2. Cancellation filed.

2. Such certificate of cancellation, when filed or recorded, shall discharge the lands from the lien, tax sale and certificate of tax sale.

C. 54:5-111.3. Recording cancellation.

3. Such certificate of cancellation may be filed or recorded in the same manner and with the same effect as though it were a certificate of redemption of the lands.

C. 54:5-111.4. Fee for cancellation.

4. The officer receiving the certificate of cancellation for filing or recording shall be entitled to the same fees as for the filing or recording of a certificate of redemption of the lands.

5. This act shall take effect immediately.

Approved April 11, 1945.

CHAPTER 155

AN ACT concerning county and municipal budgets, and amending section 40:2–29 of the Revised Statutes.

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

Section amended.

1. Section 40:2–29 of the Revised Statutes is amended to read as follows:

Expenditures prohibited.

40:2–29. Except as may be otherwise provided in section 40:2–31 of this Title, no officer, board, body or commission shall, during any fiscal year, expend any money (except to pay notes, bonds, or interest thereon), incur any liability, or enter into any con-

tract which by its terms involves the expenditure of money:

a. For any purpose for which no appropriation is provided in the budget or by temporary appropriation pursuant to section 40:2–12 of this Title, or When no appropriation.

b. In excess of the amount appropriated for any such purpose. In excess of amount appropriated.

Any contract, oral or written, made in violation hereof shall be null and void as to the county or municipality, and no moneys shall be paid thereon. Nothing in this section contained, however, shall prevent the making of contracts or the spending of money for capital projects to be financed in whole or in part by the issuance of notes, or bonds, nor the making of contracts of lease or for services or for fuel to be used for heating purposes for a period exceeding the fiscal year in which such contract is made, when otherwise provided by law. Contract null and void.

2. This act shall take effect immediately.

Approved April 11, 1945.

CHAPTER 156

AN ACT declaring an emergency and enabling, temporarily, any city having a population in excess of fifty thousand inhabitants, which borders upon the Atlantic ocean and is a seaside or summer resort, to adopt and amend local ordinances, imposing in any such city certain taxes which the Legislature has or would have power and authority to impose and limiting the application of such local ordinances.

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

C. 40:48-8.1.

1. As used in this act:

Retail sale.

"Retail sale" means any sale of tangible personal property or services in the ordinary course of business for consumption or use or for any purpose other than for resale in the form of tangible personal property; it includes conditional sales, installment lease sales and any other transfer on tangible personal property when the title is retained as security for the payment of the purchase price and is intended to be transferred later; it includes the hiring of rooms in hotels, inns and boarding houses, and the sale of hotel, inn and boarding house services of all kinds and the sale of food or drink, or both, in restaurants, cafes, bars and other establishments, and includes in the amount of sales receipts any cover, minimum, entertainment or other charge made to patrons; it includes the hiring of rolling chairs and beach chairs, and admission to movies, piers and other places of amusement.

Vendor.

"Vendor" means any person selling or hiring property or services to another person upon the receipts from which a tax is imposed.

"Purchaser" means any person purchasing or hiring property or services from another person, the receipts from which are taxable. Purchaser.

2. An emergency is hereby declared to exist in municipalities bordering upon the Atlantic ocean which are seaside or summer resorts and which because of their size have a great fluctuation in the number of visitors, because of the recent hurricane, the continued erosion of beaches and the danger of hurricane in the near future, all of which make it impossible for such municipalities to function normally as seaside or summer resorts during the next three fiscal years unless some additional revenue can be raised for use in providing and continuing the facilities which attract visitors to such municipalities as seaside or summer resorts. C. 40:48-8.2. Emergency.

3. Notwithstanding any other provision of law to the contrary, any city having a population in excess of fifty thousand inhabitants, which borders upon the Atlantic ocean and is a seaside or summer resort, and in which an emergency is declared to exist in paragraph one hereof, acting through its governing body is authorized and empowered to adopt and amend local ordinances imposing, within the limitations contained in this act, in any such city any tax on retail sales which the Legislature has or would have power and authority to impose. C. 40:48-8.3. Retail sales tax.

4. No such tax shall be imposed in excess of the following schedule: C. 40:48-8.4. Tax schedule.

(a) twelve cents ($0.12) or less, no tax;

(b) over twelve cents ($0.12) and not over fifty cents ($0.50), a tax of two cents ($0.02);

(c) over fifty cents ($0.50) and not over seventy-five cents ($0.75), a tax of three cents ($0.03);

(d) over seventy-five cents ($0.75) and not over one dollar ($1.00), a tax of five cents ($0.05);

(e) over one dollar ($1.00), a tax of five cents ($0.05) on each even dollar ($1.00) thereof and if there is any fraction of a dollar

($1.00), a tax on such fraction according to the schedule above.

In imposing any such tax on the sale of any cigars, cigarettes or other tobacco products, any such ordinance may provide that each cigar, each pack of cigarettes and each other tobacco container involved in a sale shall be considered as a separate sale and any tax imposed on any such sale may be fixed in such ordinance at a different rate than on other retail sales but not in excess of the schedule above on each cigar, pack of cigarettes and other tobacco container.

C. 40:48-8.5. Tax not imposed in certain cases.

5. No such tax shall be imposed:

(a) upon any isolated transaction not made in the ordinary course of repeated and successive transactions of a like character;

(b) upon any sale of unprepared food for consumption off the premises;

(c) upon any sale of medical supplies, dental supplies, medicines, drugs, or optical supplies;

(d) upon any sale of any article of clothing, the sale price of which is less than fifty dollars ($50.00);

(e) upon the price received for labor or services used in installing, applying, remodeling or repairing any property;

(f) upon any sale of services only, except hotel, inn and boarding house services of all kinds and services included in the sale price of food or drink of any nature sold for consumption on the premises;

(g) upon sales of commercial feeding stuffs, upon which a tax is now imposed pursuant to any law of this State;

(h) upon sales of fertilizers upon which a tax is now imposed pursuant to any law of this State;

(i) upon sales of gas and electricity delivered to customers through mains, pipes or wires;

(j) upon any services furnished by corporations subject to the rules and regulations of the Federal Communications Commission, the Interstate Commerce Commission or the Public Utilities Commission of the State of New Jersey;

(k) upon sales of motor fuels upon which a tax is imposed pursuant to any law of this State;

(l) upon any sales of water delivered to consumers through mains or pipes;

(m) upon sales of magazines, books, periodicals, or newspapers;

(n) upon any sales of any type of fuel for heating purposes;

(o) upon sales by any State use industry or any sales by any govermental agency in this State to any other governmental agency in this State;

(p) upon any sale to or by the State or any county, municipality, school district, or other political subdivision thereof;

(q) upon any sales which this State is prohibited from taxing under the Constitution and laws of the United States of America.

C. 40:48-8.6. Collection of tax.

6. Such ordinance shall provide for the collection of such tax by an officer of such city who shall be designated in such ordinance; shall provide methods for enforcement; and may provide penalties for the violation of any of the provisions of such ordinance.

C. 40:48-8.7. Ordinance to contain certain provisions.

7. Every ordinance imposing a tax under the authority of this act shall contain the following provisions:

(a) all taxes imposed by such ordinance shall be paid by the purchaser;

(b) no vendor shall assume or absorb any tax imposed by such ordinance;

(c) no vendor shall in any manner advertise or in any manner represent that any tax im-

posed by such ordinance will be assumed or absorbed by him;

(d) each such assumption or absorption by any vendor of any such tax shall be deemed a separate offense and each such representation and each such advertisement by any vendor, each day the same shall continue, shall be deemed a separate offense;

(e) penalties, as fixed in such ordinance, for violation of the foregoing provisions.

C. 40:48-8.8. Luxury tax account.

8. All revenue collected under such ordinance shall be paid into a special account of said municipality to be known as the "luxury tax account" and shall not be credited, deposited or intermingled in or with the general fund of such municipality, and shall be subject to use at any time for any purpose permitted by this act without prior budget appropriation upon a majority vote of all members of the governing body.

C. 40:48-8.9. Application of act.

9. Any tax imposed under authority of this act shall have application only within the territorial limits of such city and shall be in addition to all other taxes and excises.

C. 40:48-8.10. Tax not imposed after January 1, 1948.

10. No tax imposed under the authority of this act shall be effective as to any sale or transaction occurring after January first, one thousand nine hundred and forty-eight, but may be made effective during all of the period up to January first, one thousand nine hundred and forty-eight or during any part or parts of said period.

C. 40:48-8.11. Tax not imposed on transaction outside city.

11. No such tax shall be imposed on any sale or transaction originating or consummated, or both, outside such city notwithstanding that some act be necessarily performed with respect to such sale or transaction within such city.

C. 40:48-8.12. Tax imposed without discrimination.

12. No such tax shall be imposed on a nonresident of such city or on account of any sale or transaction by or with a nonresident of such city, except when imposed without discrimination as between residents and nonresidents on account of tangible property actually located in such city or service actually

rendered in such city or on account of transfers, retail sales or other transactions actually made or consummated within such city by a nonresident while within such city.

C. 40:48-8.13. Use of revenues.

13. Revenues resulting from any tax or excise imposed under the authority of this act shall be used by such city only for:

(1) the construction, reconstruction or repair of bulkheads, jetties, boardwalks, piers, streets, street-ends, sewers, sewer systems and drainage systems;

(2) the repair of damages to beaches;

(3) the construction, reconstruction or repair of any facility provided to attract patronage as a seaside or summer resort;

(4) the payment of principal or interest, or both, on indebtedness incurred for any of the foregoing purposes;

(5) the payment of administration costs necessary to carry out the provisions of any ordinance enacted under the authority of this act.

C. 40:48-8.14. Validity.

14. The provisions of this act are severable and if any provision shall be held to be invalid, such decision shall not affect the validity of any other provisions which can be given effect without such invalid provision.

15. This act shall take effect immediately.

Approved April 13, 1945.

CHAPTER 157

AN ACT creating a Commission on State Tax Policy.

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

C. 52:91.1. Commission on State tax policy.

1. A Commission on State Tax Policy is created which shall consist of seven members, one of whom shall be a member of the Senate to be appointed by the President of the Senate, one a member of the General Assembly to be appointed by the Speaker thereof, and five citizens of this State to be appointed by the Governor, each of whom shall hold office until the second Tuesday of January following the date of his appointment; except that the first members shall be John F. Sly of Princeton, David Van Alstyne, Jr., of Englewood, Jacob S. Glickenhaus of Newark, W. Paul Stillman of Newark, Norman F. S. Russell of Burlington, and two other members to be appointed by the Governor, and they shall hold office until the second Tuesday of January, one thousand nine hundred and forty-six.

C. 52:91.2. Vacancies.

2. Vacancies caused otherwise than by expiration of term shall be filled for the unexpired term only. Members shall serve without salary but shall be reimbursed for traveling and other expenses actually and necessarily incurred in the performance of their duties.

C. 52:91-3. Study of tax structure.

3. The commission shall engage in continuous study of the State and local tax structure and related fiscal problems, with particular attention to (a) all laws relating to the assessment and collection of taxes in this State; (b) all proposals for change in such laws; and (c) the impact of Federal tax laws on the State financial structure.

C. 52:91.4. Commission shall determine how laws may be revised.

4. The commission shall determine the respects in which the existing tax laws may be simplified, modified, rearranged, consolidated and revised to

insure greater efficiency in the assessment and collection of all taxes.

C. 52:91-5. Reports.

5. The commission shall report annually on the second Tuesday in January to the Governor and the Legislature, setting forth the result of its studies of the preceding year and shall make such recommendations, as it shall deem fit, for changes in our laws relating to the assessment and collection of taxes and for sound and equitable methods of supporting the public services.

C. 52:91-6. Hearings.

6. The commission may hold hearings in any part of the State, and by its subpœna may compel the attendance of witnesses and the production of books, papers and records. It may draft necessary legal and clerical assistants from any State department as may be required. It may engage such competent counsel and expert advisors on the subject of taxation as it may deem necessary to the proper accomplishment of the purposes of this act; *provided,* that the compensation to be paid such counsel or advisors shall at all times be within the limits of the appropriation made therefor.

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Appropriation.

7. There is appropriated to the commission the sum of ten thousand dollars ($10,000.00) for the fiscal year ending June thirtieth, one thousand nine hundred and forty-six.

8. This act shall take effect immediately.

Approved April 12, 1945.

CHAPTER 158

AN ACT concerning municipalities, and supplementing Title 40 of the Revised Statutes.

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

C. 40:50-5.5. Contract not to exceed one year.

1. The governing body of any municipality may contract with any person, firm or corporation for the supplying of fuel for heating purposes for any term exceeding the fiscal year but not exceeding one year.

2. This act shall take effect immediately.

Approved April 12, 1945.

CHAPTER 159

AN ACT validating certain decrees heretofore entered in the Court of Chancery in suits to foreclose mortgages.

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

1. All final decrees heretofore entered in the Court of Chancery of this State, in suits or actions instituted therein for the purpose of foreclosing a mortgage or mortgages, in which suits or actions an order of publication was entered, and in which suits or actions the notice of the order of publication against absent defendants was published in a newspaper printed and published in the county where the lands are situated, but which notice of order of publication omitted to state the county and municipality wherein the lands were situated, shall be good, valid and sufficient in law and in equity,

Validating decrees.

for all purposes whatsoever and the sale of any lands, tenements, hereditaments, real estate and property whatsoever heretofore made by virtue of any such final decree or any execution or other process issued thereunder shall be good, valid and legal and the purchaser or purchasers of said lands, tenements or hereditaments, real estate, or other property whatsoever having paid the price therefore and having received a deed therefor, it, he, she or they, and its, his, her or their heirs, successors and assigns, shall be deemed to have as good and complete title thereto as if such notice of order of publication against absent defendants had contained the name of the county and municipality where the lands were situate; *provided,* that no proceedings shall have heretofore been instituted in any court of law or equity to set aside such sale or the deed or any proceedings in connection therewith; *and provided further,* that the said final decree is good, valid and legal in all other respects. Proviso. Proviso.

2. This act shall take effect immediately.

Approved April 12, 1945.

CHAPTER 160

AN ACT concerning municipalities, and supplementing Title 40 of the Revised Statutes.

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

1. The governing body of any municipality may enter into contract with any person, firm or corporation, public or private, for the plowing and removal of snow from its streets, highways or thoroughfares for any term exceeding the fiscal year but not exceeding one year. C. 40:50-5.6. Contract not to exceed one year.

2. This act shall take effect immediately.

Approved April 12, 1945.

CHAPTER 161

AN ACT concerning insurance; authorizing and regulating the exchange of reciprocal or interinsurance contracts; defining the kinds of insurance which may be the subject of such contracts; providing for the issuance of licenses, and fixing penalties for violations of the provisions hereof.

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

C. 17:50-1. Subscribers authorized to exchange contracts.

1. Individuals, partnerships, trustees and all corporations of this State, herein designated "subscribers," are hereby authorized to exchange reciprocal or interinsurance contracts with each other and with individuals, partnerships, trustees and corporations of other States, districts, provinces and countries, for any or all of the kinds of business for which a company may be formed or authorized to transact under the provisions of chapter seventeen of Title 17 of the Revised Statutes, except life insurance.

Such contracts and the exchange thereof and such subscribers, their attorneys in fact and representatives shall be regulated by this act and by no other statute of this State relating to insurance, except as herein otherwise provided.

C. 17:50-2. Contracts executed by attorney.

2. Such contracts may be executed by an attorney in fact, herein designated "attorney," duly authorized and acting for such subscribers, and such attorney may be a corporation. The office or offices of such attorney, herein defined as an "exchange," shall be maintained at such place or places as may be designated by the subscribers in the power of attorney.

C. 17:50-3. Declaration filed.

3. Such attorney shall file with the Commissioner of Banking and Insurance of this State a declaration, verified by the oath of such attorney, or when such attorney is a corporation, by the oath of its

president or oaths of its treasurer and secretary setting forth:

(a) The name of the attorney and the name or designation of the exchange under which such contracts are to be issued, which name or designation shall not be so similar to any other name or designation theretofore adopted by any attorney or by any insurance organization in this State so as to confuse or deceive; Name of attorney.

(b) The kind or kinds of insurance to be effected or exchanged; Kinds of insurance.

(c) A copy of the form of policy contract or agreement under or by which such insurance is to be effected or exchanged and forms of application therefor; Form of policy contract.

(d) A certified copy of the power of attorney or other authorization of such attorney under or by which such attorney is to effect or exchange such insurance contracts; Certified copy of power of attorney.

(e) The location of the office or offices from which such contracts or agreements are to be issued; Location of office.

(f) That except as to the kinds of insurance hereinafter specifically mentioned in this paragraph, applications have been made for indemnity upon at least two hundred separate risks aggregating not less than three million dollars ($3,000,000.00) represented by executed contracts or bona fide applications to become concurrently effective. In the case of employers' liability or workmen's compensation insurance, application shall have been made for indemnity upon at least one hundred separate risks covering a total annual payroll of not less than two and one-half million dollars ($2,500,000.00) as represented by executed contracts or bona fide applications to become concurrently effective. In the case of automobile insurance, applications shall have been made for indemnity upon at least one thousand motor vehicles or for insurance aggregating not less than one and one-half million dollars ($1,500,000.00) represented by executed contracts or bona fide ap- Kinds of insurance.

plications to become concurrently effective on any or all classes of automobile insurance effected by said subscribers through said attorney;

Assets available.

(g) That there shall be maintained at the exchange, available for the payment of losses, assets conforming to the requirements of section five hereof;

Financial statement.

(h) A financial statement under oath in form prescribed by the Commissioner of Banking and Insurance of this State;

(i) An instrument authorizing service of process as provided for in this act, and

Location of principal office in another State.

(j) Where the principal office of the attorney is located in another State, a certificate from the proper official of the State where the principal office is maintained, that the subscribers and the attorney have complied with all provisions of law and are authorized in that State to transact the classes of business which are sought to be transacted in this State.

C. 17:50-4.

4. Concurrently with the filing of the declaration provided for by the terms of section three hereof, the attorney shall file with the Commissioner of Banking and Insurance of this State an instrument in writing duly executed by him for said subscribers, conditioned that upon the issuance of certificate of authority provided for in section eleven hereof, action may be brought in any county in which the cause of action arises, or where the claimant resides, and service of process may be had upon the Commissioner of Banking and Insurance of this State in all suits in this State arising out of any policies, contracts or agreements issued, which service shall be valid and binding upon all subscribers exchanging at any time reciprocal or interinsurance contracts through such attorney.

Service of process on commissioner.

Three copies of process served.

Three copies of such process shall be served and the Commissioner of Banking and Insurance of this State shall file one copy in his office, forward one copy to said attorney, and return one copy with his admission of service. Where the principal office of the attorney is located in this State, service of pro-

cess may also be had upon all subscribers by serving the attorney at said office. Service of process shall not be had upon subscribers or any of them in any suit or proceeding in this State, except in the manner provided in this section, and any suit or other proceeding may be begun and prosecuted or defended by them under the name or designation adopted by them. A service fee of two dollars ($2.00) shall accompany each such service and be paid to the Commissioner of Banking and Insurance.

Service fee.

C. 17:50-5. Reinsurance reserve maintained.

5. There shall be maintained at all times by the exchange, a reinsurance reserve in cash or securities authorized by the laws of the State in which the principal office of the attorney is located for the investment of similar funds of insurance companies doing the same kind of business, in an amount equal to fifty per centum (50%) of the net annual premium deposits collected and credited to the accounts of subscribers on policies having one year or less to run and pro rata on those for longer periods, or, in lieu thereof, one hundred per centum (100%) of the net unearned premium deposits collected and credited to the accounts of subscribers calculated separately for each policy in force as of any given date. In addition to the reserves provided for in this section, there shall also be maintained at all times at the exchange, as assets, a surplus in cash or such securities as aforesaid of not less than the amount of minimum capital and surplus required of a domestic stock insurance company to do the kind or kinds of insurance which it is authorized to write under section one of this act. There shall also be maintained at all times in the hands of the attorney, as a claim or loss reserve, in cash or such securities as aforesaid, assets sufficient to discharge all liabilities on all outstanding or accrued losses arising under policies issued, which are to be calculated in accordance with the laws of the State relating to similar reserves for companies insuring similar risks. If at any time the amounts on hand are less than the foregoing re-

quirements, the subscribers, or their attorney for them, shall make up the deficiency. Net premium deposits, as used in this act, shall be construed to mean the premium deposits made by subscribers after deducting therefrom the amount paid as return premiums upon canceled contracts and reinsurance in companies or associations licensed to do business in this State. If it appears that the amount of funds required in this section has not been accumulated, then the subscribers, or the attorney for them, shall immediately advance such sums as are needed to comply with the provisions of this section, and the funds so advanced shall not be treated as a liability at the exchange, and shall not be withdrawn except with the approval of the chief insurance officer of the State wherein the exchange is domiciled, and such advances shall be repaid only out of the surplus, over and above the minimum required by this section. If the subscribers, or their attorney for them, shall fail to advance sums necessary for the maintenance of such minimum reserves and surplus, within thirty days after receipt of notice from the Commissioner of Banking and Insurance so to do, then said Commissioner of Banking and Insurance shall take charge of and liquidate such exchange in the manner provided by law in the case of other insurers; and in the case of an exchange of another State said Commissioner of Banking and Insurance may revoke its license to transact business in this State.

C. 17:50-6. Cash or securities deposited.

6. Each domestic exchange transacting business in this State shall keep and maintain with the Commissioner of Banking and Insurance a general deposit of cash or securities in the sum of not less than fifty thousand dollars ($50,000.00). In the case of foreign exchanges, a certificate of such deposit with the chief insurance officer of the State of domicile shall be filed with the Commissioner of Banking and Insurance of this State.

C. 17:50-7. Cash premium deposit.

7. The power of attorney under which any contracts of insurance are exchanged pursuant to this act shall provide for a cash premium deposit and

a contingent several liability of the subscriber during each annual period of the term of each contract of insurance issued to him to be fixed in the power of attorney but in an amount not less than one or more than ten times the amount of the annual portion of such cash premium deposit stated in the contract; except that exchanges which have a surplus equal to seven hundred and fifty thousand dollars ($750,000.00) or to the minimum capital and surplus required of a stock insurance company transacting the same kind or kinds of business, whichever is greater, may issue policies without contingent liability; *provided, however,* that any such exchange which shall have issued policies without contingent liability after the acquisition of such surplus may continue to do so only so long as it maintains a surplus in the above amount, and no such exchange shall issue any non-assessable policies, except during such time as it shall continue to maintain such surplus. Proviso.

C. 17:50-8. Report filed with commissioner.

8. Such attorney shall, within the time limited for filing the annual statement by insurance companies, transacting the same kind of business, make a report, under oath, to the Commissioner of Banking and Insurance of this State for each calendar year in such form as he may prescribe, showing the financial condition of affairs at the office where such contracts are issued, and shall at any reasonable time furnish such additional information and reports as may be required by said commissioner; *provided, however,* that the attorney shall not be required to furnish the names and addresses of any subscribers, except in the case of unpaid final judgments. The records, affairs and financial condition of the exchange shall be subject to examination by the Commissioner of Banking and Insurance of this State, and such examination shall be at the expense of the office examined. Where the principal office of the attorney is located in another State, the Commissioner of Banking and Insurance of this State may, in lieu of the examination provided for in this section, accept a certified copy of the report of ex- Proviso.

amination made by the insurance department of the State where the principal office is located, or by the insurance department of any other State.

C. 17:50-9. Right to exchange contracts.

9. (a) Any corporation now or hereafter organized under the laws of this State shall, in addition to the rights, powers and franchises specified in its articles of incorporation, have full power and authority as a subscriber to exchange insurance contracts of the kind and character herein mentioned. The right to exchange such contracts is hereby declared to be incidental to the purposes for which such corporations are organized, and as much granted as the rights and powers expressly conferred.

(b) All persons, firms or corporations holding property in trust may insure the same at a reciprocal exchange, and, in their representative capacity, may assume the liabilities and be entitled to the rights of a subscriber, but such trustees by so doing, shall not personally or individually be liable under the power of attorney executed on behalf of the trust.

C. 17:50-10. Guilty of misdemeanor.

10. Any attorney who shall exchange any contracts of insurance of the kind and character specified in this act, or any attorney or representative of such attorney who shall solicit or negotiate any applications for same, without the attorney first complying with the foregoing provisions, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subjected to a fine of not less than one hundred dollars ($100.00) nor more than one thousand dollars ($1,000.00).

Insurance contracts may be solicited.

For the purposes of organization, and upon issuance of permit by the Commissioner of Banking and Insurance of this State, and under such conditions as he may impose, powers of attorney and applications for such insurance contracts may be solicited without compliance with the provisions of this act, but no attorney or other person shall execute or issue any such contracts of insurance until all the provisions of this act shall have been com-

plied with and certificate of authority issued by the Commissioner of Banking and Insurance.

C. 17:50-11. Certificate of authority.

11. Before issuing any such contracts in this State, the attorney shall procure from the Commissioner of Banking and Insurance of this State a certificate of authority showing that the exchange has complied with all the requirements of this act and is authorized to transact business in this State, which said certificate shall expire on the first day of May of the following year, and shall be renewed each year as of the first day of May thereof. Such certificate shall specify the name or designation under which such contracts of insurance are issued. The Commissioner of Banking and Insurance of this State may, after hearing, revoke or suspend any certificate of authority issued hereunder in the case of violation of any of the provisions of this act, after reasonable notice has been given such attorney in writing, so that he may appear and show cause why such action should not be taken.

Expiration date of certificate.

Certificate may be suspended.

C. 17:50-12. Provisions in policy.

12. The attorney may insert in any form of policy prescribed by the laws of this State or adopted by this State any provisions or conditions required by the plan of reciprocal or inter-insurance; *provided, however,* that same shall not be in conflict with the laws of this State.

C. 17:50-13. Fees and taxes.

13. Such exchanges shall be subject to the same fees and taxes as are provided by the laws of this State, now or hereafter enacted, applicable to insurance companies organized or admitted to do the same kind or kinds of business under the laws of this State.

C. 17:50-14. Application of provisions of act.

14. The provisions of the general insurance laws of this State regarding the appointment, licensing, qualification and regulation of insurance agents and solicitors shall not apply to an exchange or its attorney, or executive officer of such attorney, if a corporation, but shall apply to any other person, partnership or corporation representing any such reciprocal or inter-insurance exchange in soliciting, negotiating or effecting of business in this State.

C. 17:50-15. Provisions of law regulating rates.

15. The provisions of the laws of this State regulating the making and applying of insurance rates and providing for the licensing of rating organizations, being chapter twenty-seven, laws of one thousand nine hundred and forty-four, approved March ninth, one thousand nine hundred and forty-four, effective March ninth, one thousand nine hundred and forty-four, shall apply to reciprocal or inter-insurance contracts, but nothing therein contained shall be construed to prohibit the return of savings or dividends to subscribers of policyholders.

C. 17:50-16. Workmen's compensation insurance.

16. Employers are hereby expressly authorized to exchange contracts of workmen's compensation insurance, at any reciprocal exchange licensed in this State to do that kind of business, but all such exchanges shall be subject to the provisions of the laws of this State relating to the business of workmen's compensation insurance and shall contribute and pay to the funds described in sections 34:15–94, 34:15–112, 34:15–113, 34:15–114 and 34:15–115 of the Revised Statutes in the same manner and to the same extent as mutual carriers engaged in the business of workmen's compensation insurance.

C. 17:50-17. Applicable to reciprocal exchanges.

17. The retaliatory laws of this State set forth in section 17:32–12 of the Revised Statutes shall be applicable to reciprocal or inter-insurance exchanges.

C. 17:50-18. Repealer.

18. All laws or parts of laws in conflict herewith are hereby repealed, insofar as they are in conflict with this act.

C. 17:50-19. If part of act illegal.

19. In the event any section, part or provisions of this act is held to be illegal, the same shall not affect any other section, part or provisions of the act, but the remaining sections, parts and provisions shall be and remain in full force and effect.

20. This act shall take effect immediately.

Approved April 13, 1945.

CHAPTER 162

AN ACT to provide for the imposition of a franchise tax upon certain corporations and for the distribution of the proceeds thereof, repealing sections 54:13–1 through 54:13–8 and chapter thirty-two-A of Title 54, of the Revised Statutes, and making an appropriation for the administration of such tax.

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

Title.

1. This act shall be known as the Corporation Business Tax Act (1945).

Annual franchise tax.

2. Every domestic or foreign corporation which is not hereinafter exempted shall pay an annual franchise tax for the year one thousand nine hundred and forty-six and each year thereafter, as hereinafter provided, for the privilege of having or exercising its corporate franchise in this State, or for the privilege of doing business, employing or owning capital or property, or maintaining an office, in this State. And such franchise tax shall be in lieu of all other State, county or local taxation upon or measured by intangible personal property used in business by corporations liable to taxation under this act.

Doing business.

A foreign corporation shall not be deemed to be doing business, employing or owning capital or property in the State, for the purposes of this act, by reason of (1) the maintenance of cash balances with banks or trust companies in this State, or (2) the ownership of shares of stock or securities in this State if such shares or securities are pledged as collateral security, or deposited with one or more banks or trust companies or brokers who are members of a recognized security exchange, in safekeeping or custody accounts, or (3) the taking of

any action by any such bank or trust company or broker, which is incidental to the rendering of safekeeping or custodian service to such corporation.

Corporations exempt.

3. The following corporations shall be exempt from the tax imposed by this act:

(a) corporations subject to a tax under the provisions of article two of chapter thirteen of Title 54 of the Revised Statutes, or to a tax assessed upon the basis of gross receipts or insurance premiums collected;

(b) railway, canal or banking corporations, savings banks, or building and loan or savings and loan associations;

(c) cemetery corporations not conducted for pecuniary profit of any private shareholder or individual;

(d) non-profit corporations, associations or organizations established, organized or chartered, without capital stock, under the provisions of Titles 15, 16 or 17 of the Revised Statutes, or under a special charter or under any similar general or special law of this or any other State, and not conducted for pecuniary profit of any private shareholder or individual;

(e) corporations subject to a tax under the provisions of chapter four of the laws of one thousand nine hundred and forty, or chapter five of the laws of one thousand nine hundred and forty, or any statute or law imposing a similar tax or taxes.

4. For the purposes of this act, unless the context requires a different meaning:

Commissioner.

"Commissioner" shall mean the director of the division of taxation of the State Department of Taxation and Finance.

Allocation factor.

"Allocation factor" shall mean the proportionate part of a taxpayer's net worth used to determine a measure of its tax under this act.

"Corporation" shall mean any corporation, joint-stock company or association and any business conducted by a trustee or trustees wherein interest or ownership is evidenced by a certificate of interest or ownership or similar written instrument. Corporation.

"Net worth" shall mean the aggregate of the values disclosed by the books of the corporation for (1) issued and outstanding capital stock, (2) paid-in or capital surplus, (3) earned surplus and undivided profits, (4) surplus reserves which can reasonably be expected to accrue to holders or owners of equitable shares, not including reasonable valuation reserves, such as reserves for depreciation or obsolescence or depletion and (5) the amount of all indebtedness owing directly or indirectly to holders of ten per centum (10%) or more of the aggregate outstanding shares of the taxpayer's capital stock of all classes, as of the close of a calendar or fiscal year. However, if in the opinion of the commissioner, the corporation's books do not disclose fair valuations the commissioner may require any additional information which may be necessary for a reasonable determination of the net worth which, in his opinion, would reflect the fair value of the assets carried on the books of the corporation, in accordance with sound accounting principles, and such determination shall be used as net worth for the purpose of this act. Net worth.

"Regulated investment company" shall mean any corporation which, for the period covered by its report, is registered and regulated under the Investment Company Act of 1940 (54 Stat. 789, as amended) and meets the requirements of and is taxable under "Supplement Q" of the Internal Revenue Code (53 Stat. 1, 98, as amended). Regulated investment company.

"Taxpayer" shall mean any corporation required to report or to pay taxes, interest or penalties under this act. Taxpayer.

Fiscal year. "Fiscal year" shall mean an accounting period ending on the last day of any month other than December.

Privilege year. "Privilege year" shall mean the calendar year in and for which a tax is payable under this act.

Franchise tax assessed. 5. The franchise tax to be annually assessed to and paid by each taxpayer shall be measured by the greater of:

(a) that portion of its entire net worth as may be allocable to this State as provided in section six; or

(b) that proportion of its entire net worth as the average value of its assets in this State during the period covered by its report is to the average value of its assets everywhere during such period (for the purpose of which there shall be included as within this State all intangible personal property of domestic corporations, and such intangible personal property of other corporations as would have a business situs within this State for the purpose of a property tax)

Rate. at the rate of 8/10 of a mill on the first one hundred million dollars ($100,000,000.00) of allocated net worth; 4/10 of a mill on the second one hundred million dollars ($100,000,000.00); 3/10 of a mill on the third one hundred million dollars ($100,000,000.00); and 2/10 of a mill on all amounts of allocated net worth in excess of three hundred million dollars ($300,000,000.00); but not less than twenty-five dollars ($25.00) in the case of domestic corporations, or fifty dollars ($50.00) in case of foreign corporations.

Proviso. (c) *Provided, however,* that the franchise tax to be annually assessed to and paid by any regulated investment company shall be measured by that proportion of its entire net worth, but not less than ten per centum (10%) thereof, as the average aggregate value of its capital stock of all classes held by residents of

this State during the period covered by its report bears to the average aggregate value of all its shares of stock issued and outstanding during such period, at the rates hereinabove set forth; but in no case less than one hundred dollars ($100.00).

Maintaining place of business out of State.

6. In the case of a taxpayer which maintains a regular place of business outside this State other than a statutory office, the portion of its entire net worth to be used as a measure of the tax imposed by section five (a) of this act shall be determined by multiplying such entire net worth by an allocation factor which shall be the average of the fractions computed in (A), (B) and (C) below, or of so many of them as may be applicable, that is:

Average value.

(A) The average value of the taxpayer's real and tangible personal property within the State during the period covered by its report divided by the average value of all the taxpayer's real and tangible personal property wherever situated during such period;

Receipts.

(B) The receipts of the taxpayer, computed on the cash or accrual basis according to the method of accounting used in the computation of its net income for Federal tax purposes, arising during such period from

Sale of tangible property.

(1) sales of its tangible personal property located within the State at the time of the receipt of or appropriation to the orders,

Sale of property not located in State.

(2) sales of any such property not located at the time of the receipt of or appropriation to the orders at any permanent or continuous place of business maintained by the taxpayer without the State, where the orders were received or accepted within the State,

Services.

(3) services performed within the State,

Rentals.

(4) rentals from property situated, and royalties from the use of patents or copyrights, within the State,

Business receipts.

(5) all other business receipts earned within the State,

divided by the total amount of the taxpayer's receipts, similarly computed, arising during such period from all sales of its tangible personal property, services, rentals, royalties and all other business receipts, whether within or without the State;

Wages and salaries.

(C) The total wages, salaries and other personal service compensation, similarly computed, during such period of officers and employees within the State divided by the total wages, salaries and other personal service compensation, similarly computed, during such period of all the taxpayer's officers and employees within and without the State.

Maintaining statutory office.

In the case of a taxpayer which does not maintain a regular place of business outside this State other than a statutory office, the allocation factor shall be one hundred per centum (100%).

Compensation of officers.

7. As used in section six (C), compensation of officers and employees within this State shall include the entire amount of wages, salaries and other personal service compensation for services performed within or both within and without this State if:

Service performed in State.

(a) The service is performed entirely within this State; or

Service within and without State.

(b) The service is performed both within and without this State, but the service performed without this State is incidental to the individual's service within the State, for example, is temporary or transitory in nature or consists of isolated transactions;

Service not entirely in State.

(c) The service is not performed entirely in any State but some of the service is performed in this State, and (1) the base of operation, or, if there is no base of operations, then the place from which such service is directed or controlled, is in this State; or (2) the base of operations or place from which such service is directed or controlled is not in any State in which some part of the service is performed, but the individual's residence is in this State;

(d) Contributions are not required and paid with respect to such services under an unemployment compensation law of any other State. Contributions.

8. If it shall appear to the commissioner that an allocation factor determined pursuant to section six does not properly reflect the activity, business, receipts or capital of a taxpayer reasonably attributable to the State, he may adjust it by: Adjustment by commissioner.

(a) excluding one or more of the factors therein;

(b) including one or more other factors, such as expenses, purchases, contract values (minus subcontract values);

(c) excluding one or more assets in computing entire net worth; or

(d) applying any other similar or different method calculated to effect a fair and proper allocation according to the receipts, activity, business and capital reasonably attributable to the State.

The commissioner shall from time to time publish his rulings with respect to any application of the provisions of this section. Nothing herein shall be construed to require or permit the commissioner to adjust an allocation factor determined pursuant to section five (b). Rulings.

9. Any taxpayer which holds capital stock of a subsidiary during all or part of any year may, for the purposes of the tax imposed by this act, deduct from its net worth such proportion, not exceeding fifty per centum (50%), of the average value of such holdings less net liabilities (if any) to subsidiaries, as the ratio of the subsidiary's taxable net worth, for the same year under this act, to its entire net worth; *provided, however,* that if the subsidiary is subject to a franchise tax measured by gross receipts under any other law of this State, such deductible portion of such holdings shall be determined as the ratio of the subsidiary's business Capital stock of a subsidiary.

within the State to its business everywhere during its next preceding taxable year under such law, but shall not exceed seventy-five per centum (75%) of the average value of such holdings. For the purpose of this section, a subsidiary shall be deemed to be any corporation in which a taxpayer is the beneficial owner of at least eighty per centum (80%) of the total combined voting power of all classes of stock entitled to vote and of at least eighty per centum (80%) of the total number of shares of all other classes of stock except nonvoting stock which is limited and preferred as to dividends.

Evasion of tax.

10. Whenever it shall appear to the commissioner that any taxpayer maintains a place of business outside this State, or that any agreement, understanding or arrangement exists between a taxpayer and any other corporation or any person or firm, for the purpose of evading tax under this act, or whereby the activity, business, receipts or net worth of the taxpayer is improperly or inaccurately reflected, the commissioner is authorized and empowered in his discretion and in such manner as he may determine, to adjust items of gross receipts, tangible property and payrolls within and without the State and the allocation of net worth, or to make such other adjustments in any tax report or tax returns as may be necessary. The commissioner may require any person or corporation to submit such information under oath, or to permit such examination of its books, papers and documents, as may be necessary to enable him to determine the existence, nature or extent of an agreement, understanding or arrangement to which this section relates, whether or not such person or corporation is subject to the tax imposed by this act.

Receiver subject to tax.

11. Any receiver, referee, trustee, assignee or other fiduciary, or any officer or agent appointed by any court, who conducts the business of any taxpayer shall be subject to the tax imposed by this act in the same manner and to the same extent as

if the business were conducted by the agents or officers of such taxpayer. A dissolved taxpayer which continues to conduct business in the process of liquidation shall also be subject to the tax imposed by this act.

Dissolution or withdrawal of corporations.

12. No domestic corporation shall dissolve, liquidate or distribute any assets in dissolution or liquidation to its stockholders, nor shall any other corporation withdraw from the State in any privilege year without having first duly filed its return under this act and paid or secured the tax, interest and penalties due thereon for the year in which such dissolution or withdrawal occurs as well as all delinquent taxes, interest, and penalties then due.

Corporations organized after January 1st.

13. In the case of any corporation which organizes or qualifies on or after January first in any year no tax shall be payable in such privilege year.

Submit Federal income tax returns.

14. The commissioner may by general rule or by special notice require any taxpayer to submit copies or pertinent extracts of its Federal income tax returns, or of any other tax return made to any agency of the Federal Government, or of this or any other State, or of any statement or registration made pursuant to any State or Federal law pertaining to securities or securities exchange regulation.

Taxes due and payable.

15. The tax imposed by this act shall be due and payable with respect to the calendar year one thousand nine hundred and forty-six, and each year thereafter, measured by the taxpayer's net worth as of the close of the calendar year or of its fiscal year next preceding the privilege year, except that in the case of a taxpayer whose fiscal year ends not later than July first in the privilege year such measure shall be as of the close of such fiscal year. For the purpose of this section every taxpayer shall use the same calendar or fiscal year upon which it reports to the United States Treasury Department for Federal income tax purposes.

Lien.

16. The tax imposed by this act shall constitute a lien on all of the taxpayer's property and franchises on and after January first of the year in

which it is due and payable, and all interest, penalties, and costs of collection which thereafter fall due or accrue shall be added to and become a part of such lien.

File tax return.

17. On or before the fifteenth day of April, in the case of taxpayers reporting on a calendar year basis, and on or before the fifteenth day of January or the fifteenth day of the fourth month following the close of a fiscal year, whichever is later, in the case of taxpayers reporting on a fiscal year basis, each taxpayer shall duly execute and file a tax return with the commissioner, in such form and containing such information as he may prescribe, which return shall truly and accurately set forth its liability under this act; and the full amount of the tax hereunder shall be due and payable to the commissioner together with such return.

Forms.

18. The commissioner shall design a form of return and forms for such additional statements or schedules as he may require to be filed therewith. Such forms shall provide for the setting forth of such facts as the commissioner may deem necessary for the proper enforcement of this act. He shall cause a supply thereof to be printed and shall furnish appropriate blank forms to each taxpayer upon application or otherwise as he may deem necessary. Failure to receive a form shall not relieve any taxpayer from the obligation to file a return under the provisions of this act. Each such return shall be made upon the oath or affirmation of the president, vice-president, or secretary or treasurer of the taxpayer, and in the case of a corporation in liquidation or in the hands of a receiver or trustee, shall be made on the oath or affirmation of the person responsible for the conduct of the affairs of such corporation.

Extension of time.

19. The commissioner may grant a reasonable extension of time for the filing of returns or the payment of tax, or both, under such rules and regulations as he shall prescribe, but no such extension shall be granted beyond the first day of December of the privilege year. If the time for filing the

return shall be extended, the payment of the tax shall be postponed to the date fixed by the extension of the time for the filing of the return, but in every such case the corporation shall pay, in addition to the tax, interest thereon at the rate of six per centum (6%) per annum from the time when the return originally was required to be filed to the time of payment under the extension.

Injunction.

20. In addition to other remedies for the collection of the tax imposed by this chapter, it shall be lawful for the Attorney-General either of his own motion or upon the request of the commissioner, whenever any tax due under this chapter shall have remained in arrears for a period of three months after the tax shall have become payable, to apply to the Court of Chancery, by petition in the name of the State, on five days' notice to such corporation, which notice may be served in such manner as the Chancellor may direct, for an injunction to restrain such corporation from the exercise of any franchise, or the transaction of any business within this State until the payment of such tax and penalties and interest due thereon, and the costs of such application, to be fixed by the Chancellor; the said court is hereby authorized to grant such injunction, if a proper case appear, and upon the granting and service of such injunction it shall not be lawful for such company thereafter to exercise any franchise or transact any business in this State until such injunction be dissolved.

Revocation of license.

21. In the event of failure or neglect of any taxpayer which is a foreign corporation to pay the tax imposed by this chapter, on or before the first day of December in each year, immediate notice thereof may be given by the commissioner to the Secretary of State who shall immediately revoke the certificate of authority of said corporation to do business in the State of New Jersey and notice of such revocation shall be given by the Secretary of State to the corporation affected and thereafter such corporation, so far as the further transaction of business in the State of New Jersey is concerned, shall

be in the same condition as if no certificate of authority had ever been issued to it by the Secretary of State, but remedies provided by this chapter for the collection of the tax and interest and penalties shall remain unimpaired. After the revocation of any such certificate of authority, no new certificate shall be issued by the Secretary of State to such defaulting corporation until the payment of all assessments imposed hereunder and remaining unpaid with penalties and interest and any costs that may have accrued, such payment to be evidenced by a certificate of the commissioner.

Forfeiture of charter.

22. Any corporation of this State failing to pay the tax imposed by this act shall be subject to the forfeiture of its charter as provided by chapter eleven of Title 54 of the Revised Statutes.

Administration.

23. The administration, collection and enforcement of the tax imposed by this act shall be subject to the provisions of the State tax uniform procedure law as therein provided (chapters forty-eight through fifty-two of Title 54 of the Revised Statutes).

Appropriation for public schools.

24. Out of the proceeds of the taxes, interest and penalties collected pursuant to this act, there is hereby appropriated, for the purpose of maintaining free public schools, the sum of four million dollars ($4,000,000.00) annually, which sum shall on or before December twentieth in each year be transferred by the State Treasurer to the State school tax account. Such appropriation shall be applied toward reduction of the State school tax as provided by section 18:10–18 of the Revised Statutes, and shall be apportioned and distributed in the same manner and for the same purposes as the proceeds of the State school tax.

Section invalid.

25. If any clause, sentence, paragraph, section or part of this act shall 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, section or

part thereof directly involved in the controversy in which such judgment shall have been rendered.

Appropriation for administration.

26. There is hereby appropriated for the expense of administering this act during the fiscal year ending June thirtieth, one thousand nine hundred and forty-six, the sum of seventy-five thousand dollars ($75,000.00) in addition to such other sums as may have been appropriated for the division of taxation.

Repealer.

27. Sections 54:13–1 through 54:13–8 and chapter thirty-two-A of Title 54 of the Revised Statutes are repealed; *provided, however,* that this shall not affect the obligation of any corporation to pay accrued taxes or interest, penalties or costs with respect thereto, nor to invalidate any assessments or proceedings pending upon the effective date hereof, nor to affect the legal authority to assess and collect taxes which may have been due and payable prior to the effective date hereof together with such interest and penalties as would have accrued thereon, under any provisions of law herein repealed; nor shall such repeal affect the tenure or employment of any employees heretofore appointed pursuant to any such repealed provision or section.

Proviso.

Rules.

28. The commissioner shall prescribe and issue such rules and regulations, not inconsistent herewith, for the interpretation and application of the provisions of this act, as he may deem necessary.

Effective.

29. This act shall take effect January first, one thousand nine hundred and forty-six, except that the commissioner may prior thereto take such action as he may deem appropriate in anticipation of or in preparation for the operation of the provisions hereof, and except further that the appropriation contained herein for the reduction of the State school tax shall be first made for the fiscal year beginning July first, one thousand nine hundred and forty-six.

Approved April 13, 1945.

CHAPTER 163

AN ACT relating to taxation, exempting certain intangible personal property from the general property tax, amending sections 54:4–1, 54:4–9, 54:4–12, 54:4–16, 54:4–33, 54:4–36 and 54:4–52, and repealing sections 54:4–3, 54:4–3.1, 54:4–3.2, 54:4–3.8, 54:4–3.14, 54:4–3.17, 54:4–3.22, 54:4–3.23, 54:4–14, 54:4–15, 54:4–18, 54:4–19 and 54:4–19.1, and supplementing Title 54 of the Revised Statutes.

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

Section amended.

1. Section 54:4–1 of the Revised Statutes is amended to read as follows:

Property subject to taxation at its true value.

54:4–1. All property real and personal within the jurisdiction of this State not expressly exempted from taxation or expressly excluded from the operation of this chapter shall be subject to taxation annually under this chapter at its true value, and shall be valued by the assessors of the respective taxing districts. Personal property taxable under this chapter shall include, however, only tangible goods and chattels and shall not include any intangible personal property whatsoever whether or not such personalty is evidenced by a tangible or intangible chose in action, except as otherwise required by sections 54:4–20, 54:4–21 and 54:4–22 hereof. Property omitted by the assessors may be assessed as hereinafter provided. All property shall be assessed to the owner thereof with reference to the amount owned on October first in each year, and the person so assessed for personal property shall be personally liable for the taxes thereon.

Date of assessment.

Sections repealed.

2. The following sections of the Revised Statutes are hereby repealed: 54:4–3, 54:4–3.1, 54:4–3.2,

54:4–3.8, 54:4–3.14, 54:4–3.17, 54:4–3.22, 54:4–3.23, 54:4–14, 54:4–15, 54:4–18, 54:4–19 and 54:4–19.1.

Section amended.

3. Section 54:4–9 of the Revised Statutes is amended to read as follows:

Property assessed in taxing district.

54:4–9. The tax on all tangible personal property in this State shall be assessed in and for the taxing district where the property is found.

Section amended.

4. Section 54:4–12 of the Revised Statutes is amended to read as follows:

Assessor to ascertain persons and property taxable.

54:4–12. The assessor shall annually ascertain by diligent inquiry and by the oath of persons to be assessed and others, according to the best of his ability and judgment, the names of all the persons taxable in his district and the true value of all the personal property therein. Every inhabitant of the taxing district, and every owner of personal property located in the district shall, on application of the assessor, forthwith render a true account of his name and tangible personal property, and the assessor shall set down in a list in proper columns the names, the value of the personal estate assessed to each one, the amount allowed by the assessor as a deduction from such value for exemptions, and the net value of personal property assessed to each person. The assessor shall also ascertain and enter in the list in the appropriate column opposite each name, any poll tax and any dog tax chargeable against such person.

Account rendered.

Poll and dog tax.

Section amended.

5. Section 54:4–16 of the Revised Statutes is amended to read as follows:

Examination by assessor.

54:4–16. The assessor shall have power to examine under oath any person or officer of a corporation with regard to the taxable property of himself, the corporation or others, or the truth of the matters contained in a claim for exemption of any person or corporation, and may compel the attendance of such persons and other witnesses and the production of books and papers by his order therefor, designating the time and place for such attendance and production. The order shall be served on the person, witness or corporation at least two days before the time named, either personally or by

leaving it at the residence of the person or witness or at the office of the corporation. In case of failure to comply with the order, the assessor may apply to the Circuit Court or the court of common pleas which shall award process of subpœna for such appearance and production, and may punish for contempt any person disregarding such process.

Subpœna.

Section amended.

6. Section 54:4–33 of the Revised Statutes is amended to read as follows:

No deduction on account of mortgage.

54:4–33. No deduction from the assessed value of real property shall be made by the assessor on account of any mortgage debt, but the mortgagor or owner of the property paying the tax on mortgaged real property shall be entitled to credit on the interest payable on the mortgage for so much of the tax as is equal to the tax rate applied to the amount due on the mortgage, except where the parties have otherwise agreed, or where the mortgage is an investment of funds not subject to taxation, or where the parties have lawfully agreed that no deduction shall be made from the taxable value of the lands by reason of the mortgage.

Section amended.

7. Section 54:4–36 of the Revised Statutes is amended to read as follows:

Affidavit by assessor.

54:4–36. The assessor shall annex to his assessment list and duplicate so filed, his affidavit in substantially the following form:

> "I, ..., assessor of the..... of ....., do swear (or affirm) that the foregoing list contains the valuations made by me to the best of my ability, of all the property liable to taxation in the taxing district in which I am the assessor, and that I have valued it, without favor or partiality, at its full and fair value, at such price as in my judgment it would sell for at a fair and bona fide sale by private contract on October first last, and have made such deduction only for exemptions as are prescribed by law."

8. Section 54:4–52 of the Revised Statutes is amended to read as follows: Section amended.

54:4–52. The county board of taxation shall, on or before April tenth, fill out a table of aggregates copied from the duplicates of the several assessors and the certifications of the State Tax Commissioner relating to second-class railroad property, and enumerating the following items: Table of aggregates.

(1) The total number of acres and lots assessed;

(2) The value of the land assessed;

(3) The value of the improvements thereon assessed;

(4) The total value of the land and improvements assessed, exclusive of second-class railroad property;

(5) The value of the personal property assessed, stating in separate columns:

a. Value of household goods and chattels assessed;

b. Value of farm stock and machinery assessed;

c. Value of stocks in trade, materials used in manufacture and other personal property assessed under section 54:4–11;

d. Value of all other tangible personal property used in business assessed.

(6) Deductions allowed, stated in separate columns:

a. Household goods and other exemptions under the provisions of section 54:4–3.16 of this Title;

b. Property exempted under section 54:4–3.12 of this Title;

(7) The net valuation taxable;

(8) Amounts deducted under the provisions of sections 54:4–49 and 54:4–53 of this Title or any other similar law (adjustments resulting from prior appeals);

(9) Amounts added under any of the laws mentioned in subdivision eight of this section (like adjustments);

(10) Amounts added for equalization under the provisions of sections 54:3–17 to 54:3–19 of this Title;

(11) Amounts deducted for equalization under the provisions of said sections 54:3–17 to 54:3–19 of this Title;

(12) The value of second-class railroad property;

(13) Net valuation on which county, State and State school taxes are apportioned;

(14) The number of polls assessed;

(15) The amount of dog taxes assessed;

(16) The property exempt from taxation under the following special classifications:

a. Public school property;
b. Other school property;
c. Public property;
d. Church and charitable property;
e. Cemeteries and graveyards;
f. Other exemptions not included in foregoing classifications subdivided showing exemptions of real property and exemptions of personal property;
g. The total amount of exempt property;

(17) State road tax;

(18) State school tax;

(19) County taxes apportioned, exclusive of bank stock taxes;

(20) Local taxes to be raised, exclusive of bank stock taxes, subdivided as follows:

a. District school tax;
b. Other local taxes;

(21) Total amount of miscellaneous revenues, including surplus revenue appropriated, for the support of the taxing district budget;

(22) District court taxes;

(23) Library tax;

(24) Bank stock taxes due taxing district;

(25) Tax rate for local taxing purposes to be known as general tax rate to apply per one hundred dollars ($100.00) of valuation.

In addition to the above such other matters may be added, or such changes in the foregoing items may be made, as may from time to time be directed by the commissioner. The forms for following out tables of aggregates shall be prescribed by the commissioner and sent by him to the county treasurers of the several counties to be by them transmitted to the county board of taxation. Such table of aggregates shall be correctly added by columns and shall be signed by the members of the county board of taxation and shall within three days thereafter be transmitted to the county treasurer who shall file the same and forthwith cause it to be printed in its entirety and shall transmit certified copy of same to the State Comptroller, State Tax Commissioner, the State Auditor, the clerk of the board of freeholders, and the clerk of each municipality in the county.

Forms for tables of aggregates.

9. Nothing herein shall be construed to affect any pending litigation, nor to repeal, abate, cancel, cause to lapse, or otherwise affect in any manner, any assessment or the lien or obligation to pay any taxes heretofore assessed to any taxpayer, or the legal authority to collect taxes, interest and penalties which have accrued under any provision of law repealed by this act, or under any other law, except as specifically provided in this act; *provided, however,* that on and after the effective date of this act no county board of taxation shall by resolution cause to be entered upon the tax duplicate an assessment against any intangible personal property omitted by the assessor, nor entertain any complaint for the adding of omitted intangible personal property, save that any proceeding heretofore actually instituted for the listing and assessment of omitted property may be prosecuted to its final conclusion without respect to the provisions of this section.

Not to effect pending litigation.

Effective.

10. This act shall take effect immediately, but amendments of the table of aggregates shall be effective beginning with one thousand nine hundred and forty-six.

Approved April 13, 1945.

CHAPTER 164

AN ACT relating to appropriations for the support of free public schools and the distribution and apportionment of certain school moneys, amending section 18:10–18 and supplementing chapter ten of Title 18 of the Revised Statutes.

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

Section amended.

1. Section 18:10–18 of the Revised Statutes is amended to read as follows:

Amount appropriated.

18:10–18. For the purpose of maintaining free public schools there shall be appropriated each year from any moneys in the State treasury not otherwise appropriated such sum, not less than one hundred thousand dollars ($100,000.00), as may be determined by the Legislature in the annual appropriation act, and the sum of four million dollars ($4,000,000.00) annually out of the proceeds of the corporation business tax act (1945). Ten per centum (10%) of such sums shall be apportioned to the reserve fund created by section 18:10–22 of this chapter, and the remaining ninety per centum (90%) thereof shall be apportioned among and paid to the several counties, on or before December twentieth in each year, in the proportion that the ratables of each of said counties shall bear to the total ratables of the State as exhibited by the latest abstract of ratables filed in the office of the State Comptroller. In addition to the amount so de-

Apportionment.

termined and appropriated, a State school tax shall be annually assessed, levied, and collected upon the taxable real and personal property in the State, as exhibited by the latest abstract of ratables of the several counties made out by the State Tax Commissioner and filed in the office of the State Comptroller. Said tax shall be such an amount as will make, when added to the amount determined and appropriated as aforesaid and the amount appropriated for the reduction thereof by the corporation business tax act (1945), a sum equal to 2.9 mills on each dollar of valuation of the taxable real and personal property in the State as exhibited by the last abstract of ratables of the several counties made out by the State Tax Commissioner and filed in the office of the State Comptroller, which tax shall be assessed, levied and collected at the same time and in the same manner as other taxes shall be assessed, levied and collected.

Abstract of ratables.

Tax assessed.

2. In the apportionment of the State school tax for the year one thousand nine hundred and forty-six, as provided by section 18:10–19 of the Revised Statutes, the State Comptroller shall deduct from the net valuation taxable of each county as shown by its abstract of ratables for the year one thousand nine hundred and forty-five, the aggregate valuations of intangible personal property for that year (except bank stock and insurance company valuations), as may be determined from such abstract or otherwise and certified to him by the director of the division of taxation, before making his apportionment of the State school tax payable by the several counties.

Apportionment for 1946.

3. This act shall take effect immediately.

Approved April 13, 1945.

CHAPTER 165

AN ACT relating to installment payments of local property taxes, supplementing section 54:4–66 of the Revised Statutes.

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

May increase amount due by ordinance.

1. Notwithstanding the provisions of section 54:4–66 of the Revised Statutes, the local governing body of any municipality may by ordinance increase the amount to be due and payable as each of the first two installments of local property taxes to be assessed in and for the year one thousand nine hundred and forty-six. Such increase may be imposed, however, only where necessary to equalize the taxes payable in the first and second halves of such year wherever a subtantial increase in the local tax rate over the rate of the previous year is anticipated as a result of the exemption of intangible personal property from local taxation.

2. This act shall take effect immediately.

Approved April 13, 1945.

CHAPTER 166

AN ACT for the relief of any county in which the exemption of intangible personal property from the general property tax shall cause a reduction of eighty per centum (80%) or more in net valuation taxable for county purposes.

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

State treasurer to pay each county.

1. In the fiscal years ending June thirtieth, one thousand nine hundred and forty-seven, and June thirtieth, one thousand nine hundred and forty-eight, on or before the fifteenth day of July thereof, out of such sums as may be appropriated therefore in the annual appropriation acts, the State Treasurer shall pay to each county in which the valuation of intangible personal property assessed for the year one thousand nine hundred and forty-five exceeds eighty per centum (80%) of its net valuation taxable for county purposes for the year one thousand nine hundred and forty-six, as shown by the county abstracts of ratables on file in the office of the director of taxation of the State Department of Taxation and Finance, or as may be otherwise determined by such director the following amounts:

Fiscal year 1946.

(a) For the fiscal year one thousand nine hundred and forty-six, two-thirds of the amount of the county taxes assessed upon such intangible personal property ratables, as finally determined pursuant to law, in and for the year one thousand nine hundred and forty-five.

Fiscal year 1947.

(b) For the fiscal year one thousand nine hundred and forty-seven, one-third of the amount of county taxes assessed upon such intangible personal property ratables so determined in and for the year one thousand nine hundred and forty-five.

Budget for county purposes.

2. Any county in which the budget for county purposes in one thousand nine hundred and forty-six, exceeds the budget for one thousand nine hundred and forty-five, exclusive of debt service in each case, by more than five per centum (5%), or in which such budget for one thousand nine hundred and forty-seven exceeds the budget for one thousand nine hundred and forty-five, exclusive of debt service in each case, by more than ten per centum (10%), shall not be entitled to its share of the amount otherwise distributable under this act for the year in question.

3. This act shall take effect immediately.

Approved April 13, 1945.

CHAPTER 167

AN ACT concerning limitations of actions in certain cases, and supplementing chapter twenty-four of Title 2 of the Revised Statutes.

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

C. 2:24-26. Suspension of the operation of statute of limitation.

1. The period of service, in time of war and six months thereafter, of any person, in the active military or naval service of the United States, or in the active service of the Women's Auxiliary Corps, the Women's Reserve of the Naval Reserve, or any similar organization authorized by the United States to serve with the army or navy, shall not be included in computing any period now or hereafter limited by any law for the bringing of any action by or against any such person or by or against his heirs, executors, administrators or assigns, whether such cause of action shall have accrued prior to, or during, the period of such service and during such six months thereafter.

2. This act shall take effect immediately.

Approved April 16, 1945.

CHAPTER 168

AN ACT concerning civil rights, and amending sections 10:1–3, 10:1–6 and 10:1–8 of the Revised Statutes.

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

1. Section 10:1–3 of the Revised Statutes is amended to read as follows: Section amended.

10:1–3. No 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, color, national origin, or ancestry, or that the patronage or custom thereat of any person belonging to or purporting to be of any particular race, creed, color, national origin, or ancestry, is unwelcome, objectionable or not acceptable, desired or solicited. Withholding privilege.

2. Section 10:1–6 of the Revised Statutes is amended to read as follows: Section amended.

10:1–6. Any person who shall violate any of the provisions of sections 10:1–2 to 10:1–5 of this Title by denying to any citizen, except for reasons applicable alike to all citizens of every race, creed, color, national origin or ancestry and regardless of race, creed, color, national origin, or ancestry, the full enjoyment of any of the accommodations, advantages, facilities or privileges in said sections enumerated, or by aiding or inciting such denial, or who shall aid or incite the violation of any of the Penalty for violation.

said provisions shall, for each and every violation thereof, forfeit and pay the sum of not less than one hundred dollars ($100.00) nor more than five hundred dollars ($500.00), to the State, to be recovered in an action at law, with 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 ($500.00), or imprisonment of not more than ninety days, or both.

Section amended.

3. Section 10:1–8 of the Revised Statutes is amended to read as follows:

Grand or petit juror.

10:1–8. No citizen possessing all other qualifications prescribed by law shall be disqualified for service as a grand or petit juror in any court on account of race, color, creed, national origin, or ancestry, and any officer or other person charged with any duty in the selection or summoning of jurors who shall exclude or fail to summon any citizen for the cause aforesaid shall, on conviction thereof, be deemed guilty of a misdemeanor, and be fined not more than five thousand dollars ($5,000.00).

4. This act shall take effect immediately.

Approved April 16, 1945.

CHAPTER 169

AN ACT to prevent and eliminate practices of discrimination in employment and otherwise against persons because of race, creed, color, national origin or ancestry; to create a division in the Department of Education to effect such prevention and elimination; and making an appropriation therefor.

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

1. This act shall be known as "Law Against Discrimination." C. 18:25-1. Title.

2. The enactment hereof shall be deemed an exercise of the police power of the State for the protection of the public safety, health and morals and to promote the general welfare and in fulfillment of the provisions of the Constitution of this State guaranteeing civil rights. C. 18:25-2. Exercise of police power.

3. The Legislature finds and declares that practices of discrimination against any of its inhabitants, because of race, creed, color, national origin or ancestry, are a matter of concern to the government of the State, and that such discrimination threatens not only the rights and proper privileges of the inhabitants of the State but menaces the institutions and foundation of a free democratic State. C. 18:25-3. Declaration of Legislature.

4. The opportunity to obtain employment without discrimination because of race, creed, color, national origin or ancestry is recognized as and declared to be a civil right. C. 18:25-4. Civil right.

5. As used in this act, unless a different meaning clearly appears from the context: C. 18:25-5.

a. "Person" includes one or more individuals, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy or receivers. Person.

Employment agency.

b. "Employment agency" includes any person undertaking to procure employees or opportunities to work.

Labor organization.

c. "Labor organization" includes any organization which exists and is constituted for the purpose, in whole or in part, of collective bargaining or of dealing with employers concerning grievances, terms or conditions of employment, or of other mutual aid or protection in connection with employment.

Unlawful employment practice.

d. "Unlawful employment practice" includes only those unlawful practices specified in section eleven of this act.

Employer.

e. "Employer" does not include a club exclusively social or a fraternal, charitable, educational or religious association or corporation, if such club, association or corporation is not organized for private profit nor does it include any employer with fewer than six persons in his employ.

Employee.

f. "Employee" does not include any individual employed by his parents, spouse or child, or in the domestic service of any person.

Division.

g. "Division" means the State "Division against Discrimination" created by this act.

Commissioner.

h. "Commissioner" means the State Commissioner of Education.

C. 18:25-6. Division against discrimination.

6. There is created in the State Department of Education a division to be known as "The Division against Discrimination" with power to prevent and eliminate discrimination in employment against persons because of race, creed, color, national origin or ancestry by employers, labor organizations, employment agencies or other persons and to take other actions against discrimination because of race, creed, color, national origin or ancestry, as herein provided; and the division created hereunder is given general jurisdiction and authority for such purposes.

C. 18:25-7. Council.

7. The said division shall consist of the Commissioner of Education and a council. The council

shall consist of seven members; each member shall be appointed by the Governor, with the advice and consent of the Senate, for a term of five years and until his successor is appointed and qualified, except that of those first appointed, one shall be appointed for a term of one year, one for a term of two years, one for a term of three years and two for a term of four years. Vacancies caused other than by expiration of term shall be filled in the same manner but for the unexpired term only. Members of the council shall serve without compensation but shall be reimbursed for necessary expenses incurred in the performance of their duties. The first chairman of the council shall be designated by the Governor and thereafter, the chairman shall be elected by the members, annually.

Vacancies.

Chairman.

8. The commissioner shall

C. 18:25-8. Duties of commissioner.

a. Exercise all powers of the division not vested in the council.

b. Administer the work of the division.

c. Prescribe the organization of the division and the duties of his subordinates and assistants.

d. Subject to the approval of the council and the Governor, appoint such other officers, employees and agents, and fix their compensation within the limits of available appropriations, except as may be otherwise provided by law.

e. Maintain liaison with local, State and Federal officials and agencies concerned with matters related to the work of the division.

f. Subject to the approval of the council, adopt, promulgate, amend, and rescind suitable rules and regulations to carry out the provisions of this act.

g. Receive, investigate and pass upon complaints alleging discrimination in employment against persons because of race, creed, color, national origin or ancestry.

h. Hold hearings, subpœna witnesses, compel their attendance, administer oaths, take the testimony of any person, under oath, and in connection therewith, to require the production for examination of any books or papers relating to any matter under investigation or in question before the commissioner. The commissioner may make rules as to the issuance of subpœnas by the assistant commissioner.

i. Issue such publications and such results of investigations and research tending to promote good will and to minimize or eliminate discrimination because of race, creed, color, national origin or ancestry, as the council shall direct.

j. Render each year to the Governor and Legislature a full written report of all the activities of the division.

C. 18:25-9. Assistant commissioner of education.

8A. An assistant commissioner of education, who shall be appointed by the Governor with the advice and consent of the Senate, shall be assigned to the division against discrimination. Such assistant commissioner shall act for the commissioner, in his place and with his power; he shall receive an annual salary of seven thousand dollars ($7,000.00); he shall hold office for five years and until his successor has qualified.

C. 18:25-10. Duties of council.

9. The council shall

a. Consult with and advise the commissioner with respect to the work of the division.

b. Approve or disapprove the appointment of officers, employees and agents, and the fixing of their compensation by the commissioner.

c. Survey and study the operations of the division.

d. Report to the Governor and the Legislature with respect to such matters relating to the work of the division and at such times as it may deem in the public interest.

e. Create such advisory agencies and conciliation councils, local, regional or Statewide, as in its judgment will aid in effectuating the purposes of this act, and the council may empower them to study the problems of discrimination in all or specific fields of human relationships or in specific instances of discrimination because of race, creed, color, national origin or ancestry and to foster through community effort or otherwise good will, cooperation and conciliation among the groups and elements of the population of the State, and make recommendations to the council for the development of policies and procedures in general and in specific instances and for programs of formal and informal education which the council may recommend to the appropriate State agency. Such advisory agencies and conciliation councils shall be composed of representative citizens, serving without pay, but with reimbursement for actual and necessary traveling expenses; and the council may make provision for technical and clerical assistance to such agencies and councils and for the expenses of such assistance.

C. 18:25-11. No person excused from testifying.

10. No person shall be excused from attending and testifying or from producing records, correspondence, documents or other evidence in obedience to the subpœna of the commissioner or assistant commissioner, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture, but no person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such person so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying. The immunity herein provided shall extend only to natural persons so compelled to testify.

C. 18:25-12. Unlawful employment practice.

11. It shall be an unlawful employment practice:

a. For an employer, because of the race, creed, color, national origin or ancestry of any individual, to refuse to hire or employ or to bar or to discharge from employment such individual or to discriminate against such individual in compensation or in terms, conditions or privileges of employment.

b. For a labor organization, because of the race, creed, color, national origin or ancestry of any individual, to exclude or to expel from its membership such individual or to discriminate in any way against any of its members or against any employer or any individual employed by an employer.

c. For any employer or employment agency to print or circulate or cause to be printed or circulated any statement, advertisement or publication, or to use any form of application for employment, or to make any inquiry in connection with prospective employment, which expresses, directly or indirectly any limitation, specification or discrimination as to race, creed, color, national origin or ancestry or any intent to make any such limitation, specification or discrimination, unless based upon a bona fide occupational qualification.

d. For any employer, labor organization or employment agency to discharge, expel or otherwise discriminate against any person because he has opposed any practices forbidden under this act or because he has filed a complaint, testified or assisted in any proceeding under this act.

e. For any person, whether an employer or an employee or not, to aid, abet, incite, compel or coerce the doing of any of the acts forbidden under this act, or to attempt to do so.

C. 18:25-13. Complaint by aggrieved person.

12. Any person claiming to be aggrieved by an alleged unlawful employment practice may, by himself or his attorney-at-law, make, sign and file

with the commissioner a verified complaint in writing which shall state the name and address of the person, employer, labor organization or employment agency alleged to have committed the unlawful employment practice complained of and which shall set forth the particulars thereof and contain such other information as may be required by the commissioner. The Commissioner of Labor or Attorney-General may, in like manner, make, sign and file such complaint. Any employer whose employees, or some of them, refuse or threaten to refuse to co-operate with the provisions of this act, may file with the commissioner a verified complaint asking for assistance by conciliation or other remedial action.

Complaint by commissioner of labor.

13. After the filing of any complaint, the commissioner shall cause prompt investigation to be made in connection therewith; and if the commissioner shall determine after such investigation that probable cause exists for crediting the allegations of the complaint, he shall immediately endeavor to eliminate the unlawful employment practice complained of by conference, conciliation and persuasion. Neither the commissioner nor any officer or employee of the division shall disclose what has transpired in the course of such endeavors.

C. 18:25-14. Investigation.

14. In case of failure so to eliminate such practice, or in advance thereof if in his judgment circumstances so warrant, he shall cause to be issued and served in the name of the division, a written notice, together with a copy of such complaint, as the same may have been amended, requiring the person, employer, labor organization or employment agency named in such complaint, hereinafter referred to as respondent, to answer the charges of such complaint at a hearing before the commissioner at a time and place to be specified in such notice. The place of any such hearing shall be the office of the commissioner or such other place as may be designated by him.

C. 18:25-15. Notice to answer charges.

15. The case in support of the complaint shall be presented before the commissioner by the at-

C. 18:25-16. Answer to complaint.

torney for the division and evidence concerning attempted conciliation shall not be received. The respondent may file a written verified answer to the complaint and appear at such hearing in person or representative, with or without counsel, and submit testimony. In the discretion of the commissioner, the complainant may be allowed to intervene and present testimony in person or by counsel. The commissioner or the complainant shall have the power reasonably and fairly to amend any complaint, and the respondent shall have like power to amend his answer. The commissioner shall not be bound by the strict rules of evidence prevailing in courts of law or equity. The testimony taken at the hearing shall be under oath and be transcribed.

C. 18:25-17. Order to cease unlawful employment practice.

16. If, upon all the evidence at the hearing the commissioner shall find that the respondent has engaged in any unlawful employment practice as defined in this act, the commissioner shall state his findings of fact and shall issue and cause to be served on such respondent an order requiring such respondent to cease and desist from such unlawful employment practice and to take such affirmative action, including, but not limited to, hiring, reinstatement or upgrading of employees, with or without back pay, or restoration to membership in any respondent labor organization, as, in the judgment of the commissioner, will effectuate the purposes of this act, and including a requirement for report of the manner of compliance. If, upon all the evidence, the commissioner shall find that the respondent has not engaged in any such unlawful employment practice, the commissioner shall state his findings of fact and shall issue and cause to be served on the complainant an order dismissing the said complaint as to such respondent.

C. 18:25-18. Rules of practice.

17. The commissioner shall establish rules of practice to govern, expedite and effectuate the foregoing procedure and his own actions thereunder. Any complaint filed pursuant to this section must be so filed within ninety days after the alleged act of discrimination.

C. 18:25-19. Orders enforced by mandamus.

18. Observance of the orders of the commissioner may be enforced by mandamus or injunction in appropriate cases, or by suit in equity to compel the specific performance of the order or of the duties imposed by law upon the respondent named in the order. Any order made by the commissioner may be reviewed upon certiorari by the Supreme Court. No certiorari shall be allowed unless application therefor be made within thirty days from the date of service of the order upon respondent nor unless notice in writing of the application shall have been given to the commissioner with a copy of the affidavits or proof upon which the application is based. The notice shall be served upon the commissioner either personally or by leaving it at the office of the commissioner in Trenton. The evidence presented to the commissioner, together with his findings and the order issued thereon, shall be certified by the commissioner to the Supreme Court as his return.

C. 18:25-20. Writ of certiorari.

19. The allowance of a writ of certiorari to review any order of the commissioner shall not supersede or stay such order unless the Supreme Court or a justice thereof shall so direct.

C. 18:25-21. Jurisdiction of Supreme Court.

20. The Supreme Court is given jurisdiction to review any order of the commissioner and to set aside such order in whole or in part when it clearly appears that there was no evidence before the commissioner to support the same reasonably or that the same was without the jurisdiction of the commissioner.

C. 18:25-22. Order not to be set aside because of irregularity.

21. No order of the commissioner shall be set aside in whole or in part for any irregularity or informality in the proceedings of the commissioner unless the irregularity or informality tends to defeat or impair the substantial right or interest of the prosecutor in certiorari.

C. 18:25-23. Court may affirm or modify.

22. Upon such review, the Supreme Court may affirm, reverse or modify any such order or may make such other order as shall appear equitable and just.

C. 18:25-24. Testimony available.

23. The commissioner's copy of the testimony shall be available at all reasonable times to all parties for examination without cost and for production upon an application for a writ of certiorari. The review upon certiorari shall be on the record without requirement of printing.

C. 18:25-25. Attorney for division.

24. The Attorney-General shall be the attorney for the division.

C. 18:25-26. Guilty of misdemeanor.

25. Any person, employer, labor organization or employment agency, who or which shall willfully resist, prevent, impede or interfere with the commissioner or any representatives of the division in the performance of duty under this act, or shall willfully violate an order of the commissioner, shall be guilty of a misdemeanor and be punishable by imprisonment for not more than one year, or by a fine of not more than five hundred dollars ($500.00), or by both; but procedure for the review of the order shall not be deemed to be such willful conduct.

C. 18:25-27. Provision of act liberally construed.

26. The provisions of this act shall be construed liberally for the accomplishment of the purposes thereof. Nothing contained in this act shall be deemed to repeal any of the provisions of the civil rights law or of any other law of this State relating to discrimination because of race, creed, color, national origin or ancestry; but, as to acts declared unlawful by section eleven of this act, the procedure herein provided shall, while pending, be exclusive; and the final determination therein shall exclude any other action, civil or criminal, based on the same grievance of the individual concerned. If such individual institutes an action based on such grievance without resorting to the procedure provided in this act, he may not subsequently resort to the procedure herein.

C. 18:25-28. Parts severable.

27. If any clause, sentence, paragraph, or part of this act or the application thereof to any person or circumstances, shall, for any reason, be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this act.

28. There is appropriated to the Commissioner of Education the sum of forty-four thousand, three hundred fifty dollars ($44,350.00) for the fiscal year ending June thirtieth, one thousand nine hundred and forty-six, to carry out the purposes of this act. Appropriation.

29. This act shall take effect immediately.

Approved April 16, 1945.

CHAPTER 170

AN ACT to abolish the Good Will Commission, and to transfer all its property and appropriations to the division against discrimination in the Department of Education and concerning its employees.

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

1. The Good Will Commission created by Joint Resolution No. 11 of one thousand nine hundred and thirty-eight and all offices, positions and employments of said commission are abolished, but the present employees of the commission shall be given preference in any employment in the division against discrimination in the absolute discretion of the Commissioner of Education, having in mind the fitness of such employees for the performance of the duties to be assigned to them and the change in functions of the said division from those of the Good Will Commission. Commission abolished.

2. All books, records, supplies, equipment and other property in the possession or custody of said Good Will Commission or any of its officers or employees shall be delivered to the division against discrimination upon the taking effect of this act. Records.

3. All moneys to the credit of or appropriated to the Good Will Commission are hereby appropriated Moneys.

to the Commissioner of Education for the use of the division against discrimination.

Repealer.

4. Joint Resolution No. 11 of one thousand nine hundred and thirty-eight is repealed.

5. This act shall take effect July first, one thousand nine hundred and forty-five.

Approved April 16, 1945.

CHAPTER 171

AN ACT concerning employment on public works, and amending section 10:2–1 of the Revised Statutes.

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

Section amended.

1. Section 10:2–1 of the Revised Statutes is amended to read as follows:

10:2–1. Every contract for or on behalf of the State or any county or municipality for the construction, alteration or repair of any public building or public work shall contain provisions by which the contractor agrees that:

No discrimination because of race.

a. In the hiring of laborers, workmen and mechanics for the performance of work under this contract or any subcontract hereunder, no contractor, nor any person acting on behalf of such contractor or subcontractor, shall, by reason of race, creed, color, national origin, or ancestry, discriminate against any citizen of the State of New Jersey who is qualified and available to perform the work to which the employment relates;

Not to intimidate any employee.

b. No contractor, subcontractor, nor any person on his behalf shall, in any manner, discriminate against or intimidate any employee hired for the performance of work under this

contract on account of race, creed, color, national origin, or ancestry;

c. There may be deducted from the amount payable to the contractor by the State of New Jersey or by any municipal corporation thereof, under this contract, a penalty of five dollars ($5.00) for each person for each calendar day during which such person is discriminated against or intimidated in violation of the provisions of the contract; and Penalty.

d. This contract may be canceled or terminated by the State of New Jersey or by any county or municipality thereof; and all money due or to become due hereunder may be forfeited, for a second or any subsequent violation of the terms or conditions of this section of the contract. Cancellation of contract.

2. This act shall take effect immediately.

Approved April 16, 1945.

CHAPTER 172

AN ACT concerning education, and amending section 18:14–2 of the Revised Statutes.

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

1. Section 18:14–2 of the Revised Statutes is amended to read as follows: Section amended.

18:14–2. No child between the ages of four and twenty years shall be excluded from any public school on account of his race, creed, color, national origin, or ancestry. A member of any board of education who shall vote to exclude from any public school any child, on account of his race, creed, color, national origin, or ancestry shall be guilty of a mis- No child to be excluded from school because of race.

demeanor, and punished by a fine of not less than fifty dollars ($50.00) nor more than two hundred fifty dollars ($250.00), or by imprisonment in the county jail, workhouse, or penitentiary of the county in which the offense has been committed, for not less than thirty days nor more than six months, or by both such fine and imprisonment in the discretion of the court.

2. This act shall take effect immediately.

Approved April 16, 1945.

CHAPTER 173

AN ACT concerning certain municipal institutions, and amending section 30:9–17 of the Revised Statutes.

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

Section amended.

1. Section 30:9–17 of the Revised Statutes is amended to read as follows:

Management of hospital.

30:9–17. The management and control of all hospitals established under authority of section 30:9–16 of this Title shall be vested in the board of health of the city or cities wherein any such hospital has been or may be established, which board shall have power, from time to time, to make such rules and regulations as it may deem necessary or proper for the efficient management of such hospitals and the conduct of the affairs thereof; but no rule or regulation so made shall allow any preference to be shown in the admission of patients to such hospitals or in granting relief to the sick or distressed on account of difference in race, creed, color, national origin or ancestry of applicants for admission to or treatment in such hospitals. Such board of health shall have power to appoint such

No preference in admission because of race.

physicians and surgeons, superintendents and matrons, assistants and servants as the demands of such hospitals may require.

2. This act shall take effect immediately.

Approved April 16, 1945.

CHAPTER 174

AN ACT to amend "An act prohibiting the discrimination by industries engaged in defense work in the employment of persons therein," approved May fourth, one thousand nine hundred and forty-two (P. L. 1942, c. 114).

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

1. The paragraph of the act of which this act is amendatory, immediately following the enacting clause and preceding section one, is amended to read as follows: Paragraph amended.

It is declared to be the public policy of the State of New Jersey that it opposes discrimination in the engagement of persons employed on defense contracts or public works, by reason of race, color, creed, national origin, or ancestry.

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

1. It shall be unlawful for any employer engaged to any extent whatsoever in the production, manufacture or distribution of military or naval material, equipment or supplies for the State of New Jersey, or for the Federal Government, or for any subsidiary or agency of either the State or Federal Government, or who is engaged on any defense contract whatsoever, to refuse to employ any person in any capacity on account of the race, color, creed, national origin, or ancestry of such person. C. 10:1-10. Unlawful to refuse to employ because of race.

Section amended.

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

C. 10:10-11.

2. Any employer or person who

Unlawful to exclude because of race.

(1) Excludes a citizen by reason of race, color, creed, national origin, or ancestry, from any public employment, or employment in any capacity, in industries engaged on defense contracts, or

Unlawful to deny public employment because of race.

(2) Denies, or aids or incites another to deny, to any person, because of race, color, creed, national origin, or ancestry, public employment or employment in any capacity, in industries engaged on defense contracts,

Guilty of misdemeanor.

shall be guilty of a misdemeanor and punishable by a fine of not less than one hundred dollars ($100.00), nor more than five hundred dollars ($500.00), or imprisonment for not more than six months or both.

4. This act shall take effect immediately.

Approved April 16, 1945.

CHAPTER 175

AN ACT concerning persons honorably discharged from the armed services of the United States in any of its wars, and supplementing Title 38 of the Revised Statutes.

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

C. 38:23-8. Veterans engaged in public service.

1. 7. Whenever in any law, any rights, privileges or benefits are granted to persons holding any appointive office, position or employment in either the State, county or municipal government by reason

of having been honorably discharged from the armed services of the United States in any of its wars, such persons shall include all those engaged in the public service in any of its branches within this State. No distinction shall be made by reason of the source of the public funds from which such person is paid or the changes in or from the governmental office, position or employment to any other branch of the government within this State.

2. This act shall take effect immediately.

Approved April 17, 1945.

CHAPTER 176

AN ACT concerning leave of absence from public employment, and amending section 38:23–2 of the Revised Statutes.

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

1. Section 38:23–2 of the Revised Statutes is amended to read as follows: Section amended.

38:23–2. The head of every public department and of every court of this State, every superintendent or foreman on the public works of this State, the heads of the county offices of the several counties and the head of every department, bureau and office in the government of the various municipalities, shall give a leave of absence with pay to every person in the service of the State, county or municipality who is a duly authorized representative of the Grand Army of the Republic, United Spanish-American War Veterans, Disabled American Veterans of the World War, Veterans of Foreign Wars, Indian War Veterans, American Legion, Jewish War Veterans of the United States, Catholic War Veterans of the United States, Women's Veterans granted leave to attend convention.

Overseas Service League, and the Twenty-ninth Division Association, to attend any State or national convention of such organizations.

A certificate of attendance to the State convention or encampment shall, upon request, be submitted by the representative so attending.

Leave of absence shall be for a period inclusive of the duration of the convention with a reasonable time allowed for time to travel to and from the convention.

2. This act shall take effect immediately.

Approved April 16, 1945.

CHAPTER 177

AN ACT to amend "An act to preserve the rights of certain registered pharmacists serving in the military or naval service of the United States or of this State, and supplementing chapter fourteen of Title 45 of the Revised Statutes," approved April fourteenth, one thousand nine hundred and forty-four (P. L. 1944, c. 132).

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

Section amended.

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

C. 45:14-11.1. Renewal certificate to those in military service.

1. Any person, who after September sixteenth, one thousand nine hundred and forty, has entered or hereafter shall enter the active military or naval service of the United States during the present war who, at the time of such entry, held or shall hold, in full force and effect, a certificate of registration as a registered pharmacist or as a registered assistant pharmacist of the State of New Jersey, shall be granted a renewal certificate of registra-

tion without the payment of any fee upon presenting to the Board of Pharmacy of the State of New Jersey an honorable discharge from such military or naval service, or in lieu thereof a certificate of honorable service, dated not more than one year prior to the date of such presentation, notwithstanding that the annual renewal fee or fees have not been paid during the period of such person's military or naval service. Such renewal certificate of registration shall expire on the thirty-first day of December of the year in which issued.

The provisions of this act shall not apply to any person who at the time of his entry into such military or naval service did not hold a current renewal certificate of registration, if such renewal was required by virtue of the provisions of section 45:14–11 of the Revised Statutes.

The board may make such rules and regulations as may be necessary therefor.

2. This act shall take effect immediately.

Approved April 17, 1945.

CHAPTER 178

AN ACT concerning life insurance companies organized on the assessment plan, and amending section 17:35–8 of the Revised Statutes.

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

1. Section 17:35–8 of the Revised Statutes is amended to read as follows: Section amended.

17:35–8. Every life insurance company doing business under this article shall, on or before March first in each year, make and file with the commissioner a report of its affairs and operation during the year ending on December thirty-first immedi- Report filed.

ately preceding, which reports shall be in lieu of any other report required by any other law of this State. The reports shall be in such form and verified by the oaths of such officers of the corporation as the commissioner requires. The commissioner may, for good cause, extend the time within which the statement may be filed. The fee for filing the report shall be twenty dollars ($20.00). Any corporation failing to make the report or to pay any fees required by law shall, upon the order of the commissioner, cease to do business in this State until the report and payment are made.

Extension of time.

Fee.

Failure to file report.

2. This act shall take effect immediately.

Approved April 17, 1945.

CHAPTER 179

AN ACT concerning savings banks, and amending section 17:6–55 of the Revised Statutes.

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

Section amended.

1. Section 17:6–55 of the Revised Statutes is amended to read as follows:

Amount.

17:6–55. Not to exceed seventy per centum (70%) of the total deposits may be invested in:

Bonds and mortgages.

a. Bonds or mortgage notes or participation therein with savings banks of the State of New Jersey, secured by mortgages, which shall be a first lien on improved real estate situate in this State, and the amount loaned thereon shall not, at the time of making the loan, exceed

Amount.

(1) sixty-six and two-thirds per centum (66⅔%) of the appraised value of the real estate covered by the mortgage, including in the case of a construction loan, the improve-

ments in course of construction; (A) *provided,* that such loan shall be due and payable in not more than ten years and that such bond or mortgage note by its terms requires that payments be made on account of principal at an annual rate of not less than (i) two per centum (2%) of the original principal, if such loan is in excess of fifty per centum (50%) of such appraised value, or (ii) one per centum (1%) of the original principal, if such loan is not in excess of fifty per centum (50%) of such appraised value; and (B) *provided, further,* that Proviso.
in case such loan is not in excess of fifty per centum (50%) of such appraised value and is due and payable in not more than five years, the same may be made without such requirement for annual reduction of the principal; or

(2) (a) eighty per centum (80%) of the Amount.
first fifteen thousand dollars ($15,000.00) of the appraised value of such real estate and improvements, plus fifty per centum (50%) of the excess, if any, of such appraised value over fifteen thousand dollars ($15,000.00), if the improvements on or in course of construction on such real estate consist of a single family dwelling; *provided,* that no such loan shall be Proviso.
made in excess of sixteen thousand dollars ($16,000.00); or

(b) eighty per centum (80%) of the first Amount.
twenty thousand dollars ($20,000.00) of the appraised value of such real estate and improvements, plus fifty per centum (50%) of the excess, if any, of such appraised value over twenty thousand dollars ($20,000.00) if the improvements on or in course of construction on such real estate consist of a two-family, three-family or four-family dwelling; *and provided,* in the case of any loan made under this subparagraph (2), that such bond or mortgage note by its terms requires that monthly payments be made for interest and that monthly payments to be made on account of principal

at the annual rate of not less than five per centum (5%) of the original principal, or, that a constant monthly payment be made, applicable to interest and amortization of principal, in an amount sufficient to pay current interest and to pay off the principal in not more than twenty years from the original date of the loan, or

Amount.

(3) thirty per centum (30%) of the appraised value if the loan is on unimproved real estate.

b. Bonds secured by a first mortgage, as provided in section 17:2–1 of this Title.

Bonds and mortgages.

c. Bonds or mortgage notes secured by mortgages which shall be a first lien on real estate situate in this State or in the State of New York or Pennsylvania, insured by the Federal Housing Administrator or which the Administrator has made a commitment to insure, as provided in section 17:2–6 of the Revised Statutes.

Bond required.

In all cases of loans upon real estate, a sufficient bond or mortgage note, secured by a mortgage on real estate, shall be required together with such searches, insurance policies or other certificates or evidences of title, as shall be approved by the savings bank or its attorney.

Appraisal certificate.

No investment in any bond or note and mortgage shall be made except upon a written certificate signed by at least two or more persons, each of whom is a manager or an appraiser appointed by the board of managers, stating that they have examined the mortgaged real estate, reporting their appraised valuation both of the land and of the improvements thereon or in course of construction thereon, and the character of the improvements, and certifying that to the best of their judgment the same affords adequate security for the proposed loan. The certificate shall be filed with the records of the bank.

Certificate filed.

For the purpose of protecting its investment in any mortgage loan, any savings bank may, in ac-

cordance with its best judgment in the circumstances, extend the time for payment of principal or interest or any part thereof, modify or waive any of the terms or conditions thereof, or settle or compromise all or a part of the amount due or to grow due thereon, or any claim arising in connection therewith, or sell or transfer the same or a participation therein, for such consideration as it may think best. An additional amount may be loaned to the owner of any mortgaged property, to be secured by the existing mortgage lien or a new mortgage subsequent in lien only to that of the existing mortgage, not in excess of one thousand dollars ($1,000.00) or ten per centum (10%) of the principal amount then due on such mortgage, whichever is less, for the alteration, rehabilitation or repair of the improvements thereon, to bear interest at such rate as may be agreed upon, and to be payable in such installments beginning within one year as shall pay off the same in full within five years from the date of making such additional loan or at the maturity of the original loan, whichever is earlier.

Additional amount loaned.

Installment payments.

For the purpose of this section, a mortgage may be deemed a first lien notwithstanding the existence of a lien for current taxes or assessments not at the time due and payable or the existence of building restrictions or other restrictive covenants or easements or leases which the aforesaid committee reports in their opinion do not materially depreciate the value of the mortgaged property.

Mortgage first lien.

2. This act shall take effect immediately.

Approved April 17, 1945.

CHAPTER 180

AN ACT vesting the title to real estate of which Wilbert S. Peacock died seized, and which is alleged to have escheated to the State of New Jersey in the year one thousand nine hundred and forty-two, in Gloucester county welfare board.

Preamble. WHEREAS, Wilbert S. Peacock died December twenty-third, one thousand nine hundred and forty-two, intestate, a resident of the township of Elk, county of Gloucester and State of New Jersey, seized of certain lands and premises all situate in the aforesaid township of Elk, county of Gloucester and State of New Jersey, more particularly mentioned and described as follows:

Location. All those certain lots, tracts, or parcels of lands and premises situate in the township of Elk, county of Gloucester and State of New Jersey, bounded and described as follows:

Description. No. 1. Beginning in the middle of the Turnpike near the Old Pine Tavern, and from thence running by Whitaker's land North sixty-one degrees and three quarters West five chains and fifty-six links (erroneously stated in prior deeds South sixty-one and three quarters degrees West five chains and fifty links) to a corner in the line of Parvin's land, thence by the same and by lands of Ballinger Gosling North sixty degrees east five chains and sixty links to a stone corner to said Gosling's land and to other lands of said Wiggins, thence by the same South seventy-eight and a half degrees east (erroneously stated in prior deeds South twenty-eight and one-half degrees East) three chains and sixty links to the middle of the Turnpike aforesaid thence along said Turnpike

South twenty-four and a half degrees west two chains thence still along said Turnpike and along the middle thereof South twenty-seven and a half degrees west (erroneously stated in prior deeds North twenty-seven and one-half degrees West) three chains and eighty-five links to the beginning. Containing two acres and eighty-five hundredths of an acre, more or less.

No. 2. Beginning at a stake for a corner to Joseph Jessup's land set in the line of Wilkins' land, and runs thence by the (1st) South fifty-nine degrees West, twenty-three chains and ninety-eight links to a stake for a corner formerly Horner's land, runs thence (2nd) by the same North thirteen degrees and fifteen minutes East five chains and seventy links (erroneously stated in prior deeds North thirteen degrees and fifteen minutes East two chains and twenty-three links) to a stake corner set in the run and corner to land of Charles Goslin and runs thence by the same (3rd) North fifty-five degrees and twenty minutes East eleven chains and twenty links, to a stake corner, set in the middle of the road leading from Pineville to Strangtown (4th) runs thence along the middle of said Road North fifty-seven degrees fifty minutes West one chain and ninety links to a stake set for a corner in said road to said Goslin's lands, thence (5th) runs by the same North fifty-seven degrees and forty minutes east, nine chains and thirty-nine links to a stake set for a corner and runs thence (6th) South thirty-two degrees east, six chains and eighty links, to the place of beginning. Containing twelve acres, and seven hundredths of an acre of land and premises be the same more or less.

No. 3. Beginning at a corner in the middle of the Road that leads from Stringtown to Pineville it being a corner in the line of said Hiram Dixon's land and runs thence along said

road (1st) South fifty-six degrees East five chains and ninety-eight links to a corner in said road it being a corner to Benjamin Fry's lot, thence along the same (2nd) North twenty-eight degrees East three chains and eighty-eight links, to a corner in Hiram Dixon's line thence along his land (3rd) North sixty-one and a half degrees West four chains and four links to a corner in said Dixon's line, thence along the same (4th) South sixty and a half degrees West, three chains and seventy links to the place of beginning. Containing one acre and seventy-one hundredths of an acre of land be the same more or less.

No. 4. Beginning at a corner in the middle of the road that leads from Pineville to Springtown it being a corner in the line of land of the said Hiram Dickson and runs thence along his land (1st) South fifty-nine and a half degrees West twelve chains and forty-one links to a corner in Charles Moods' line thence along his line (2nd) South forty-nine degrees East nine chains and seventy-nine links to a corner in said Mood's line it being a corner to land of George Hoffman, thence along the same (3rd) North twenty-seven and a half degrees East twelve chains and thirty-seven links to a corner in the middle of the aforesaid road, thence along the same (4th) North fifty-six degrees West two chains and ninety-six links to the place of beginning. Containing seven acres and fifty-six hundredths of an acre of land be the same more or less.

Exception.

Excepting thereout and therefrom all those certain lands and premises containing 18.63 acres, more or less, which Wilbert S. Peacock by deed dated November 2, 1932 and of record in the Gloucester County Clerk's Office in Book 424 of Deeds, page 570, granted and conveyed to Mary Rapach, more particularly mentioned and described as by reference to said deed will more fully and at large appear.

No. 5. Beginning at a corner in the middle of the road that runs from the Pole Tavern to Mullica Hill and runs thence (1) North twenty-eight degrees East three chains and ninety-five links to a corner in said road, then along land of Hiram Dixon (2) North sixty-one and a half degrees West two chains and fifty-six links to a corner in said Dixon's line, then along his land (3) South twenty-eight degrees West three chains and eighty-eight links to a corner in the middle of the road that leads from Stringtown to Pineville, then along the same (4) South fifty-six degrees East two chains and fifty-six links to the place of beginning. Containing one acre of land and premises be the same more or less.

Excepting thereout and therefrom lands and premises which Wilbert S. Peacock by deed dated December 27, 1938 and of record in the aforesaid Clerk's Office in Book 461 of Deeds, page 473, granted and conveyed to the State of New Jersey, more particularly mentioned and described as by reference to said deed will more fully and at large appear. Exception.

Excepting thereout and therefrom grant from Wilbert S. Peacock dated August 7, 1930 and of record in the aforesaid Clerk's Office in Book 410 of Deeds, page 102, to the Atlantic City Electric Company, a corporation of the State of New Jersey, more particularly mentioned and described as by reference to said deed will more fully and at large appear; and Exception.

WHEREAS, the said Wilbert S. Peacock left no person or persons capable of inheriting the said lands and premises, and the same are alleged to have escheated to the State of New Jersey; and Preamble.

WHEREAS, the Gloucester county welfare board has a lien against the said premises for more than the value of the equity therein; and Preamble.

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:*

Title invested in welfare board.

1. All the estate, right, title and interest of every kind and character of the State of New Jersey in and to certain land and premises heretofore belonging to Wilbert S. Peacock, more particularly described in the preamble in this act, are hereby vested in the Gloucester county welfare board, its successors and assigns forever; and such title so as aforesaid vested under the provisions of this act is validated and confirmed.

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

Approved April 17, 1945.

CHAPTER 181

AN ACT authorizing counties to make appropriations for the care and treatment of persons having communicable diseases, and amending section 30:9–29 of the Revised Statutes.

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

Section amended.

1. Section 30:9–29 of the Revised Statutes is amended to read as follows:

May appropriate money to hospital.

30:9–29. The board of chosen freeholders of a county which has no county hospital permanently maintaining a building or pavilion for communicable diseases, other than the sick ward of the county poor home or the county institutions for the tubercular or insane, may appropriate not more than fifty thousand dollars ($50,000.00) in any one

year, to any one hospital which permanently maintains and operates a building or pavilion for communicable diseases, or, for the purpose of contracting with any such hospital for payment for care and treatment of residents of such county who are afflicted with communicable diseases.

2. This act shall take effect immediately.

Approved April 17, 1945.

CHAPTER 182

AN ACT to validate certain conveyances heretofore made by husband and wife.

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

Deed by husband and wife.

1. Where in any deed of conveyance of real property heretofore made by husband and wife, both the husband and wife have signed the said deed of conveyance and where their signatures have been duly acknowledged as required by law, but where in the premises, stating part or body of the deed of conveyance the name of the husband or wife has been omitted, or where the husband and wife convey by separate deeds, such deed or deeds shall be as good and valid and shall vest all estate of the husband and wife signing and acknowledging such deed or deeds in the grantee or grantees in such deed or deeds to the same effect as if they had conveyed by both joining in the same deed; *provided, however,* that such deed or deeds are good and valid in all other respects.

Proviso.

2. This act shall take effect immediately.

Approved April 17, 1945.

New Jersey State Library

CHAPTER 183

AN ACT concerning bastardy proceedings, and amending sections 9:17–6 and 9:17–13 of the Revised Statutes.

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

Section amended.

1. Section 9:17–6 of the Revised Statutes is amended to read as follows:

Bond taken by magistrate.

9:17–6. When the reputed father is apprehended he shall be taken before the magistrate who indorsed the warrant, or another magistrate of the same county, who may take from the putative father a bond to the State of New Jersey, with good and sufficient surety or sureties, or with cash security, in the sum directed upon the warrant, for his appearance, at a time therein stated, before the magistrate who issued the warrant, and thereafter from time to time as such magistrate may direct.

Discharge.

Thereupon, the magistrate taking the bond shall discharge the reputed father from arrest, indorse upon the warrant a certificate to that effect and deliver the same together with the bond to the officer who brought the warrant. Such officer shall deliver the warrant and bond to the magistrate who issued the warrant, who shall then proceed as though the bond had been taken by him.

If no bond taken before magistrate.

If no bond is given as herein provided the officer having the warrant shall take the reputed father before the magistrate who originally issued the warrant.

Section amended.

2. Section 9:17–13 of the Revised Statutes is amended to read as follows:

Costs for order of filiation.

9:17–13. The person adjudged to be the father shall, upon notice of an order pursuant to section 9:17–12 of this Title, immediately pay the amount so certified for the costs of apprehending him and of the trial and order of filiation.

He shall also enter into bond to the State of New Jersey in such sum as the magistrate shall direct, with good and sufficient surety or sureties, or with cash security, to be approved by such magistrate, conditioned that he will obey and comply with the order of filiation and indemnify every municipality of this State which may have incurred any costs or expense for the support of the bastard child or its mother during her confinement, or from proceedings arising therefrom. Bond.

3. This act shall take effect immediately.

Approved April 16, 1945.

CHAPTER 184

AN ACT concerning elections, and amending section 19:12–7 of the Revised Statutes.

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

1. Section 19:12–7 of the Revised Statutes is amended to read as follows: Section amended.

19:12–7.

I. COUNTIES OF THE FIRST CLASS

A. GENERAL NOTICE FOR COUNTY AT LARGE

Publication. 1. The county board in counties of the first class shall cause a general notice to be published in a newspaper or newspapers published in the county as the county board shall select, twice during the thirty days next preceding the day fixed for the closing of the registration books for the primary election, twice during the calendar week next preceding the week in which the primary election is held, twice during the thirty days next preceding the day fixed for the closing of the Publication of notice in counties of first class.

registration books for the general election, twice during the calendar week next preceding the week in which the general election is held and once during the first three days of the week in which the general election is held.

Contents of notice.

Contents. 2. The general notice required by the preceding paragraph shall set forth the place or places at which a person may register and the procedure for transfer of registration, the hours during which voters may register, the date on which the books are closed for registering or transferring, for the primary election, and that a primary election for making nominations for the general election, and in each presidential year for the selection of delegates and alternates to national conventions of political parties, will be held on the day and between the hours and at the places provided for in this Title, the place or places at which a person may register and the procedure for transfer of registration, the hours during which voters may register, the date on which the books are closed for registering or transferring, for the general election, and also making known the time, place and purpose of holding the general election thereafter, and the State and county officers or officers to be nominated or to be filled at such primary election, and the State and county office or offices to be filled and, except as provided in section 19:14–33 of this Title as to publication of notice of any State-wide proposition directed by the Legislature to be submitted to the people, the State and county public questions to be voted upon at such general election; but in such general notice hereinabove required it shall not be necessary to include municipal officers to be nominated or elected or public questions to be voted upon, except those to be nominated or elected or voted upon in the municipality in which such newspaper or newspapers are published.

B. NOTICE FOR MUNICIPALITIES

Notice for municipalities.

Publication. 1. The county board in counties of the first class shall cause a notice to be published in each municipality in its county, in a newspaper or newspapers published in such municipality as the county board shall select, excepting the municipalities wherein are located the newspaper or newspapers which have been selected by the county board to publish the general notice hereinabove referred to in paragraph (a) of this section; except that in all municipalities in which no newspaper is published, such notice shall be published for such municipality in a newspaper or newspapers circulating therein. The notice so to be published in each municipality shall be published twice during the thirty days next preceding the day fixed for the closing of the registration books for the primary election, once during each of the two calendar weeks next preceding the week in which the primary election is held, twice during the thirty days next preceding the day fixed for the closing of the registration books for the general election, and once during each of the two calendar weeks next preceding the week in which the general election is held.

Contents of notice.

Contents. 2. The notice required to be published by the preceding paragraph shall set forth the place or places at which a person may register and the procedure for transfer of registration, the hours during which voters may register, the date on which the books are closed for registering or transferring, for the primary election, and that a primary election for making nominations for the general election, and in each presidential year for the selection of delegates and alternates to national conventions of political parties, will be held on the day and between the hours and at the places provided for in this Title, the place or places at which a person may register and the procedure for transfer of registration, the hours during which voters

may register, the date on which the books are closed for registering or transferring, for the general election, and also making known the time, place and purpose of holding the general election thereafter, and the State and county officers or offices to be nominated or to be filled at such primary election, and the State and county office or offices to be filled and, except as provided in said section 19:14–33 as to publication of notice of any State-wide proposition directed by the Legislature to be submitted to the people, the State and county public questions to be voted upon at such general election; except that in such notice it shall be necessary to include only the municipal officers to be nominated or elected and the public questions to be voted upon in the municipality in which such newspaper or newspapers are published; and except that in all municipalities in which no newspaper is published, such notice required to be published in a newspaper or newspapers circulating in such municipality, shall include only the municipal officers to be nominated or elected and the public questions to be voted upon in such municipality in which such newspaper or newspapers circulate.

II. Counties Other than Counties of the First Class

Publication of notice in counties other than first class counties.

Publication of notice. a. The municipal clerks in counties other than counties of the first class shall cause a notice to be published in their respective municipalities in a newspaper or newspapers published in such municipality as the municipal clerk thereof shall select; except that in all municipalities in which no newspaper is published such notice shall be published for such municipality in a newspaper or newspapers circulating therein. The notice to be so published shall be published twice during the thirty days preceding the day fixed for the closing of the registration books for the primary election, once during each of the two calen-

dar weeks next preceding the week in which the primary election is held, twice during the thirty days next preceding the day fixed for the closing of the registration books for the general election, and once during each of the two calendar weeks next preceding the week in which the general election is held.

Contents of notice.

Contents of notice. b. The notice required to be published by the preceding paragraph shall set forth the place or places at which a person may register and the procedure for transfer of registration, the hours during which voters may register, the date on which the books are closed for registering or transferring, for the primary election, and that a primary election for making nominations for the general election, and in each presidential year for the selection of delegates and alternates to national conventions of political parties, will be held on the day and between the hours and at the places provided for in this Title, the place or places at which a person may register and the procedure for transfer of registration, the hours during which voters may register, the date on which the books are closed for registering or transferring, for the general election, and also making known the time, place and purpose of holding the general election thereafter, and the State and county officers or offices to be nominated or to be filled at such primary election, and the State and county office or offices to be filled and, except as provided in said section 19:14–33 as to publication of notice of any State-wide proposition directed by the Legislature to be submitted to the people, the State and county public questions to be voted upon at such general election; except that in such notice it shall be necessary to include only the municipal officers to be nominated or elected and the public questions to be voted upon in the municipality in which such newspaper or newspapers are published; and except that in all municipalities in which no newspaper is published such notice, required to be published in a newspaper or newspapers circulating in such municipality, shall

include only the municipal officers to be nominated or elected and the public questions to be voted upon in such municipality in which such newspaper or newspapers circulate.

III. Omissions from Notices After First Publication

Omissions after first publication.

Such part or parts of the original notices as published, either by county boards or municipal clerks, which pertain to day of registration or primary election which has occurred, shall be eliminated from such notice in succeeding insertions.

IV. Cost of Publication

Costs.

Counties of the first class. a. The cost of the publishing of the notices required by this section to be published by the county boards in counties of the first class shall be paid by the respective counties.

Other counties. b. The cost of the publishing of the notices required to be published by this section by the municipal clerks in counties other than counties of the first class shall be paid by the respective municipalities.

2. This act shall take effect immediately.

Approved April 16, 1945.

CHAPTER 185

AN ACT to amend and supplement "An act to provide for guaranteed bank loans to certain war veterans for the purposes of establishing or reestablishing themselves in small business or a profession, and providing an appropriation therefor," approved April fourteenth, one thousand nine hundred and forty-four (L. 1944, c. 126), and to repeal section fifteen of said act.

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

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

5. The capital and all revenues of the authority shall be held in trust in a veterans loan guaranty and insurance fund, hereinafter referred to as the "fund," to meet the obligations of the authority under this act; but any amounts in the fund in excess of the total amount of guaranteed or insured loans outstanding at any time shall be subject to such disposition as may be provided by law. Such amounts in the fund as the authority shall estimate are not needed for its current operations shall be invested and reinvested by the State Treasurer in such obligations as are legal for savings banks of this State. C. 38:23B-5. Capital and revenues held in trust.

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

6. With the exception of a building and loan association, any financial corporation under the supervision of the Department of Banking and Insurance and any national bank organized under the laws of the United States and doing business in this State, which are hereinafter referred to as "any bank," may, any other provisions of law to the contrary notwithstanding, make veterans' C. 38:23B-6. Exception.

loans under this act, pursuant to such rules and regulations not inconsistent herewith, and using such forms, as the commissioner may prescribe.

Section amended.

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

C. 38:23B-8. Application made to any bank.

8. A veteran may apply to any bank for a loan under the provisions of this act.

Section amended.

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

C. 38:23B-9. Application to be approved.

9. Any application made under this act shall be submitted to the commissioner for his approval. The commissioner shall approve the application only if he finds that:

Purpose of loan.

a. The purpose of the loan is to establish or re-establish one or more veterans in a business, including any agricultural pursuit, or profession; and

Training.

b. The applicant has training or experience in the business or profession described in the application, or is otherwise qualified; and

Amount.

c. The amount of the loan would not exceed the maximum amount reasonably necessary to start in the business or profession or three thousand dollars ($3,000.00), whichever is less; and

Ability and experience.

d. The ability and experience of the veteran, and the conditions under which he proposes to pursue such business or profession are reasonably favorable for the successful liquidation of the loan.

Section amended.

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

C. 38:23B-12.

12. Each loan made under this act shall:

Loan evidenced by note.

a. Be evidenced by a note or other obligation approved by the commissioner.

Interest rate.

b. Bear interest at a rate not exceeding four per centum (4%) per annum upon the unpaid balance.

c. Be payable as follows:

Payable.

(1) In monthly or quarterly installments of interest, the first of which shall be payable not less than six months after the making of the loan and the last of which shal' be payable not exceeding six years from the ı ate of the obligation; and

(2) In monthly or quarterly installments of principal, the first of which shall be payable not less than twelve months after the making of the loan and the last of which shall be payable not exceeding six years from the date of the obligation.

Personal liability.

d. Be secured only by the personal liability of the maker, and not by any endorsers, comakers, collateral or other security; except that where the maker is married endorsement of the spouse may be required, and where the loan is made to finance the purchase of a specific property used in the business or profession a mortgage on such property may be required.

Section amended.

6. Section fourteen of the act of which this act is amendatory is amended to read as follows:

C. 38:23B-14. Loans extended or refinanced.

14. Subject to such rules and regulations as the commissioner may prescribe, any veteran's loan herebefore made under and pursuant to the provisions of chapter one hundred twenty-six of the laws of one thousand nine hundred and forty-four for a period of three years or less and any veteran's loan hereafter made under and pursuant to the provisions of this act for a period of less than six years may be extended or refinanced in the discretion of the bank without affecting the obligation of the authority hereunder; *provided,* provision is made for complete discharge of the obligation, and interest thereon, not later than six years from the date of the original loan. Installments may not be accelerated on any veteran's loan unless the loan is more than three months in arrears. A loan

may be reduced at any time in the option of the borrower.

C. 38:23B-14.1. Loans guaranteed.

7. The authority is hereby authorized and empowered to insure or guaranty, whichever any bank may elect in accordance with the provisions of section eight hereof, all veterans' loans heretofore or hereafter made by such bank, to the extent provided in section nine or section ten hereof respectively.

C. 38:23B-14.2.

8. Every bank which heretofore made any veteran's loan under and pursuant to the provisions of chapter one hundred twenty-six of the laws of one thousand nine hundred and forty-four and every bank which may hereafter make its initial veteran's loan shall elect, prior to the first day of July, one thousand nine hundred and forty-five, or simultaneously with the submission for approval of its initial veteran's loan, whichever is later, to have all veterans' loans made and to be made by such bank either insured in accordance with the provisions of section nine hereof or guaranteed in accordance with the provisions of section ten hereof. Notice of such election shall be made on such form as the commissioner shall prescribe.

Loans insured.

C. 38:23-B14.3.

9. In the event that a bank shall elect, pursuant to the provisions of section eight hereof, to have its approved veterans' loans insured by the authority, then the authority shall set aside out of the veterans guaranty and insurance fund a reserve fund to the credit of such bank equal to twenty per centum (20%) of the total face amount of all of such bank's approved veterans' loans outstanding at the time of such election. The authority shall add to such reserve fund twenty per centum (20%) of the amount of each approved veteran's loan thereafter made by such bank. In the event that the total of all amounts credited to said reserve fund shall at any time be in excess of the total face amount of all such bank's approved veterans' loans outstanding, then the authority shall withdraw such excess amount from said reserve fund.

Reserve fund for insurance.

Reserve fund to pay losses.

The reserve fund so set aside shall be used by the authority to meet and pay any losses incurred

by said bank by reason of such loans, but in no event shall any payment be made by the authority to any bank beyond the total balance set aside as the reserve fund for such bank at the time of such payment.

Purchase of note in default.

Whenever any approved veteran's note shall be in default to any such bank for thirty days after the date of maturity thereof, or whenever any installment thereon is more than three months in arrears, the authority shall, upon the demand of such bank, purchase from said bank such note by paying to said bank out of the reserve fund set aside to the credit of said bank, as herein provided, the total amount of principal and interest then due and owing to said bank on said note, but in no event shall any payment be made by the authority in excess of the amount then remaining to the credit of said bank in the reserve fund set aside for said bank, as herein provided.

C. 38:23B-14.4. Purchase of note.

10. In the event that a bank shall elect, pursuant to the provisions of section eight hereof, to have its veterans' loans guaranteed by the authority, then the authority shall purchase upon demand of such bank, to the extent of the resources of the veterans guaranty and insurance fund in excess of the total of all balances then held in reserve funds in accordance with the provisions of section nine hereof, any approved veteran's note which remains unpaid for thirty days after the date of maturity thereof, or on which any installment is more than three months in arrears, at a price equal to ninety per centum (90%) of the unpaid principal of such note.

C. 38:23B-14.5. Amount of guaranty.

11. The total amount of guaranty and insurance liability of the authority which may be outstanding at any time shall in no event exceed the sum of five million dollars ($5,000,000.00).

C. 38:23B-14.6. Amount paid.

12. Every bank which has made or which may hereafter make any approved veteran's loan or loans shall, in consideration of the guaranty or insurance, as herein provided, pay to the authority an amount equal to ten per centum (10%) of all interest received by it on all such loans, to be pay-

able at such time or times and in such manner as the authority may prescribe.

Section amended.

13. Section sixteen of the act of which this act is amendatory is amended to read as follows:

C. 38:23B-16. Liquidate notes.

16. The commissioner shall proceed to liquidate notes purchased by the authority as rapidly as possible, but shall develop and adopt programs for deferred payments by makers of such notes to avoid undue hardship or sacrifice of business values, without regard to the six-year limitations on maturity elsewhere contained in this act.

C. 38:23B-14.7. Section repealed.

14. Section fifteen of the act of which this act is amendatory and supplementary is repealed.

15. This act shall take effect immediately.

Approved April 17, 1945.

CHAPTER 186

AN ACT concerning the payment of taxes, charges and fees in this and other States, in the territories of the United States, and in the District of Columbia, by insurance companies of this State.

Preamble.

WHEREAS, doubt has been expressed regarding the validity of laws under which taxes, charges and fees have been heretofore imposed or levied, or may be hereafter imposed or levied, against the property, business, income or franchise of insurance companies by the several States, the territories of the United States, and the District of Columbia, because of the decision by the United States Supreme Court that insurance is interstate commerce when conducted across State lines, with resulting uncertainty, confusion and possible interruption in the orderly conduct of the business; therefore,

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

1. The directors or trustees of any corporation organized or existing under any general or special law of this State for the purpose of transacting the business of insurance of any kind or class are authorized to pay, and to appropriate money to pay, such taxes, charges and fees as have been or may be imposed against the property, business, income or franchises of such corporation by the laws of this or any other State, or territory of the United States, or the District of Columbia, in which such corporation is doing business unless, prior to the payment of any such tax, charge or other fee, the law imposing the same shall have been expressly held invalid by the State court having final appellate jurisdiction in the premises or by the Supreme Court of the United States.

C. 17:18-16. Authorized to pay taxes.

2. This act shall take effect immediately.

Approved April 17, 1945.

CHAPTER 187

AN ACT concerning group life insurance, and amending sections 17:34–31 and 17:34–32 of the Revised Statutes.

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

1. Section 17:34–31 of the Revised Statutes is amended to read as follows:

Section amended.

17:34–31. Group life insurance is hereby declared to be that form of life insurance written for a term of not more than five years which may be continued successively from one term to another term of not more than five years at the option of the policyholder in accordance with the provisions

Group life insurance defined.

of the policy and covering, (a) not less than fifty employees, written under a policy issued to the employer, the premium for which is to be paid by the employer or by the employer and employees jointly, and insuring only all of his employees, or all of any class or classes thereof determined by conditions pertaining to the employment, for amounts of insurance based on a plan which precludes individual selection, for the benefit of persons other than the employer; *provided,* that when the premium is to be paid by the employer and employees jointly and the benefits of the policy are offered to all eligible employees, not less than seventy-five per centum (75%) of the employees may be so insured; or (b) the lives of only all of the members, or only all of the members except those upon whom the evidence of insurability submitted is not satisfactory to the insurer, of a group of persons, numbering not less than one hundred new entrants to the group yearly, who become borrowers from a financial institution, including any subsidiary or affiliated institutions, or who become purchasers of securities, merchandise or other property from one vendor, or all of any class or classes of such borrowers or purchasers determined by conditions pertaining to the type of indebtedness or purchase, under agreements by such borrowers or such purchasers for the repayment of the sum borrowed, or for the payment of the purchase price or the balance thereof, as the case may be, in installments over a period of not more than ten years. Such a policy shall be issued to the financial institution or vendor or to an assignee to whom such creditor or vendor may transfer all of its right, title and interest to the unpaid indebtedness, or to the unpaid purchase price, under such agreements made by it. The premiums on such policy shall be remitted by the policyholder. If the borrower or purchaser insured under the policy contributes toward the cost of the insurance by payment of an identifiable charge of a specified amount not charged to eligible borrowers

Proviso.

Issuing policy.

or purchasers not so insured, then not less than seventy-five per centum (75%) of the eligible borrowers or purchasers may be so insured. The amount of insurance thereunder on any person insured shall not at any time exceed the amount of unpaid indebtedness due from such person or the amount of the purchase price unpaid by such person, nor the sum of ten thousand dollars ($10,000.00), whichever is less. The benefits under such policies shall be payable to the policyholder; but the amount of any death benefit received thereunder shall be applied to the discharge of the obligation of the person insured to the policyholder.

Amount of insurance.

Payment of benefits.

Any policy which according to its title is a policy of group life insurance, issued by any company of this State for delivery in another state or foreign country and which conforms to the laws of such other State or country, shall be deemed a policy of group life insurance.

Policy issued for delivery in another state.

For the purposes of this section, the term "employer" shall include the trustee or trustees of a fund, established by employer members of a trade or business association, and maintained by contributions of such employers for the sole benefit of employees of such contributing employers, and shall include any labor union or association the members of which are defined as "employees" in the following paragraph.

Employer defined.

For the purposes of this section, the term "employees" shall include the members of any labor union or association who are actively engaged in the same occupation, and the officers, managers and employees of the policyholder and of subsidiary or affiliated corporations of a corporation policyholder, and the individual proprietors, partners and employees of affiliated individuals and firms controlled by the policyholder through stock ownership, contract or otherwise; *provided,* that in the case of a policy issued pursuant to the preceding paragraph to a trustee or trustees, the term "employees" shall be deemed to include only those per-

Employees defined.

Proviso.

sons who bear any of the aforesaid relationships to the contributing employers or any of them, rather than persons who bear any such relationship to such trustee or trustees.

Section amended.

2. Section 17:34–32 of the Revised Statutes is amended to read as follows:

Contents of policy.

17:34–32. No policy of group life insurance shall be issued or delivered in this State unless it contains in substance provisions, as follows:

a. A descriptive title on the first page of the policy.

b. That all premiums shall be payable at the home office of the company, or to an agent of the company.

c. For one month's grace for the payment of each premium after the first, subject to an interest charge, during which month the insurance shall continue in force.

d. That the policy shall be incontestable after two years from its date except for nonpayment of premiums and for violation of its express conditions, if any, relating to military or naval service in time of war.

e. That the policy, the application of the employer, a copy of which shall be attached to the policy, and the individual applications, if any, of the employees or members insured, shall constitute the entire contract between the parties, and that all statements made in the applications by the employer or by the individual employees and members shall, in the absence of fraud, be deemed representations and not warranties.

f. For the equitable adjustment of the premium or the amount of insurance payable in the event of the misstatement of the age of an employee or member.

g. That when an amount becomes payable by reason of the death of an employee or member, settlement shall be made either immediately upon, or within a specified period not more than two months after receipt of due proof of death.

h. A table showing the amount of installments, if any, in which the amount of insurance payable upon the death of any employee or member may be payable.

i. Except in the case of insurance as provided in clause (b) of the first paragraph of section 17:34–31 of this Title, that the company will issue to the employer, for delivery to each employee whose life is insured under the policy, an individual certificate setting forth a statement as to the insurance protection to which he is entitled, to whom benefits are payable, and the rights to which he is entitled in accordance with paragraphs "m" and "n" of this section.

j. That in the case of insurance as provided in clause (b) of the first paragraph of section 17:34–31 of this Title the company will furnish to the policyholder for delivery to each member who is insured under the policy, a form which shall contain a statement that the life of the member is insured under the policy and that any death benefit received thereunder by reason of his death shall be applied by the policyholder to the discharge of the indebtedness.

k. That to the group or classes thereof eligible for insurance shall be added from time to time all new employees of the employer or members, in the group or classes.

l. That the policy shall participate in the surplus of the company and that the company shall determine annually the amount of the divisible surplus accruing on the policy and that the policyholder shall have the right to have the dividend arising from the participation paid in cash unless another dividend option contained in the policy has been elected and that any policy dividend may be applied to reduce the policyholder's part of the cost of such insurance. This provision shall not be required in nonparticipating policies.

m. That in case of termination of employment for any reason whatsoever every employee shall be entitled to have issued to him by the company, without evidence of insurability, upon application made

to the company, and upon the payment of the premium applicable to the class of risk to which he belongs and to the form and amount of the policy at his then attained age, within thirty-one days after such termination of employment, a policy of life insurance effective at the end of such period of thirty-one days following such termination during which period the death benefit provided by the insurance protection terminated under the group insurance policy shall remain in force, in any one of the level premium forms customarily issued by the company, except term insurance, in an amount equal to the amount of his protection terminated under the group insurance policy because of such termination of employment.

n. That in case of the termination of the group insurance policy for any reason whatsoever every employee insured thereunder for five years or more at the time of such termination shall be entitled to have issued to him by the company, without evidence of insurability, upon application made to the company, and upon the payment of the premium applicable to the class of risk to which he belongs and to the form and amount of the policy at his then attained age, within thirty-one days after such termination of the group insurance policy, a policy of life insurance effective at the end of such period of thirty-one days following such termination, in any one of the level premium forms customarily issued by the company, except term insurance, in an amount equal to the lesser of (1) the amount of his protection terminated under the group insurance policy at the time of termination of such policy less any amount of life insurance for which he may be or may become eligible under any group insurance policy issued or reinstated by the company or another company within such period of thirty-one days, and (2) two thousand dollars ($2,000.00); *provided,* that during such period of thirty-one days the death benefit provided by the insurance protection terminated under the group insurance policy shall remain in force in an amount

equal to the amount, if any, of the policy of life insurance which the employee is entitled to have issued to him at the end of such period as aforesaid.

Any policy of group life insurance issued to an employer may provide for supplementary insurance in the form of fully paid-up insurance on the lives of the employees in accordance with a plan specified in the policy which precludes individual selection and which paid-up insurance shall not be subject to termination on account of termination of employment of the employees or of the group policy. Any such policy, and the certificates issued for delivery to employees, shall provide that, at any time after termination of employment of the employee or of the group policy, the company will indorse upon any certificate, upon presentation thereof, the amount of the paid-up insurance or, in lieu thereof, may issue a new certificate specifying particulars as to such paid-up insurance. Any cash surrender value payable to the employee on account of any such paid-up insurance provided under a policy of group life insurance issued by any company prior to the operative date for such company of the standard nonforfeiture law (1943) as specified in subsection g of section one of this act shall be not less than the reserve held by the company on the portion of the paid-up insurance provided by the employee's contributions, including dividend additions thereto, if any, upon the specified mortality table and rate of interest adopted for computing the reserve thereon, less a specified percentage, not more than two and one-half per centum (2½%), of such portion of the paid-up insurance, and less any outstanding indebtedness of the employee to the company thereon or secured thereby. Any cash surrender value payable to the employee on account of any such paid-up insurance provided under a policy of group life insurance issued by any company on or after the operative date for such company of the standard nonforfeiture law (1943) as specified in subsection g of section one of this act

shall be not less than the cash surrender value of the portion of the paid-up insurance provided by the employee's contributions, determined in accordance with the requirements of the said standard nonforfeiture law. Paragraphs "m" and "n" of this section shall not apply to such paid-up insurance.

Any policy of group life insurance may be issued or delivered in this State which in the opinion of the commissioner contains provisions on any one or more of the several foregoing requirements more favorable to the employer and to the employee or member than hereinbefore required, and may be issued by any company of this State for delivery outside of this State when containing provisions in addition to or differing from provisions prescribed in the several foregoing requirements, provided such policy conforms to the laws of the State or country in which it is delivered.

3. This act shall take effect immediately.

Approved April 17, 1945.

CHAPTER 188

AN ACT to amend "An act concerning health and accident insurance, supplementing chapter thirty-eight of Title 17 of the Revised Statutes, and repealing section 17:18–7 of the Revised Statutes," approved August second, one thousand nine hundred and thirty-nine (P. L. 1939, c. 305).

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

Section amended.

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

C. 17:38-19. Special provisions.

6. Special provisions. No policy of group accident, group health, group accident and health, or blanket accident insurance, and no certificate there-

under shall be issued or delivered in this State if such policy or certificate contains any provision inconsistent with any of the provisions of this act, except that such policy may contain any provision which in the opinion of the Commissioner of Banking and Insurance is more favorable to policyholders or certificate holders than the provision herein required, and except that such policy issued by any company of this State for delivery outside of this State may contain any provision not consistent with the provisions of this act; *provided,* such policy conforms to the laws of the State or country in which it is delivered. Proviso.

Any portion of any such policy, issued or delivered in this State, which purports, by reason of the circumstances under which a loss is incurred, to reduce any benefits promised thereunder to an amount less than that provided for the same loss occurring under ordinary circumstances, shall be printed in such policy and in each certificate issued thereunder in bold face type and with greater prominence than any other portion of the text of such policy; and all other exceptions of the policy shall be printed in the policy and in the certificate with the same prominence as the benefits to which they apply.

2. This act shall take effect immediately.

Approved April 17, 1945.

CHAPTER 189

AN ACT concerning financial responsibility for damages caused by the operation of motor vehicles in certain cases, and amending section 39:6–20 of the Revised Statutes.

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

Section amended.

1. Section 39:6–20 of the Revised Statutes is amended to read as follows:

Contents of policy.

39:6–20. No motor vehicle liability policy shall be issued or delivered in this State unless such policy discloses the name, address and business of the insured, the coverage afforded by the policy, the premium charged therefor, the policy period, the limit of liability and the agreement that the insurance thereunder is provided in accordance with the coverage defined in sections 39:6–18 and 39:6–19 of this Title and in this section and is subject to all of the provisions of this chapter.

The motor vehicle liability policy shall be subject to the following provisions which need not be contained therein:

Liability.

a. The liability of a company under a motor vehicle liability policy shall become absolute when loss or damage covered by the policy occurs and the satisfaction by the insured of a final judgment of the loss or damage shall not be a condition precedent to the right or duty of the carrier to make payment on account of the loss or damage. No such policy shall be canceled or annulled as respects any loss or damage by any agreement between the carrier and the insured after the insured has become responsible for the loss or damage and any such cancellation or annulment shall be void. Upon the recovery of a final judgment against a person for the loss or damage if the judgment debtor was at the accrual of the cause of action insured against

liability therefor under a motor vehicle liability policy, the judgment creditor shall be entitled to have the insurance money applied to the satisfaction of the judgment. The policy may provide that the insured or a person covered by the policy shall reimburse the company for payments made on account of an accident, claim or suit involving a breach of the terms, provisions or conditions of the policy; and, if the policy provides for limits in excess of the limits designated in this section the insurance carrier may plead against the judgment creditor, with respect to the amount of the excess limits of liability any defenses which it may be entitled to plead against the insured. The policy may further provide for the prorating of the insurance thereunder with other applicable valid and collectible insurance.

b. The policy, any written application therefor and any rider or indorsement which shall not conflict with the provisions of this chapter shall constitute the entire contract between the parties.

Effective as of the date such proof is furnished and to the extent of the coverage required by this chapter and to the extent of the limits of liability specified in section 39:6–18 of this chapter, any policy of motor vehicle liability insurance furnished as proof of financial responsibility pursuant to section 39:6–11 of this chapter, either by the filing of a certificate signed by a duly licensed agent of the company issuing the policy as provided in the said section, or otherwise, shall be deemed amended to conform with and to contain all the provisions required by this chapter, any provision of the policy or certificate to the contrary notwithstanding.

Binder agreement.

An insurance carrier authorized to issue motor vehicle liability policies as provided for in this chapter may, pending the issuance of the policy, execute an agreement, to be known as a binder; or may, in lieu of the policy, issue an indorsement to an existing policy, each of which shall be construed

to provide indemnity or protection in like manner and to the same extent as the policy. The provisions of said sections 39:6–18 and 39:6–19 and this section shall apply to the binders and indorsements.

2. This act shall take effect immediately.

Approved April 17, 1945.

CHAPTER 190

AN ACT authorizing the establishment and maintenance of common trust funds by trust companies organized under any general or special law of this State and acting as fiduciaries, by State banks organized under any general or special law of this State authorized to act and acting as fiduciaries, by savings banks organized under any general or special law of this State authorized to act and acting as fiduciaries and by national banks authorized to act and acting as fiduciaries under any will or codicil probated in this State or under appointment by any court of this State, or acting as fiduciary under a deed, indenture or declaration of trust or other instrument or court order under which the investments made by such national bank are controlled by the laws of this State, and regulating the administration of such common trust funds.

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

C. 3:16-8.1. "Bank."

1. a. The term "bank" as used herein includes any trust company organized under any general or special law of this State and acting as fiduciary, any State bank organized under any general or

special law of this State authorized to act and acting as fiduciary, any savings bank organized under any general or special law of this State authorized to act and acting as fiduciary and any national bank authorized to act and acting as fiduciary under any will or codicil probated in this State or under appointment by any court of this State or acting as fiduciary under a deed, indenture or declaration of trust or other instrument or court order under which the investments made by such national bank are controlled by the laws of this State.

"Fiduciary."

b. The term "fiduciary" as used herein shall mean a bank acting either alone or with a cofiduciary or cofiduciaries, as, executor, administrator, substituted administrator, administrator with the will annexed or substituted administrator with the will annexed of estates as to the funds of which there may be power to invest, or acting as trustee or substituted trustee of a trust under or created by will, codicil, deed, indenture or declaration of trust or other instrument or court order, or acting as trustee or substituted trustee appointed by court order, or acting as guardian or substituted guardian of a minor or of an incompetent or of an habitual drunkard or acting as guardian under the uniform veterans' guardianship law, chapter twenty-seven of Title 3 of the Revised Statutes.

"Cofiduciary."

c. The term "cofiduciary" as used herein shall mean a fiduciary acting with another fiduciary in any of the fiduciary capacities set forth in b next above.

"Estate."

d. The term "estate" or "estates" as used herein shall include any estate, trust or other fund being administered by a bank as sole fiduciary or with a cofiduciary or cofiduciaries.

"Common trust fund."

e. The term "common trust fund" as used herein shall mean a fund or investments of funds established, maintained and administered by a bank pursuant to the requirements of this act, exclusively for the collective investment and reinvestment of moneys of estates contributed thereto by the bank as fiduciary.

"Participation."

f. The term "participation" shall mean the interest of a participating estate in a common trust fund.

"Certificate."

g. The term "certificate" shall mean a certificate of participation issued by a bank to an estate the funds of which are invested in a common trust fund.

C. 3:16-8.2. Bank may maintain common trust fund.

2. A bank may, in its trust department, establish and maintain one or more common trust funds; but in any case in which any money of any estate is used to purchase any participation in any such common trust fund, such common trust fund shall be restricted in its investments to the same extent as the fiduciary of the estate purchasing such participation would have been if he had invested the money of the estate directly in investments and the bank establishing and maintaining such common trust fund shall be subject to the same liability to the estate owning a participation therein, in case of loss because of any investment made, as a fiduciary of the estate purchasing such participation would be if he had invested the money of the estate directly in such investment.

C. 3:16-8.3. Class of securities.

3. Other than stocks or bonds or interest-bearing notes or obligations of or guaranteed principal and interest by the United States or for which the faith and credit of the United States is pledged for the payment of the principal and interest thereof, and other than bonds or interest-bearing notes or other obligations of or guaranteed by this State, or bonds authorized by the laws of this State issued or to be issued by any commission appointed by the Supreme Court by virtue of any law of this State, and other than bonds or interest-bearing notes or other obligations of or guaranteed by any other State of the United States, and other than bonds or interest-bearing notes or other obligations of any county, city, town, township, borough, village or other municipal or political subdivision of this State or of any public school district, water district, union graded school district or regional board of education of this State, and other than bonds or interest-bearing notes or other obligations of any

county, city, town, township, borough, village or school district of any other State of the United States, investments made for any common trust fund shall, at the time of making the investments, be limited to such corporate bonds, debentures, notes or other corporate obligations or securities, or corporate stocks, common or preferred, as are listed on a stock, securities or investment exchange and have a ready market or be such as have a ready market in an over the counter market; *provided, however,* that no investment shall be made in bonds, debentures, notes, or other corporate obligations or securities if at the time of making the investment the total outstanding issue thereof is less than five hundred thousand dollars ($500,000.00). Proviso.

C. 3:16-8.4. Trust funds not invested in obligations of individual or partnership.

4. No funds of any common trust fund shall be invested in bonds, notes or other obligations of any individual or partnership whether or not secured by mortgage on real property or otherwise secured, or in real property, or in tangible personal property, or in any bond, note or other obligation secured by mortgage on real property or on tangible personal property, or in any share or interest in any bond, note or other obligation secured by mortgage on real or tangible personal property or secured by any group or pool of mortgages on real or tangible personal property, or in any mortgage or mortgages on real or tangible personal property, or in any share or interest in any group or pool of mortgages on real or tangible personal property; *provided, however,* that nothing in this section contained shall be deemed to prohibit investment in investments authorized by section three. Proviso.

C. 3:16-8.5. Restriction as to investments.

5. If the instrument or appointment under which a bank acts as fiduciary for an estate, whether such fiduciary capacity arose before or is created after this act takes effect, shall, either expressly or by its silence, limit or restrict the investment of moneys of the estate to investments of the class authorized by law as legal investments for funds held by fiduciaries or if by law such investment is

so limited or restricted, and if such instrument or appointment does not prohibit investment of moneys of the estate in a common trust fund, the bank may in its capacity as sole fiduciary or with the consent of its cofiduciary or cofiduciaries who is or are hereby authorized to give such consent, invest and reinvest moneys of the estate in participations in any one or more common trust funds maintained by the bank hereunder; *provided,* the investments composing such common trust fund, other than uninvested cash balances awaiting investment or kept for the purpose of meeting cash requirements, consist solely of assets of the class authorized by law as legal investments for funds held by fiduciaries.

Proviso.

Determining legality of investment.

In determining if any investment is legal for the investment of funds held by fiduciaries a bank, as trustee of a common trust fund, may rely on and be fully protected in relying upon statistical, financial, corporate or other information as to such investment and upon ratings or other information as to the financial, investment or other status thereof contained in or offered by any financial, statistical, investment rating or other publication or service published for the use of and accepted as reliable by investors in like investments.

Nothing in this section contained shall be deemed to prohibit the bank as fiduciary for any estate the investments for which are not limited or restricted to investments of the class authorized by law as legal investments for funds held by fiduciaries, from investing moneys of any such estate in any common trust fund maintained by the bank under this section.

C. 3:16-8.6. Investments in classes of securities other than authorized by law.

6. If the instrument or appointment under which a bank acts as fiduciary for an estate, whether such fiduciary capacity arose before or is created after this act takes effect, shall authorize the investment of moneys of the estate in investments other than those of the class authorized by law as legal investments for funds held by fiduciaries and if such instrument or appointment does not prohibit the investment of moneys of the estate in a common

trust fund, the bank may, in its capacity as sole fiduciary or with the consent of its cofiduciary or cofiduciaries who is or are hereby authorized to give such consent, invest and reinvest moneys of the estate in participations in any common trust fund maintained by the bank. Any such common trust fund consisting solely of moneys of such estates contributed thereto by the bank may be composed of investments other than those of the class authorized by law as legal investments for funds held by fiduciaries and uninvested cash balances awaiting investment or kept for the purpose of meeting cash requirements. Nothing in this section contained shall be deemed to prohibit any such common trust fund from having comprised within its investments, investments of the class authorized by law as legal investments for funds held by fiduciaries, or to prohibit the bank as fiduciary for any such estate from investing moneys of any such estate in one or more common trust funds maintained by the bank under section five.

C. 3:16-8.7. Moneys of estate added to common trust fund.

7. The moneys of an estate which shall be invested in a common trust fund maintained hereunder shall be added to the common trust fund and by apportioning a participation therein to such estate in the proportion that the moneys of the estate added thereto bears to the aggregate value of all the assets of such fund at the time of such investment, including in such assets the moneys of the estate so added.

C. 3:16-8.8. Withdrawal.

8. Any withdrawal of a participation from a common trust fund shall be on the basis of the proportionate interest of such participation in the aggregate value of all the assets of such fund at the time of such withdrawal.

The participating interest of any estate in a common trust fund may, from time to time, be withdrawn in whole or in part by the bank as fiduciary and shall be so withdrawn within a period of three months following the written request so to do of any person acting as a cofiduciary with the bank.

Upon such withdrawals the bank may make distribution in cash or ratably in kind or partly in cash and partly in kind provided that all such distributions as of any one time shall be made on the same basis.

C. 3:16-8.9. Participations not sold.

9. Participations in a common trust fund shall not be sold to any corporation, firm or person but shall be held solely by the bank as fiduciary and the proportionate undivided interests therein shall be owned solely by the estates of which the bank is fiduciary.

Money of bank not invested in common trust fund.

A bank administering a common trust fund shall not invest any of its own funds in such common trust fund and if a bank, because of a creditor relationship or any other reason, acquires any interest in a participation in a common trust fund under its administration the participation shall be withdrawn on the first date on which such withdrawal can be effected.

Bank not to have any interest.

A bank administering a common trust fund shall not have any interest in the assets held in such common trust fund, other than in its capacity as fiduciary, except to the extent permitted for a temporary period as provided in the immediately preceding paragraph.

C. 3:16-8.10. Designate names of estates.

10. The bank shall designate clearly upon its records the names of the estates on behalf of which the bank as fiduciary owns participations in any common trust fund and the extent of the interest of the estates therein.

C. 3:16-8.11. Undivided interest.

11. No estate owning a participation in a common trust fund shall be deemed to have individual ownership of any asset in any common trust fund, but shall be deemed to have only a proportionate undivided interest in the common trust fund. Title to all assets of a common trust fund shall at all times be vested in the bank maintaining the same, as trustee of the common trust fund, and such assets shall be deemed to be held by the bank as such trustee for the estates owning participations in the common trust fund; *provided, however,* that any bank maintaining a common trust fund hereunder

Proviso.

may, when acting as sole fiduciary or when acting as cofiduciary with the consent of its cofiduciary or cofiduciaries who is or are hereby authorized to give such consent, cause any asset of the common trust fund, capable of being registered, to be registered and held in the name of a nominee of the bank without disclosing the fiduciary capacity in which such asset is held; *provided,* that (1) the records of the bank relating to the common trust fund and all accounts rendered by it as fiduciary of the common trust fund shall at all times clearly show the ownership of the assets so registered to be in the common trust fund, (2) such assets shall at all times be kept separate and apart from the assets of the bank, and (3) the nominee shall not have possession of or have access to such assets. The bank shall be liable for any loss occasioned by any acts of the nominee with respect to assets so registered. The provisions of this section shall not apply where any will, codicil, deed, indenture or declaration of trust or other instrument or court order prohibits assets of an estate from being registered in the name of a nominee in which cases all assets of the common trust fund requiring registration shall be registered in the name of the bank. Nothing in this section contained shall be construed to require the registration of assets in bearer form which are capable of being registered.

Proviso.

C. 3:16-8.12. Exclusive management.

12. The bank as trustee of a common trust fund shall have the exclusive management and control of any common trust fund maintained hereunder and the sole right at any time to sell, convert, exchange, transfer or otherwise change or dispose of the assets comprising any such common trust fund.

C. 3:16-8.13. Participation certificate.

13. The bank as trustee of a common trust fund may issue a certificate of participation for any estate, the funds of which are invested in any common trust fund. Such certificate shall state on its face that it is issued without guaranty by the issuing bank of the payment of either principal or interest, and that it will be paid only when funds become available out of the assets comprising the common

trust fund. It may also state any other important condition covering such situation. No such certificate or other document evidencing a direct or indirect interest in any common trust fund shall be issued in any form which purports to be negotiable or assignable and no certificate, participation or interest in a common trust fund shall be negotiable or assignable; *provided, however,* that nothing in this section contained shall prevent the transfer of such certificate, participation or interest in a common trust fund to a fiduciary succeeding the fiduciary holding the same.

Proviso.

C. 3:16-8.14. Commissioner to make rules.

14. Every common trust fund shall be established, maintained and administered in conformity with the laws of the United States pertaining to the collective investment of trust funds by national banks and all rules and regulations from time to time promulgated under the authority of such laws and in conformity with the laws of this State. The Commissioner of Banking and Insurance may promulgate such rules and regulations relative to the establishment, maintenance and administration of common trust funds as may be desirable.

C. 3:16-8.15. Not to invest funds contrary to will.

15. Nothing herein contained shall be deemed to authorize a bank as fiduciary for any estate to invest moneys of any estate in any common trust fund, contrary to any specific limitation or restriction contained in the will, codicil, deed or indenture of trust or other instrument or court order creating or regulating the fiduciary relationship, nor to limit or restrict the authority conferred upon the bank with respect to investments by any such instrument.

C. 3:16-8.16. Mistakes made in good faith.

16. No mistakes made in good faith and in the exercise of due care and prudence in connection with the administration of any common trust fund shall be held to exceed any power granted to or violate any duty imposed upon a bank as fiduciary if promptly after the discovery of the mistake the bank takes whatever action that may be practicable in the circumstances to remedy the mistake.

C. 3:16-8.17. Not to prohibit one or more funds.

17. Nothing herein contained shall prohibit a bank from establishing, maintaining, and administering one or more common trust funds differing from the requirements of this act, in which only investment or participations are made by such bank in accordance with specific contract authority.

C. 3:16-8.18. Accounting.

18. Unless ordered by a court of competent jurisdiction, a bank maintaining a common trust fund shall not be required to render a court accounting with regard to such fund, but it may make accountings in the same manner and for the same purposes as is provided by law for other fiduciaries.

C. 3:16-8.19. Not liable for tax.

19. No bank as trustee of a common trust fund nor the common trust fund nor the assets thereof held by it as such trustee shall be assessed or be liable for any tax imposed by the State or by any subdivision thereof and no tax shall be assessed or levied upon any certificate or other evidence of ownership or upon any participation in a common trust fund; *provided, however,* that nothing herein contained shall be deemed to relieve the assets of any estate invested in any common trust fund from any tax for which such assets may be liable under any law of this State to the extent of the participation of such estate in such assets of a common trust fund as might be so taxable if separately owned by such estate.

Proviso.

C. 3:16-8.20. Constitutionality of act.

20. The provisions of this act are declared to be severable and if any part thereof be declared unconstitutional or otherwise invalid, the remainder thereof shall not thereby be effected.

21. This act shall take effect immediately.

Approved April 17, 1945.

CHAPTER 191

AN ACT concerning weapons and explosives, and amending section 2:176–11 of the Revised Statutes.

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

Section amended.

1. Section 2:176–11 of the Revised Statutes is amended to read as follows:

Unlawful to sell firearms to children.

2:176–11. No person under the age of eighteen years shall purchase, barter or exchange any gun, pistol, toy pistol, or other firearm or any instrument or weapon in which any loaded or blank cartridges may be used; nor shall any person under the age of sixteen years carry, fire or use any such instrument or weapon except in the presence of his father or guardian, or some other responsible adult or for the purpose of military drill under competent supervision, or for the purpose of competition or target practice in and upon a firing range approved by the governing body or the chief of police of the municipality in which such range is located. Violation of any of the provisions of this section shall be a misdemeanor.

2. This act shall take effect immediately.

Approved April 17, 1945.

CHAPTER 192

AN ACT concerning public health, and supplementing Title 26 of the Revised Statutes.

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

C. 26:3B-1. Not to supply impure water.

1. No person, corporation or municipality shall maintain any supply of water used for drinking or culinary purposes, or for the cleansing of utensils used in preparing or serving food or drink for public consumption, which is polluted, contaminated or impure.

C. 26:23B-2. Not to maintain disposal field.

2. No person, corporation or municipality shall maintain, use or permit to be used any privy, privy vault, cesspool, septic tank, title disposal field or other means of disposal of human excrement which allows flies to gain access to the excremental matter contained therein, or from which excremental matter or liquid containing excremental matter flows over or upon the surface of the ground or gains access to the source of any public water supply or to any well or spring, used as a private potable water supply.

C. 26:23B-3. Not to deposit on ground human excrement.

3. No person, corporation or municipality shall deposit or permit to be deposited or to remain on the surface of the ground any human excrement or material containing human excrement or dispose of or place any such material where it can gain access to the source of any public water supply or to any well or spring, used as a private potable water supply.

C. 26:3B-4. Not to store human excrement.

4. No person, corporation or municipality shall deposit, store or allow to accumulate or provide storage facilities for human excrement, any decomposable animal or vegetable matter, domestic, factory, workshop, mill or slaughterhouse refuse, sink, laundry, milk, creamery or cheese house waste or any other polluting matter so that it gains access

to any well, spring, stream, lake or other body of water, including the ocean and its estuaries, in such manner as to cause or threaten injury to any of the inhabitants of this State, either in health, comfort or property.

C. 26:3B-5. Not to maintain accumulation of animal matter.

5. No person, corporation or municipality knowingly shall maintain or permit to be maintained any accumulation of animal or vegetable matter in which fly larvæ exist.

C. 26:3B-6. Not to maintain receptacle containing liquid.

6. No person, corporation or municipality knowingly shall maintain or permit to be maintained any pool, ditch, stream, or other body of water, or any cistern, privy vault, cesspool or other receptacle, containing liquid in which mosquitoes are breeding.

C. 26:3B-7. Accumulation of filth prohibited.

7. No person, corporation or municipality knowingly shall maintain or permit to be maintained any accumulation of filth or source of foulness which is hazardous to the health or comfort of any of the inhabitants of this State.

C. 26:3B-8. Act not to apply to certain plants.

8. The provisions of sections two, three and four of this act shall not apply to the effluents from sewage treatment plants, or industrial waste treatment plants heretofore or hereafter installed in accordance with the requirements of the law and operated in accordance with the rules and regulations of the State Department of Health or the Passaic Valley Sewerage Commission.

C. 26:3B-9. Not to apply vehicles operated by interstate carriers.

9. Nothing in this act shall be construed to prohibit or limit the authority otherwise granted by statute to any local board of health or other body to regulate or control objects or conditions described or referred to in this act, nor shall the provisions of this act apply to vehicles operated by interstate carriers.

C. 26:3B-10. Penalty.

10. Any person or private or municipal corporation or their agents violating any of the provisions of this act shall be liable to a penalty for each first offense of not less than ten dollars ($10.00) nor more than fifty dollars ($50.00), and for each second and every subsequent offense to a penalty of not less than twenty-five dollars ($25.00) nor more than one hundred dollars ($100.00) to be re-

covered by and in the name of the Department of Health of the State of New Jersey or by or in the name of the director of health of the State of New Jersey, or by and in the name of the local board of health, or such board, body or officers exercising the functions of a local board of health according to law.

Each day that a violation of the provisions of this act exists shall be deemed to be a separate violation for which a penalty may be recovered. Separate violation.

11. Every district court, justice of the peace, and police magistrate is empowered upon the filing of a complaint in writing by any person authorized by the Department of Health of the State of New Jersey or by the director of health of New Jersey, or by the local board of health, or such board, body or officers exercising the functions of a local board of health according to law, alleging that a violation of any provision of this act has occurred, which complaint may be made upon information and belief, to issue process at the suit of the Department of Health of the State of New Jersey or of the director of health of New Jersey, or the local board of health, or such board, body or officers exercising the functions of a local board of health according to law, as the case may be, as plaintiff. The process shall be either in the nature of a summons or warrant, which warrant, shall be returnable forthwith and may issue without any order of the court first being obtained against the person so charged, and which process when in the nature of a summons shall be returnable in not less than five nor more than fifteen days. The process shall state what provision of the law is alleged to have been violated by the defendant or defendants. C. 26:3B-11. Filing complaint. Process.

The court, justice of the peace or magistrate may, at any time, amend all defects and errors in the complaint and process. Amend process and complaint.

Any officer authorized by law to serve and execute process in the court in which the proceeding is brought, shall serve and execute all process in pro- Service of process.

ceedings for violations of any of the provisions of this act.

C. 26:3B-12. Return of process.

12. On the return of process issued pursuant to section eleven of this act or at any time to which the trial shall be adjourned, the court, justice of the peace or police magistrate without the filing of any pleadings shall proceed in a summary manner, without a jury, to hear the testimony and to give judgment for plaintiff for the penalty and costs, or for the defendant.

Failure to pay judgment.

The court shall cause a defendant, other than a body corporate, who refuses or neglects to pay forthwith the amount of a judgment rendered against him and the costs and charges incident thereto, to be committed to the county jail for a period not exceeding ten days in the case of a first conviction, and in the case of a conviction for a second or subsequent violations for a period of not less than ten days nor more than thirty days.

Execution issued.

If judgment is rendered against a body corporate, execution shall be issued against the goods and chattels of such body corporate as in other actions at law.

C. 26:3B-13. Adjournment of hearing.

13. The district court, justice of the peace or police magistrate may adjourn the hearing from time to time but, unless the first process was a summons, shall detain the defendant in safe custody unless he shall enter into bond to the plaintiff 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 to abide by the judgment of the court. Such bond if forfeited may be prosecuted by the department, director, the local board of health or the board, body or officers exercising the functions of a local board of health, as the case may be.

C. 26:3B-14. Signing and sealing of process.

14. The clerk of a district court or magistrate's court may sign and seal any process required to be issued under the provisions of this act, except a warrant of commitment.

Costs.

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 plaintiff in the event of the conviction of the defendant. Execution may issue for the collection of a judgment and costs, against the goods and chattels and body of the defendant without any order first obtained for such purpose.

C. 26:3B-15. Form of conviction.

15. The conviction in prosecutions under this act shall be in the following or similar form:

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

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 .....justice of the peace or .....police magistrate, or as the case may be), convicted of violating section .....of P. L. 1945, c. ....., in a summary proceeding at the suit of the (Department of Health of the State of New Jersey, or the director of health of the State of New Jersey, or the local board of health, or such board, body or officers exercising the functions of a local board of health, or as the case may be), 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."

Conviction signed.

The conviction shall be signed by the judge of the district court, justice of the peace or police magistrate 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 to the conviction, beneath the signature of the judge, justice of the peace or police magistrate:

> "And the said C.D. neglecting and refusing to pay the amount of the penalty abovementioned, 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."

Commitment.

This commitment shall also be signed by the judge, justice, or magistrate, and in the 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. 26:3B-16. Payment of penalty.

16. Payment of a penalty for any alleged violation of this act, either before or after the institution of proceedings for the collection thereof, shall be deemed equivalent to a conviction of the violation for which such penalty was claimed.

C. 26:3B-17. Payment of penalty.

17. Any penalty recovered in an action brought under the provisions of this act shall be paid to the plaintiff therein. When the plaintiff is the Department of Health of the State of New Jersey or the director of health of the State of New Jersey, the penalty shall be paid by said department or director into the treasury of the State. When the plaintiff is a local board of health or board, body or officers exercising the functions of a local board of health, the penalty shall be paid by such plaintiff into the treasury of the municipality within which the plaintiff has jurisdiction.

18. This act shall take effect immediately.

Approved April 17, 1945.

CHAPTER 193

AN ACT concerning the practice of dentistry, and amending section 45:6–7, and supplementing chapter six of Title 45 of the Revised Statutes.

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

1. Section 45:6–7 of the Revised Statutes is amended to read as follows: Section amended.

45:6–7. Any license to practice dentistry may be revoked or suspended by the board upon proof to its satisfaction that the licensee: License suspended or revoked for:

a. Has secured such license through deceit, fraud or willful misrepresentation; or Fraud;

b. Has been convicted of a crime involving moral turpitude or has pleaded nolo contendere, non vult contendere or non vult to an indictment, information, allegation or complaint, alleging the commission of a crime involving moral turpitude. The record of conviction or the record of the entry of such a plea in any court of this State or any other State or in any of the courts of the United States or any foreign country, shall be sufficient warrant for revocation or suspension of a license; or Conviction of crime;

c. Habitually uses drugs or intoxicants to an extent rendering him unfit for the practice of dentistry; or Use of drugs;

d. Has been guilty of willful and gross malpractice or willful and gross neglect in the practice of dentistry; or Malpractice;

e. Has been guilty of employing unlicensed persons to perform work which, under this chapter, can only legally be done by persons licensed to practice dentistry in this State; or Employing unlicensed persons;

Practicing under corporate or trade name;

f. Has been convicted more than once of practicing dentistry under a corporate or trade or firm name in violation of the provisions of this chapter; or

Advertising;

g. Has advertised in any manner his products or the price or charge to be made, or the character or durability of his works or products or anything identical to any of the foregoing, whether by means of circular, card, sign, poster, advertising matches, mirrors, or other articles, or by advertisements in newspapers, magazines, or other publications or by projection by means of light or by crier or radio broadcasting or by use of advertising solicitors or publicity agents; or has permitted the use of his name as a dentist by others in the sale of advertisements of products.

Employed by an unlicensed person.

h. Has been employed by an unlicensed manager, proprietor, operator or conductor as defined in section 45:6–19 of this Title or has entered into possession of such dental material or equipment, as may be necessary for the management of a dental office which is owned by any such unlicensed manager, proprietor, operator or conductor on the basis of a lease or other agreement for compensation for the use of such material, equipment or office or has entered into any arrangement by which there is made available to him, for his use, dental material, equipment or office, the ownership or control of which is retained by any such unlicensed manager, proprietor, operator or conductor, except where the transaction is a bona fide sale of dental material or equipment secured by chattel mortgage or conditional sale agreement.

Deemed unlicensed.

Any person whose license is so suspended or revoked shall be deemed an unlicensed person during the period of such suspension or revocation, and as such shall be subject to the penalties prescribed for unlicensed persons who practice dentistry, and

such person may, in the discretion of the board, be relicensed at any time to practice without an examination upon application to the board.

Payment of penalty equivalent to conviction.

2. Payment of a penalty or any part thereof for any alleged violation of this chapter either before or after the institution of proceedings for the collection thereof, shall be deemed equivalent to a conviction of the violation for which such penalty was claimed.

3. This act shall take effect immediately.

Approved April 17, 1945.

CHAPTER 194

AN ACT relative to investments by fiduciaries, and amending section 3:16–1 of the Revised Statutes.

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

Section amended.

1. Section 3:16–1 of the Revised Statutes is amended to read as follows:

Investments authorized.

3:16–1. Investments authorized in general. A fiduciary whose duty it may be to loan or invest money entrusted to him in his fiduciary capacity may, without special order of any court, invest such money, or any part thereof, in any of the following securities:

United States bonds.

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

State bonds.

State bonds. b. In bonds or interest bearing notes or rather obligations of or guaranteed by this State or bonds authorized by its laws issued or to be issued by any commission appointed by the Supreme Court by virtue of any law of this State;

Bonds of other States.

Bonds of other States, Territories or Insular Possessions. c. In bonds of any State in the Union or of any Territory or Insular Possession of the United States which has not, within one hundred twenty days next preceding such investment, defaulted in the payment of any part of either principal or interest on any of its bonds issued by authority of the Legislature of such State or of any such Territory or Insular Possession;

Municipal or school bonds.

Municipal or school bonds. d. In bonds or interest bearing notes or obligations of any county, city, town, township, borough, village or other municipal or political subdivision of this State issued under authority of a law of this State, or in bonds of any public school district, water district, union-graded school district or regional board of education of this State, or in refunding or renewal bonds of any such school district, water district or board of education issued under authority of a law of this State;

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provided, that at the time of making any such investment the issuer of such bonds shall not be in default in the payment of any principal of or interest upon any bonds issued by it;

Bonds of counties.

Bonds of counties, municipalities and school districts of other States. e. In the stocks, bonds, interest bearing notes or obligations of any county, city, town, township, borough, village or school district of any other State of the Union issued pursuant to the authority of any law of such State;

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provided, that such county, city, town, township, borough, village or school district shall not have been in default in the payment of any principal or interest on any of its stocks, bonds, interest bearing notes or obligations within one hundred twenty

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days next preceding such investment; *provided,* that such county shall have a population of not less than twenty thousand and that any such city, town, township, borough, village or school district shall have a population of not less than five thousand.

Revenue bonds.

Revenue bonds. f. In revenue bonds issued by a unit;

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provided, that the unit shall not, at the time of making the investment, be in default in the pay-

ment of principal or of interest on any of the revenue bonds issued by the unit or in the performance of any of the covenants, agreements or other provisions of the revenue bonds issued by the unit and shall not be in default with respect to any of the provisions or requirements of the enabling legislation relative to such revenue bonds; *provided, further,* that such enabling legislation requires the unit to fix, maintain and collect for the utility service furnished by the unit charges adequate to pay the principal of and interest upon all revenue bonds payable from such revenues and the operation and maintenance of the utility including provision for all repairs and renewals thereof and all other charges and liens whatsoever payable from such revenues and to pledge a sufficient amount of such revenues for the payment of principal of an interest on such revenue bonds and other obligations of the unit having a lien or charge on such revenues equal to or prior to the lien or charge of the revenue bonds thereon; for the purposes of this paragraph: "revenue bonds" mean any bonds, including refunding bonds, or other interest bearing obligations of a unit for the payment of the principal of and interest on which the revenues derived from a utility owned or operated by the unit which issued such bonds or obligations, are pledged, or any such bonds or obligations additionally secured by a pledge of the taxing power or other revenues of the unit; "unit" means a unit authorized to construct, own or operate a utility as "utility" is hereinafter defined and includes any State, any political subdivision of any State, any agency or instrumentality, corporate or otherwise, of any State or of any political subdivision of any State, including but not by way of limitation any county, city, town, township, village, authority, district, commission, agency or instrumentality of any State or of any political subdivision of any State, any commission, board, agency or other public body, corporate or otherwise, created by any Act of Congress or by any State, or pursuant to a compact between any two

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or more States or between any two or more political subdivisions, authorities, districts, commissions, agencies or instrumentalities of the same State, or between any two or more political subdivisions, authorities, districts, commissions, agencies or instrumentalities of any two or more States, or any corporation which is wholly owned, directly or indirectly by any of the foregoing; "enabling legislation" means any act or resolution of Congress or of the Legislature of any State, Territory or Insular Possession of the United States, or of any States, Territories or Insular Possessions of the United States, or any act, ordinance, resolution or other authorization by or of a unit or by or of the governing body of any unit, authorizing or providing for the issuance of revenue bonds, or any mortgage, trust deed, trust indenture, trust agreement or other instrument executed as security for revenue bonds; "utility" means any water works system, gas system, electric light system, express or other highway or highways, bridge, tunnel, ferry or other public utility service or operation, or any combination of two or more of the foregoing; "system" means a supply or generating system, transmission or distribution system or any combination of supply, generating, transmission or distribution systems, and all appurtenances thereof.

Dominion of Canada.

Bonds of the Dominion of Canada and Provinces. g. In bonds, notes or other interest bearing obligations issued, guaranteed, or assumed by the Dominion of Canada or by any of the Provinces of the Dominion of Canada.

Railroad bonds and equipment obligations. h. (1) In bonds issued, guaranteed, or assumed by a railroad corporation organized and existing under the laws of any State of the United States or of the District of Columbia or of the United States, the net earnings of which, including those of any predecessor company or companies, before deduction of Federal income and profits taxes have been sufficient, in any three of the four fiscal years next preceding the date of purchase, to cover annual

requirements for fixed charges, including contingent interest on income bonds, an average of one and one-half times; *provided,* that neither net earnings nor fixed charges shall be deemed to include interest on bonds of its own or a subsidiary or lessor company repurchased or held as an investment by such railroad corporation; or in bonds secured by mortgage upon a railroad terminal, depot, tunnel or bridge used by two or more railroad corporations which have jointly and severally guaranteed the payment of principal and interest of such bonds or have otherwise covenanted or agreed to pay the same; at least one of which guarantors shall have net earnings as above; or in the bonds of any railway terminal or dock company of this State, secured by first mortgage on terminal or dock property fronting on the Hudson river or New York bay and having an assessed value for the purpose of taxation in excess of the amount of the entire issue of bonds, and used and occupied as a dock or terminal by any railroad now operating in this State; *provided,* that no part of the principal or interest of such bonds is in default at the time of making the investment. Proviso. Proviso

h. (2) In mortgage bonds of a railroad corporation organized and existing under the laws of any State of the United States or of the District of Columbia or of the United States which are a first lien or a collateral first lien on at least two-thirds of the mileage covered, of which at least one-half said rail mileage shall be main line mileage, the earnings of which allocable to such mileage are estimated to be on the average at least one and one-half times interest charges on such bonds for any three of the four fiscal years next preceding such investment; *provided,* that such a railroad corporation shall not have been in default on any part of the principal or interest of any of its bonds within one hundred twenty days next preceding such investment, except that nonpayment of contingent interest on income bonds, or nonpayment of interest on any bonds on which the payment of interest is discretionary Railroad mortgage bonds. Proviso.

rather than fixed, shall not constitute such a default. For the purpose of this paragraph, should the earnings of a railroad not be susceptible to exact allocation under the ordinary accounting methods of a railroad, information as to earnings may be obtained from any financial, statistical, investment or other publication or service referred to in paragraph u. of this section;

Railroad equipment certificates.

h. (3) In equipment obligations or certificates of a railroad corporation organized and existing under the laws of any State of the United States or of the District of Columbia or of the United States, secured by railroad equipment under equipment or car trust, lease or conditional sale, or by first lien thereon.

Bonds secured by first mortgages.

Bonds secured by first mortgage. i. In bonds or other obligations secured by first mortgages on improved real estate in this State or in the States of New York or Pennsylvania including improved farm lands in this State or in the States of New York or Pennsylvania; *provided*, the amount of any such bond or other obligation and mortgage shall not at the time of making the investment therein exceed sixty per centum (60%) of the estimated worth of the real estate covered by the mortgage and the rate of interest shall not be more than six per centum (6%) per annum;

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Purchase money mortgage.

i. (a) Whenever a fiduciary owns or has an expressed or implied power of sale over any real estate, or any interest or interests therein, however acquired, he may, in the exercise of discretion, sell such real estate, or such interest or interests therein, upon such terms and conditions as he shall deem to be for the best interests of the estate or trust, and, as an incident to such sale, may invest in a bond or other obligation secured by a purchase money mortgage, which shall be a first lien upon the real estate or interest or interests therein sold, in any amount up to but not exceeding eighty per centum (80%) of the sale price.

Bonds secured by mortgage. Bonds secured by mortgage on leasehold.

Bonds secured by mortgage on leasehold of camp meeting associations. j. In bonds, secured by first

mortgage on leasehold estates of real property in this State of camp meeting associations; *provided, however,* that such real estate in this State, except as to such leasehold is free and clear of all liens and encumbrances of every kind and character whatsoever; *provided, further,* that such leasehold at the time of the giving of said bond and mortgage has an unexpired term of not less than twenty-five years, and is a lease of the entire interest in such real estate in this State, except the reversion thereof; *provided, further,* that no investment shall be made in excess of sixty per centum (60%) of the appraised value of such leasehold estate and the improvements thereon, which appraisement may be made by a committee of any such savings bank, banking institution, trust company or insurance company, and, in the case of an individual, by two persons appointed by any such individual for such purpose; *provided, further,* that any such camp meeting association shall consent to the giving of such bond and mortgage, subject, nevertheless, to all the conditions of the lease; *provided, further,* that no savings bank, banking institution, trust company or insurance company, organized under the laws of this State, or any person or corporation acting as executor, administrator, guardian or trustee shall make loans on leasehold estates of any such camp meeting association until the camp meeting association shall first have been approved for such purpose by the Commissioner of Banking and Insurance of the State of New Jersey;

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Utility bonds. k. In bonds, notes or other evidences of indebtedness of any public utility corporation organized under the laws of any State of the United States or of the District of Columbia or of the United States, not less than seventy per centum (70%) of the gross operating revenues of which, on a consolidated basis, in the fiscal year next preceding such investment, was derived from operation of one or more of the following utility services, viz.: electric light or power, telephone or telegraph, steam, manufactured gas, natural gas or a mixture

Utility bonds.

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of manufactured and natural gas; *provided,* that the gross operating revenues of such corporation including predecessor and constituent corporations on a consolidated basis shall have averaged not less than two million dollars ($2,000,000.00) per annum for the three fiscal years next preceding such investment; *provided, further,* that the net operating revenues of such corporation on a consolidated basis, including those of predecessor and constituent corporations, after all operating expenses and depreciation, but before State and Federal income and profits taxes, available for fixed charges for rentals and interest shall have averaged annually for the three fiscal years next preceding such investment not less than one and one-half times the average annual requirements during such period for such fixed charges, subsidiary preferred stock dividends and minority interests excluding intercompany items.

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Water company bonds.

Water company bonds. 1. In the bonds, notes or other evidences of indebtedness issued, guaranteed, or assumed by a public utility corporation organized and existing under the laws of any State of the United States or of the District of Columbia or of the United States not less than eighty per centum (80%) of the revenues of which are, at the time of making such investment, derived from the sale of water to consumers through a distribution system owned or leased by it, or which such corporation has otherwise covenanted or agreed to pay or cause to be paid, whether by lease, endorsement, supplemental indenture or otherwise; *provided,* that the gross operating revenues of such corporation, including those of predecessor and constituent corporations, shall have averaged not less than five hundred thousand dollars ($500,000.00) per annum for the five fiscal years next preceding such investment; *provided, further,* that the net operating revenues of such corporation, including those of predecessor and constituent corporations, after all operating expenses but before deducting charges for depreciation, renewals and State and Federal

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income and profits taxes, available for fixed charges for rentals and interest on all outstanding debt, shall have averaged annually for the three fiscal years next preceding such investment, not less than one and one-half times the average annual requirement during such period for such fixed charges excluding intercompany items;

Utility preferred stocks. m. In preferred stocks issued, guaranteed, or assumed by a public utility corporation organized and existing under the laws of any State of the United States, or of the District of Columbia, or of the United States, not less than seventy per centum (70%) of the gross operating revenues of which in the fiscal year next preceding such investment was derived from the operation of one or more of the following utility services, viz.: artificial gas, the sale of natural gas or of a mixture of natural and artificial gas, steam, electric light or power, telephone, telegraph, or water; *provided,* that such preferred stock shall be cumulative as to dividends and shall not be preceded, as to claim on dividends or assets of the corporation, in case of liquidation or dissolution, by any other class of stock; *provided, further,* that the gross operating revenues on a consolidated basis of such corporation, including those of predecessor and constituent corporations, shall have averaged not less than five million dollars ($5,000,000.00) per annum for the three fiscal years next preceding such investment; *provided, further,* that the mortgage bonds and debentures of the corporation, if such are outstanding, shall be legal investments under this act; *provided, further,* that the net operating revenues of the corporation on a consolidated basis including those of predecessor and constituent corporations after all operating expenses, taxes and depreciation shall have averaged annually for the three fiscal years next preceding such investment not less than one and one-half times the average dividend requirements on such preferred stock, any other equally ranking preferred stock and for fixed

Utility preferred stocks.

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charges for rentals and interest during such period excluding intercompany items.

Industrial bonds.

Industrial bonds, et cetera. n. In the bonds, notes or other evidences of indebtedness of any industrial corporation organized under the laws of any State of the United States or of the District of Columbia or of the United States or of the Dominion of Canada or of any Province of the Dominion of Canada;

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provided, that in each of the three fiscal years next preceding such investment, the gross revenues on a consolidated basis of the said industrial corporation shall not have been less than ten million dollars ($10,000,000.00);

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provided, further, that the balance of income available for the payment of interest, after deducting all operating expenses, depreciation and taxes, except State, Federal, or Provincial income and profits taxes, shall have averaged annually for the five fiscal years next preceding such investment, twice the average annual interest charges;

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provided, further, either that the current assets of said industrial corporation on a consolidated basis, as shown by its latest published statement prior to the making of such investment, shall be at least one and one-half times the current liabilities, or that the difference between the current assets and current liabilities, represented as net current assets or net working capital, as shown by such latest published statement, shall not be less than the total indebtedness of the corporation, excluding any indebtedness included among the current liabilities.

Industrial preferred stocks.

Industrial preferred stocks. o. In preferred stocks of any industrial corporation organized under the laws of any State of the United States or of the District of Columbia or of the United States;

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provided, that such preferred stock shall be cumulative as to dividends;

provided, further, that in each of the three fiscal years next preceding such investment, the gross revenues on a consolidated basis of the said industrial corporation shall not have been less than ten million dollars ($10,000,000.00);

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provided, further, that the balance of in-

come available for the payment of interest and dividends on such preferred stock and on any other preferred stock ranking equally with or senior to such preferred stock together, after deducting all operating expenses, depreciation and taxes, shall have averaged annually for the five fiscal years next preceding such investment, two and one-half times the average annual interest charges and preferred dividend requirements on such preferred stock and on all senior and equally ranking preferred stocks; *provided, further,* either that the current assets of said industrial corporation on a consolidated basis, as shown by its latest published statement prior to the making of such investment, shall be at least one and one-half times the current liabilities or that the difference between the current assets and current liabilities, represented as net current assets or net working capital, as shown by such latest published statement, shall not be less than the total indebtedness of the corporation and all equally ranking and senior preferred stocks together, excluding any indebtedness included among the current liabilities;

Bonds of Federal land bank.

Bonds of joint stock or Federal land bank. p. In bonds issued by a joint stock land bank authorized to do business in this State or by a Federal land bank, organized pursuant to an Act of Congress entitled "An Act to provide capital for agricultural development, to create standard forms of investment based upon farm mortgage, to equalize rates of interest upon farm loans, to furnish a market for United States bonds, to create government depositaries and financial agents for the United States, and for other purposes," approved July seventeenth, one thousand nine hundred and sixteen;

In consolidated bonds of the twelve Federal land banks issued under and pursuant to the above-mentioned Act of Congress as now or hereafter amended and known as the "Federal Farm Loan Act.":

Certificates of deposit and savings accounts. q. In interest bearing time certificates of deposit of or by depositing as interest bearing time deposits in savings or special interest accounts, in any bank, trust company, mutual savings bank or stock savings bank or national bank doing business in this State, including, where the fiduciary is such a corporation, such certificates of deposit of or such deposits with itself in its banking department;

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provided, however, that a fiduciary shall not invest more than five thousand dollars ($5,000.00) of any one trust or estate in time certificates of deposit of, or deposit more than five thousand dollars ($5,000.00) of any one trust or estate as a time deposit in, any one bank, trust company, mutual savings bank, stock savings bank or national bank doing business in this State including itself where the fiduciary is such a corporation;

Investments legal for savings banks.

Investments legal for savings banks. r. In any loans or securities which are or hereafter may be made lawful investments under the statutes of this State, for savings banks of this State;

Investments legal when made continued legal.

Investments legal when made continued legal. s. Any investment made by a fiduciary, legal under the laws of this State when made, shall continue to be legal anything in this section to the contrary notwithstanding;

Holding legal investment when made.

A fiduciary, who, in the exercise of good faith and reasonable discretion, continues to hold any investment made by the fiduciary which was legal under the laws of this State or under a will, deed of trust or order of court having jurisdiction governing the investment when made, shall not be accountable for any loss by reason of such continuance;

Where section not applicable.

Where section not applicable. t. The provisions of this section shall not apply where the deed of trust, or the will, or any court having jurisdiction of the matter, specially directs in what securities or investments the trust fund shall be invested, and every such court shall have the power to specially direct by order or orders, from time to time, ad-

ditional securities or investments, in its discretion, in which trust funds may be invested. An investment made in accordance with such special direction shall be legal, and no fiduciary shall be held liable for a loss in any such case;

Financial publications.

Fiduciary may rely on financial publications. u. A fiduciary, in determining if any bond, debenture, stock or other security or investment meets the requirements of this section or of a deed of trust, will or order of court having jurisdiction, governing the making of the investment, may rely and be fully protected in relying upon statistical, financial, corporate or other information as to such bond, debenture, stock or other security, and upon ratings or other opinion as to the financial or other status thereof, contained in or offered by any financial, statistical, investment, rating or other publication or service published for the use of and accepted as reliable by investors in like securities or investments or upon a copy of the prospectus prepared and filed with the Securities and Exchange Commission in connection with a new issue;

Fiscal years.

Definition of fiscal years. v. Wherever the term "fiscal years" is mentioned in this section, a fiduciary may, at its option, use consecutive twelve-month periods, of the same duration as the specified number of fiscal years, ending within six months preceding the investment, and, if it elects to use other than fiscal years, wherever the term "the fiscal year next preceding the investment" is mentioned, it shall use the last twelve-month period of such consecutive twelve-month periods; in the case of a new issue of bonds or preferred stock whenever a period of years is specified in this section such new issue shall be legal if the interest charges or preferred dividend requirements as specified in this section would have been earned had such issue been outstanding during the period.

Coverage.

Definition of coverage. w. Wherever in this section the requirement has been made as to the number of times fixed charges or fixed charges and preferred dividends shall be earned, the charges

and dividend requirements on the amount of the debt or preferred stocks which have been called for redemption or which otherwise mature within twelve months, and for the payment of which, funds have been set aside, shall be excluded from said computation. Whenever a new issue of bonds or preferred stock results in a change in the balance sheet or earnings statement of a company as shown in pro forma statements a fiduciary may use such pro forma statements in lieu of the last published statement or he may prepare such statements from figures supplied in connection with such new issue and if such statements meet the requirements of this section, such security shall be legal.

Application of act.

Application notwithstanding date of appointment of fiduciary. x. The provisions of this section shall apply notwithstanding the fact that the fiduciary was appointed or the trust was created prior to the effective date hereof.

2. This act shall take effect immediately.

Approved April 17, 1945.

CHAPTER 195

AN ACT concerning the North and South Jersey water supply districts, and amending section 58:5–17 of the Revised Statutes, and supplementing chapter five of Title 58 of the Revised Statutes.

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

Section amended.

1. Section 58:5–17 of the Revised Statutes is amended to read as follows:

Payment of money into court.

58:5–17. Any district water supply commission instituting proceedings for the acquisition of land or other property under and by virtue of the provisions of chapter one of the Title, Eminent Domain (§20:1–1 et seq.), may upon offer made to and re-

fused by the owner of such property of such sum of money as in the opinion of the commission is the reasonable value of the property, pay the sum of money so offered into the Court of Chancery, there to await the determination of the commission appointed to examine and appraise said property and to assess the damages for the taking thereof, but nothing contained in this section shall apply to any property devoted to or held for any public use by any board, commission or agency of this State, municipality or county of this State, or by any public utility as the same is defined by section 48:2–13 of the Title, Public Utilities.

Payment of money stops running of interest.

The payment of such sum into the Court of Chancery shall operate to stop the running of interest upon any award thereafter made to the amount of such deposit, and upon said payment the condemning party may forthwith enter in and upon the property sought to be acquired in the same manner and with like power as though the proceedings in condemnation had been completed, but in the event of any such entry the proceedings in condemnation may not be discontinued except with the assent of all the parties thereto.

Withdrawal of funds.

If, during the pendency of the proceedings in condemnation, a good and sufficient deed of conveyance for the rights and interests sought to be condemned shall be executed and delivered to the authority seeking to condemn, the owners may forthwith apply to the Court of Chancery for the withdrawal of said funds in the manner provided in other cases for the withdrawal of such funds in chapter one of the Title, Eminent Domain (§20:1–1 et seq.).

C. 58:5-7.1. Authorized to accept grants.

2. The commission for itself or in behalf of its participating municipalities is authorized to accept grants of funds, grants of material and property from the United States of America, its agencies or instrumentalities, and may comply with any rules or regulations pertaining thereto.

3. This act shall take effect immediately.

Approved April 17, 1945.

CHAPTER 196

AN ACT concerning the adoption of children, and amending section 9:3–1 of the Revised Statutes.

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

Section amended.

1. Section 9:3–1 of the Revised Statutes is amended to read as follows:

Petition to adopt child.

9:3–1. Any unmarried person of full age, a husband with his wife's consent, a wife with her husband's consent or husband and wife jointly, may petition the orphans' court of the county wherein the petitioner or any minor child may reside for permission to adopt such child and change the name of such child. No person, firm, corporation, association or agency shall be permitted to place minor children for the purpose of adoption within this

Approval of institutions and agencies.

State unless such person, firm, corporation, association or agency has been or shall have been approved for such purpose by the Department of Institutions and Agencies. Any person, firm, corporation, association or agency which has not been approved by the Department of Institutions and Agencies for such purpose making such placement and any person, not previously approved as adopting parents by a person, firm, corporation, association or agency, designated by the Department of Institutions and Agencies for this purpose, receiving a child for adoption in this State shall be guilty

Misdemeanor.

of a misdemeanor and for the first offense may be punished by a fine not exceeding one hundred dollars ($100.00) and for each subsequent offense may be punished by a fine not exceeding one thousand dollars ($1,000.00) or imprisonment for a period not exceeding one year, or both.

Not to apply to relatives of child.

This prohibition against placement of minor children for adoption shall not apply when such children are placed for the purpose of adoption

with persons related to the said child as brother, sister, aunt, uncle, grandparent or step-parent. The Department of Institutions and Agencies shall establish and maintain a list of all persons, firms, corporations, associations and agencies who have been approved for the purpose of placing minor children for adoption within this State and said list shall be available for inspection by all persons interested therein. Department to maintain lists.

2. This act shall take effect immediately.

Approved April 18, 1945.

CHAPTER 197

AN ACT to amend the title of "An act regulating the use of revenues received by the Port of New York Authority from or in connection with the operation of terminal and transportation facilities," approved March second, one thousand nine hundred and thirty-one, so that the same shall read "An act regulating the use of revenues received by the Port of New York Authority from or in connection with the operation of terminal and transportation facilities; making certain obligations of the Port of New York Authority securities in which public officers, banks and others may legally invest funds and which may be deposited as security with public officers and agencies; and granting the power of eminent domain," and to amend and supplement the said act.

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

1. The title of an act entitled "An act regulating the use of revenues received by the Port of New Title amended.

York Authority from or in connection with the operation of terminal and transportation facilities,'' approved March second, one thousand nine hundred and thirty-one, is hereby amended so as to read ''An act regulating the use of revenues received by the Port of New York Authority from or in connection with the operation of terminal and transportation facilities; making certain obligations of the Port of New York Authority securities in which public officers, banks and others may legally invest funds and which may be deposited as security with public officers and agencies; and granting the power of eminent domain.''

C. 32:1-141. Concurrence of New York State.

2. Upon the concurrence of the State of New York herein, in accordance with section five of this act, section one of the act entitled ''An act regulating the use of revenues received by the Port of New York Authority from or in connection with the operation of terminal and transportation facilities,'' approved March second, one thousand nine hundred and thirty-one, the title of which is amended by this act as aforesaid, and section one of chapter forty-eight of the laws of New York of one thousand nine hundred and thirty-one entitled ''An act regulating the use of revenues received by the Port of New York Authority from or in connection with the operation of terminal and transportation facilities'' are each hereby amended to read as follows:

(1) As used in this act:

Port authority.

(a) ''Port Authority'' means the Port of New York Authority, created by the Compact of April thirtieth, one thousand nine hundred and twenty-one, between the States of New Jersey and New York.

Bonds legal for investment.

(b) ''Bonds legal for investment'' means bonds or other obligations or securities of the Port Authority, in which savings banks in both of the two said States are now or may hereafter be authorized to invest funds within their control.

(c) "Terminal and/or transportation facilities" means terminal and/or transportation facilities as used in the said Compact of April thirtieth, one thousand nine hundred and twenty-one. Terminal.

(d) "Surplus revenues" means, in the case of each terminal or transportation facility, the balance of the revenues therefrom remaining at any time currently in the hands of the Port Authority after the deduction of the current expenses of the operation and maintenance thereof, including a proper proportion of the general expenses of the Port Authority, and after the deduction of any amounts which the Port Authority may or shall be obligated or may or shall have obligated itself to pay to or set aside out of the current revenues therefrom for the benefit of the holders of any bonds legal for investment, and after the deduction of any amounts currently due to the two said States on account of any advances made by the two said States to the Port Authority in aid of the effectuation of such terminal or transportation facility. Surplus revenues.

C. 32:1-141.1. Bonds issued by Port of New York Authority for motor truck terminals.

3. The bonds or other obligations which may be issued by the Port of New York Authority (hereinafter called the Port Authority) from time to time to provide funds for the establishment, acquisition and rehabilitation of motor truck terminals (by which are meant terminals consisting of one or more platforms, sheds, buildings, structures, facilities or improvements necessary, convenient or desirable in the opinion of the Port Authority for the accommodation of motor trucks or the loading or unloading of freight upon or from motor trucks or the receipt, delivery, storage or handling of freight transported or to be transported by motor trucks or the interchange or transfer thereof between carriers) located at such point or points within the Port of New York District as the Port Authority may deem to be desirable and in the public interest,

or for the acquisition of real or personal property in connection therewith, or for any other purpose in connection with the establishment, acquisition, construction, rehabilitation, maintenance or operation of such truck terminals or any of them, and the bonds or other obligations which may be issued by the Port Authority to provide funds for the rehabilitation of the Port Authority Grain Terminal (by which is meant the grain elevator, piers, lands and other structures and properties now or hereafter owned by the Port Authority at Gowanus bay, Brooklyn, New York) or for the making of additions, improvements or betterments thereto or for the acquisition of real or personal property in connection therewith or for any other purpose in connection with the rehabilitation, maintenance or operation thereof, including the payment, satisfaction, funding or refunding of moneys advanced to the Port Authority for use in connection with the establishment, rehabilitation, improvement, maintenance or operation of said grain terminal and of any amounts otherwise payable out of the revenues from said grain terminal or the pier development fund established in connection therewith, are hereby made securities in which all State and municipal officers and bodies, all banks, bankers, trust companies, savings banks, building and loan associations, savings and loan associations, investment companies and other persons carrying on a bank business, all insurance companies, insurance associations and other persons carrying on an insurance business, and all administrators, executors, guardians, trustees and other fiduciaries, and all other persons whatsoever, who are now or may hereafter be authorized to invest in bonds or other obligations of the State, may properly and legally invest any funds, including capital, belonging to them or within their control; and said obligations are hereby made securities which may properly and legally be deposited with and shall be received by any State or municipal officer or agency for any purpose for which the deposit of bonds or other

obligations of this State is now or may hereafter be authorized.

C. 32:1-141.2. May acquire real property.

4. If, for the purpose of effectuating, acquiring, constructing, rehabilitating or improving any motor truck terminal, the Port Authority shall find it necessary or convenient to acquire any real property, as herein defined, in this State, whether for immediate or future use, the Port Authority may find and determine that such property, whether a fee simple absolute or a lesser interest, is required for a public use, and upon such determination, the said property shall be and shall be deemed to be required for such public use until otherwise determined by the Port Authority.

Condemnation.

If the Port Authority is unable to agree for the acquisition of any such real property for any reason whatsoever, then the Port Authority may acquire and is hereby authorized to acquire such property, whether a fee simple absolute or a lesser interest, by condemnation or the exercise of the right of eminent domain under and pursuant to the provisions of chapter one of Title 20 of the Revised Statutes and sections 32:2–10 to 32:2–16, inclusive, of Title 32 of the Revised Statutes, except as other provision is made by the terms of this act.

Continuing power.

The power of the Port Authority to acquire real property by condemnation hereunder shall be a continuing power, and no exercise thereof shall be deemed to exhaust it.

Contrary to take property.

Anything in this act to the contrary notwithstanding, no property now or hereafter vested in or held by the State or any county, city, borough, village, town, township or other municipality shall be taken by the Port Authority, without the authority or consent of the State or of such county, city, borough, village, town, township or other municipality as provided in the Compact of April thirtieth, one thousand nine hundred and twenty-one, between the States of New Jersey and New York, nor shall anything herein impair or invalidate in any way any bonded indebtedness of the State, or such county, city, borough, village, town, township or other mu-

nicipality, nor impair the provisions of law regulating the payment into sinking funds of revenue derived from municipal property, or dedicating the revenues derived from municipal property, to a specific purpose. Moreover, no property owned by any railroad or railway corporation, or by any other corporation which is a "public utility" as defined in section 48:2–13 of the Revised Statutes, and devoted to use by such corporation in its operations, or acquired prior to the effective date of this act and held for such use, shall be taken by the Port Authority without the authority or consent of such corporation. The Port Authority is hereby authorized and empowered to acquire from any such county, city, borough, village, town, township or other municipality, or from any other public agency or commission having jurisdiction in the premises, or from any such corporation, by agreement therewith, and such county, city, borough, village, town, township, municipality, public agency, commission, or corporation, notwithstanding any contrary provision of law, is hereby authorized and empowered to grant and convey upon reasonable terms and conditions any real property, which may be necessary for the establishment, construction, acquisition, rehabilitation, maintenance and operation of such truck terminals, including such real property as has already been devoted to a public use.

Surveys.

The Port Authority and its duly authorized agents and employees may enter upon any land in this State for the purpose of making such surveys, maps, or other examinations thereof as it may deem necessary or convenient for the purposes of this act.

"Real property."

The term "real property" as used in this act is defined to include lands, structures, franchises and interests in land, including lands under water and riparian rights, and any and all things and rights usually included within the said term, and includes not only fees simple absolute but also any and all lesser interests, such as easements, rights-of-way,

uses, leases, licenses and all other incorporeal hereditaments and every estate, interest or right, legal or equitable, including terms of years, and liens thereon by way of judgments, mortgages or otherwise, and also claims for damages to real estate.

C. 32:1-141.3. Effective date.

5. This act shall take effect upon the enactment into law by the State of New York of legislation having an identical effect with section two of this act, but if the State of New York shall have already enacted such legislation this act shall take effect immediately.

Approved April 20, 1945.

CHAPTER 198

AN ACT concerning the powers of policemen of the Delaware River Joint Toll Bridge Commission, and amending section 32:10–2 of the Revised Statutes.

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

Section amended.

1. Section 32:10–2 of the Revised Statutes is amended to read as follows:

Extent of authority.

32:10–2. All policemen appointed by the Delaware River Joint Toll Bridge Commission when in uniform are hereby authorized and empowered to make arrest on view and without warrant on Sunday or any other day, for crimes, misdemeanors, and offenses of any character or for disorder, or breach of the peace or violations of any rules and regulations adopted by the Delaware River Joint Toll Bridge Commission, committed within the jurisdiction of this State on any bridge owned by or under the control of the said Delaware River Joint Toll Bridge Commission or on the approaches

thereto or on any other property owned by or under the control of such commission. In addition such policemen shall have all the powers conferred by law on police officers or constables in the enforcement of laws of this State and the apprehension of violators.

Arrest of person.

Any person so arrested shall be conducted by the officer to the nearest available alderman, justice of the peace or magistrate of the political subdivision in which the arrest is made or, if there is no such official available, to the nearest available alderman, justice of the peace or magistrate of any adjoining political subdivision.

When effective.

2. This act shall become effective upon the enactment of legislation by the Commonwealth of Pennsylvania which has an effect in Pennsylvania similar to this.

Approved April 20, 1945.

CHAPTER 199

AN ACT providing for the escheat of unclaimed bank deposits.

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

C. 17:9-18. Bank.

1. "Bank" means and includes any bank, trust company, savings bank and savings bank having shares of capital stock, organized and existing under any general or special law of this State, including any such bank, trust company, savings bank and savings bank having shares of capital stock, which may be in voluntary dissolution or which may be in possession of the Commissioner of Banking and Insurance or in receivership, and any private banker including any private banker for whose banking business a receiver has been ap-

pointed and any national banking association organized under the Acts of Congress and doing business in this State including any national banking association which may be in voluntary dissolution or in receivership.

C. 17:9-19. Unclaimed bank deposit.

2. "Unclaimed bank deposit" means and includes an unpaid balance of money to the credit of a depositor with a bank in any demand or time deposit account, which after a period of twenty years has remained unclaimed exclusive of the following:

(a) the unpaid balance in any such account which has been reduced by withdrawal or increased by deposit, exclusive of interest credit within twenty years;

(b) the unpaid balance in any such account which is evidenced by a passbook in which entry of interest credit has been made within twenty years or which passbook has been presented for entry of interest credit within twenty years;

(c) the unpaid balance in any such account with respect to which the bank has written evidence received within twenty years that the depositor or other person entitled thereto had knowledge thereof;

(d) the unpaid balance in any such account of a depositor known by an officer or employee of the bank to be living;

(e) the unpaid balance in any such account which is evidenced by a passbook, which book has, to the knowledge of the bank, within twenty years been balanced or verified;

(f) the unpaid balance in any such account which is evidenced by a passbook and with respect to which account interest has been credited on the records of the bank within twenty years and with respect to which passbook it is not known to the bank whether the passbook has been presented within twenty years for entry of interest credit.

C. 17:9-20. Deposit subject to escheat to State.

3. The depositor to whose credit an unclaimed bank deposit stands on the records of the bank shall be presumed to have died intestate without surviving spouse or next of kin and such unclaimed bank deposit shall be subject to escheat to the State.

C. 17:9-21. Unclaimed deposits advertised.

4. Every bank having any unclaimed bank deposits shall cause to be advertised once during the month of October and once during the month of November in each year, in a newspaper of general circulation published in the municipality or, if none, then in a newspaper of general circulation circulating in the municipality in which the bank has its office, or if it has offices in more than one municipality then in the municipality in which it has its principal office, a notice entitled "notice of the names of persons appearing as the owners of unclaimed amounts held by (name of bank)." Such notice shall set forth the name and address of the bank and where the name of the bank has been changed by merger, reorganization, consolidation or otherwise, shall also set forth the original name and address of the bank in which the deposit originated, and shall list in alphabetical order the name of each person to whose credit an unclaimed bank deposit stands, the last address of the depositor appearing on the records of the bank, the identification number, if any, of each account but not the amount to the credit of each account, but no account shall be advertised in which the unpaid balance is less than fifty dollars ($50.00). Any amount paid to a newspaper for such publication shall be charged by the bank equally against the unclaimed bank deposits so advertised.

C. 17:9-22. Report to State Treasurer.

5. Not later than the thirty-first day of January in each year after the year in which this act takes effect and as of December thirty-first of the preceding year, every bank shall make in duplicate a written report to the State Treasurer containing a true and accurate statement of all unclaimed bank deposits held by the bank as of such date.

Contents of report.

Such report shall set forth the name and address of the bank and where the name of the bank has

been changed by merger, reorganization, consolidation or otherwise, also the original name and address of the bank in which the deposit originated, and shall list in alphabetical order the name of each person to whose credit an unclaimed bank deposit stands, the last address of the depositor appearing on the records of the bank, the identification number, if any, of each account and the amount to the credit of each account.

Report certified.

The person signing such report shall certify that such report is a true and accurate statement of all unclaimed bank deposits held by the bank as of the report date to the best of his knowledge, information and belief after diligent inquiry.

Report of no unclaimed deposits.

If the bank shall have no unclaimed bank deposits a written report so stating shall be made to the State Treasurer.

Information furnished by employees.

The person signing such report may, in making the report, rely upon information with respect to unclaimed bank deposits furnished by the officers and employees and records of the bank.

Report signed by officers.

Such report shall, where the bank is a corporation, be signed by its president or a vice-president or treasurer or assistant treasurer or cashier or assistant cashier. If such bank is in voluntary dissolution, the report shall be signed by one or more of its trustees designated by its board of trustees for that purpose. If such bank is in possession of the Commissioner of Banking and Insurance, the report shall be signed by the commissioner or by a deputy commissioner or by a special deputy commissioner appointed by him and in actual charge of the business and affairs of the bank. If a receiver has been appointed for a corporate bank or private banker, the report shall be signed by such receiver. In the case of a private banker, the report shall be signed by such banker.

Voluntary dissolution.

Failure to file report.

Any bank which fails to file such reports with the State Treasurer shall forfeit to the State the sum of twenty-five dollars ($25.00) for each day such reports shall not be filed, and if not paid, such penalty shall be sued for and be recovered by the

State Treasurer in an action at law in the name of the State. The State Treasurer shall have power to waive the penalty and to extend the time within which the reports may be filed.

Report filed with Attorney-General.

Immediately upon receipt of such reports the State Treasurer shall deliver one duplicate of each report to the Attorney-General and the State Treasurer shall cause the other duplicate reports to be permanently bound with an alphabetical index of the depositors with appropriate references to the bound reports. Such bound reports and indices shall be open for public inspection during usual business hours and under such reasonable regulations as the State Treasurer shall prescribe.

C. 17:9-23. Institution of suits.

6. (a) It shall be the duty of the Attorney-General within a reasonable time after receipt by him of the duplicate reports to institute suit for escheat to the State of the unclaimed bank deposits disclosed by such reports. The Attorney-General may join in one suit any number of unclaimed bank deposits held by any one bank.

Jurisdiction in Court of Chancery.

(b) Such suits shall be instituted in the Court of Chancery which shall have jurisdiction of all such suits and such suits shall be governed by the statutes applicable to and the rules of that court in so far as applicable and not inconsistent with this act.

Parties to suit.

(c) Such suits shall be instituted by bills of complaint in the name of the State and shall name as defendants the bank holding the unclaimed bank deposits, the depositors to whose credit the unclaimed bank deposits stand credited on the books of the bank and any others whom the Attorney-General may have reasonable cause to believe may have or claim any right, title or interest thereto.

Bill of complaint.

(d) The bill of complaint shall set forth the name and address of the bank holding the unclaimed bank deposits and where such name has been changed by merger, reorganization, consolidation or otherwise shall also set forth the name and address of the bank in which the deposits originated, the names of the depositors, their last addresses appearing on the records of the bank, the amounts

of the unclaimed bank deposits, the identification numbers of the accounts, if any, and the pertinent facts upon which the claim of escheat is based.

Upon the filing of the bill of complaint a subpœna ad respondendum shall issue directed to all the defendants and service thereof shall be made by the sheriff of the appropriate county upon the defendant bank and upon the other defendants if found. The Attorney-General shall serve upon the bank a copy of the bill of complaint certified by him to be a true copy thereof and the bank shall not be bound to answer or take any other steps with respect to the complaint. Issuance of subpœna.

(e) If the subpœna shall be returned not served as to any defendant other than the bank, and if it shall be made to appear by affidavit or otherwise to the satisfaction of the Chancellor that such defendant cannot be found in this State, or if such defendant is a corporation that none of the officers or directors of the defendant corporation is a resident of this State or can be found in this State to be served with process, such defendant shall be deemed and taken to be an absent defendant, and upon application by the Attorney-General the Chancellor may, by order, direct such absent defendant to answer the bill of complaint within sixty days after the date of such order, or a decree will be taken against such absent defendant. Notice of such order, entitled in the cause, shall be published in a newspaper designated in such order, once a week for three successive weeks making three publications in all. The newspaper so designated shall be one of general circulation published, or if none is published, then one of general circulation circulated in the municipality in which the bank has its office, or if it has offices in more than one municipality, then in the municipality in which it has its principal office. The first publication shall be made within ten days after the date of the order. Such notice shall be addressed to the depositors and other defendants by name stating the date of the order, the name of the complainant and the time within which Service on absent defendant.

the defendants are required to appear and answer the bill of complaint and shall state also in general terms that the object of the suit is to escheat to the State unclaimed bank deposits specifying the name and address of the bank holding the deposits, the last address of the depositors appearing on the records of the bank, the identification numbers of the accounts, if any, but not the amounts of the unclaimed deposits. In case of change of name by merger, reorganization, consolidation or otherwise of the bank which originally held any unclaimed bank deposit, the name and address of the bank in which the deposit originated shall be stated in such notice as well as the name and address of the bank holding the unclaimed bank deposit. Such notice shall be signed with the name, title and address of the Attorney-General.

Cost of publication.

The cost of publishing such notice shall be paid by the State Treasurer out of the unclaimed bank deposits escheat reserve fund hereinafter provided for or if no or insufficient funds are available therein then out of the general funds of the State.

Failure to answer.

(f) If no answer or other pleading be filed as to the or any of the unclaimed bank deposits named in the bill of complaint within the time limited in the subpœna or order of the court, the court shall, upon the application of the Attorney-General, decree that the depositors entitled to such unclaimed bank deposits shall be presumed to be dead intestate without surviving spouse or next of kin and that such unclaimed bank deposits have escheated to the State and are the property of the State and order the bank holding the same to pay the same to the State Treasurer.

Claim contested.

(g) If the right of the State to escheat the or any of the unclaimed bank deposits named in the bill of complaint is contested, the issue as to such unclaimed bank deposits, when joined, shall be determined according to the practice of the Court of Chancery in other suits therein and if determined for the State a decree shall be entered that such unclaimed bank deposits have escheated to the

State and are the property of the State and ordering the bank to pay the same to the State Treasurer.

Final decree.

(h) Upon the entry of a final decree declaring an escheat of any unclaimed bank deposit and upon service of a true copy of such decree certified by the Clerk in Chancery upon the bank holding the escheated unclaimed bank deposit, the bank shall, unless notice of appeal shall have been served on the bank, pay the same to the State Treasurer.

Appeal.

(i) Appeal from the decree of the Chancellor shall lie to the Court of Errors and Appeals and any such appeal shall be taken within forty days after the entry of the escheat decree and shall be taken and prosecuted according to the statutes and the rules of the Courts of Chancery and Errors and Appeals in such case made and provided.

Affirmance of decree.

In case of appeal and affirmance of the escheat decree or in case of dismissal of the appeal, the bank holding the unclaimed bank deposit shall pay the same to the State Treasurer.

C. 17:9-24. Liability ceases on payment.

7. Upon payment by any bank to the State Treasurer of escheated unclaimed bank deposits pursuant to a decree of escheat, all liability of the bank to the depositor and his next of kin, surviving spouse, executors, administrators, assigns and all others having any right, title or interest in or to the same shall cease and be at an end.

C. 17:9-25. Maintain records.

8. (a) The State Treasurer shall establish and maintain records of all escheated unclaimed bank deposits received by him showing in alphabetical order the names of the depositors, the amounts received, the name and address of the bank from which the funds were received, the identification numbers of the accounts if any, and shall establish and maintain an index thereto, which records and index shall at all times during the usual business hours be open to public examination.

Amount to general fund of State.

(b) The State Treasurer shall credit seventy-five per centum (75%) of the amount of each escheated unclaimed bank deposit received by him to the general funds of the State to be held, used and expended by the State Treasurer in the same

manner as other general funds of the State and shall establish and maintain an account to be designated as the "unclaimed bank deposits escheat reserve fund" which is hereinafter referred to as the "reserve fund" and shall credit to the reserve fund, the other twenty-five per centum (25%) of the amount of each escheated unclaimed bank deposit received by the State Treasurer.

Moneys in reserve fund invested.

(c) The State Treasurer shall invest and reinvest all moneys credited to the reserve fund in bonds or interest-bearing notes or obligations of the United States or in bonds or interest-bearing notes or obligations guaranteed as to principal and interest by the United States or in bonds or interest-bearing notes or obligations for the payment of the principal and interest of which the faith and credit of the United States are distinctly pledged or in bonds or interest-bearing notes or other obligations of this State or in bonds or interest-bearing notes or other obligations of any county, city, town, township, borough, village or other municipal or political subdivision of this State, issued under authority of any law of this State.

Income.

(d) The income received from the investments and reinvestments of the reserve fund shall be commingled with and added to the reserve fund and held and retained as part thereof subject to like investment and reinvestment, as part of the reserve fund.

Reserve fund.

(e) To the extent determined by the State Treasurer to be necessary, the reserve fund shall be used and expended by the State Treasurer for the administration of the reserve fund and for the establishment and maintenance of the records of the State Treasurer relative to escheated unclaimed bank deposits.

File claim with State Treasurer.

(f) At any time after receipt by the State Treasurer of any escheated unclaimed bank deposit any one claiming to be entitled thereto or to any part thereof may file claim therefor with the State Treasurer who is authorized to pass upon and determine the claimant's claim; if the State Treas-

urer shall determine the claimant's proofs of title thereto to be sufficient he shall pay the escheated unclaimed bank deposit or such part thereof to which he may determine the claimant is entitled, without interest, out of the reserve fund, to the claimant, and if the cash balance in the reserve fund is insufficient to make such payment the State Treasurer shall sell such of the investments of the reserve fund as may be necessary to make such payment.

File claim in suit in court in which decree was filed.

(g) If the State Treasurer determines that the claimant's proofs of title are not sufficient to entitle the claimant to such payment, the claimant may, within sixty days after the date of such determination by the State Treasurer, file in the suit in which the escheat decree was entered a petition setting forth the fact of the escheat of the unclaimed bank deposit and the facts of petitioner's claim thereto or to any part thereof, whereupon an order to show cause shall be made directed to the State Treasurer commanding him to show cause why the petition should not be granted and a copy of said petition and of the order to show cause shall be served upon the State Treasurer and upon the Attorney-General, and it shall be their duty to take such action with respect thereto as they may deem necessary to protect the interests of the State. Upon proof satisfactory to the court of petitioner's claim of title to the escheated unclaimed bank deposit or any part thereof, an order shall be entered establishing petitioner's claim and ordering the State Treasurer to pay to the petitioner the amount specified in such order together with such costs and counsel fees as the court may allow the petitioner, and upon service upon the State Treasurer of a copy of such order certified to be a true copy by the Clerk in Chancery, the State Treasurer shall pay to the petitioner out of the reserve fund the amount or amounts specified in such order.

Order establishing claim.

Appeal to Court of Errors and Appeals.

(h) If the court shall determine that petitioner's proofs of title are not sufficient to establish petitioner's claim to the escheated unclaimed bank de-

posit or any part thereof, an order to that effect shall be made from which order appeal will lie to the Court of Errors and Appeals, and any such appeal shall be taken within forty days after the entry of such order and shall be taken and prosecuted according to the statutes and the rules of the Courts of Chancery and Errors and Appeals in such case made and provided. If on such appeal the order is reversed and petitioner's claim of title to the escheated unclaimed bank deposit or any part thereof is sustained, the State Treasurer shall pay to the claimant, out of the reserve fund, the amount or amounts to which the petitioner shall be entitled, together with such costs and counsel fees as may be allowed to the petitioner.

C. 17:9-26. Fees and costs.

9. All services required to be performed by the Attorney-General, the State Treasurer, the Clerk in Chancery, the Clerk of the Court of Errors and Appeals, the sheriff of any county and any other salaried public official shall be without fees, costs, counsel fees or any other charge, except to the extent that the reserve fund shall be necessary to be used by the State Treasurer for the administration of the reserve fund and for the establishment and maintenance of the records of the State Treasurer relative to escheated unclaimed bank deposits.

10. This act shall take effect immediately.

Approved April 20, 1945.

CHAPTER 200

AN ACT concerning the compensation of members of the Court of Pardons, and amending section 2:10–6 of the Revised Statutes.

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

1. Section 2:10–6 of the Revised Statutes is amended to read as follows: Section amended.

2:10–6. Each member of the Court of Pardons, except the Governor and the Chancellor, shall receive forty dollars ($40.00) for each day's actual attendance upon the court, which shall be in lieu of all mileage. Salary.

2. This act shall take effect immediately.

Approved April 20, 1945.

CHAPTER 201

AN ACT concerning registration of veterans' graves, providing for the maintenance in each county of the records thereof, and supplementing chapter seventeen of Title 38 of the Revised Statutes.

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

1. The division of veterans' services of the Department of Economic Development shall distribute the registration records, formerly maintained by the State service officer, of veterans' graves in each county to the superintendent of soldiers' burials in such county, or, if there be no such officer within such county, to such other honorably discharged Division of veterans' services.

soldier, sailor or marine who served in the Army, Navy or Marine Corps of the United States during any war in which the United States has been engaged, as shall be duly authorized to receive the same by the board of chosen freeholders of such county. Such records shall be maintained by such county superintendent or other authorized person in a suitable place therefor designated by the board of chosen freeholders of such county.

Records.

Each of such superintendents or other persons duly authorized to maintain such records is hereby charged with the duty of keeping the same up to date; of assembling, recording, checking, correcting and filing any and all records, charts or maps concerning the location within his county of the places of burial of veterans of all wars; and of using such forms therefor as the Department of Economic Development may prescribe; to the end that there shall be a complete and uniform record of all graves in New Jersey in which veterans are buried and that such records shall always be kept up to date.

2. This act shall take effect immediately.

Approved April 20, 1945.

CHAPTER 202

AN ACT concerning registration of veterans' graves, prescribing certain duties of the State Department of Health and of burial authorities with respect thereto, and supplementing chapter six of Title 26 of the Revised Statutes.

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

C. 26:6-4.1. Certification of death.

1. On or before the tenth day of each month, the State Department of Health shall certify to the superintendent of soldiers' burials in each of the

respective counties of the State, or, if there be no such officer within a county, to such other person as the board of chosen freeholders of such county shall designate to maintain the records of registration of veterans' graves within such county, the name of each deceased veteran for whom a certificate of death, in which the place of burial, cremation or removal is stated as being within such county, has been filed with said State Department of Health during the preceding month, together with the date and place of burial, cremation or removal of such deceased veteran, and the war in which said deceased veteran served.

C. 26:6-4.2. Inquiry to determine whether person is veteran.

2. Whenever a dead body is transported from outside the State into this State for burial or other final disposition in this State, the person in charge of any premises on which the interment or cremation of such dead body is made, shall make due and diligent inquiry in order to determine whether the deceased person to be interred or cremated was a veteran of any war, and if so, the war in which said deceased veteran served. If such interment is made in a cemetery or burial ground having no person in charge thereof, then the undertaker making the interment of such dead body shall make such inquiry.

Certification to superintendent of soldiers' burials.

On or before the tenth day of each month the person in charge of any such premises, or if the interment is made in a cemetery or burial ground having no person in charge, then the undertaker who made any such interment, shall certify to the superintendent of soldiers' burials in the county in which such interment or cremation was made, or if there be no such officer within such county, to such other person as the board of chosen freeholders of such county shall designate to maintain the records of registration of veterans' graves within such county, the name of each deceased veteran who has been interred or cremated in said premises during the preceding month, together with the date and place of burial or cremation of such deceased vet-

eran, and the war in which said deceased veteran served.

3. This act shall take effect immediately.

Approved April 20, 1945.

CHAPTER 203

AN ACT concerning the Unemployment Compensation Commission of New Jersey, and amending section 43:21–10 of the Revised Statutes.

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

Section amended.

1. Section 43:21–10 of the Revised Statutes is amended to read as follows:

Unemployment compensation commission.

43:21–10. (a) Organization. There is hereby created a commission to be known as the Unemployment Compensation Commission of New Jersey. It shall consist of seven members who shall be appointed by the Governor, with confirmation by the Senate, not more than four of whom shall be of the same political affiliation. Each member shall be reimbursed for his traveling and other expenses actually and necessarily incurred by him in the performance of his duties, and, in addition, shall receive a per diem allowance of twenty-five dollars ($25.00) for each day, or part thereof, spent in the rendition of service to or for the commission under this act; *provided, however,* that no member shall in any case receive per diem compensation as such member in an amount in excess of three thousand five hundred dollars ($3,500.00) for any one fiscal year. No person may be appointed who is an officer or committee member of any political party organization. First appointees to the commission shall serve as designated by the Governor at the time of appointment, as follows: one for a term of one year,

one for a term of two years, one for a term of three years, one for a term of four years, one for a term of five years, one for a term of six years, and one for a term of seven years. At the expiration of initial terms, appointments shall be made for a term of seven years in each case.. Any vacancies created by death, resignation or removal shall be filled by appointment for the unexpired portion of the term so vacated.

Causes for removal.

The Governor may, at any time after a fair public hearing, remove any member of the commission for gross inefficiency, neglect of duty, malfeasance, misfeasance or nonfeasance in office.

Executive director.

(b) Executive director. The commission shall appoint an executive director who shall be the chief executive and approval officer of the commission and its official agent for all purposes, and who shall hold office at its pleasure. He shall give his full time to the duties of this office, shall be paid a suitable salary to be fixed by the commission and shall have general charge and supervision of the work of all departments of the commission as well as any subdivisions thereof.

Executive director to administer.

It shall be the duty of the executive director to administer this chapter with the advice of the commission; and to that end, the executive director shall have the following duties and powers:

Formulate rules.

(1) To formulate necessary rules and regulations, subject to approval by the commission.

Appoint members of staff.

(2) To appoint and fix the compensation of members of the staff, subject to approval by the commission and subject to the provisions of subsection (d) of section eleven of this chapter.

Requisition for funds.

(3) To make such expenditures as are necessary in the discharge of his functions hereunder as provided for in the budget to be approved annually by the commission, to make requisitions for any funds provided by the Federal Government for administration of this chapter, and he is hereby authorized to draw vouchers on the administration fund for the purpose of administering this chapter.

Vouchers.

(4) To draw vouchers upon the unemployment compensation fund and the appropriate accounts therein for the payment of benefits.

Delegate powers.

(5) To delegate to other persons any of the powers conferred upon him by this chapter, so far as is reasonably necessary.

Divisions.

(c) Divisions. The executive directors shall establish such administrative divisions as may be necessary to carry out the purposes of this chapter, subject to approval of the commission. Among such divisions shall be New Jersey State Employment Service Division, established pursuant to section 43:21–12 of this Title. The New Jersey State Employment Service shall be a separate administrative unit with respect to personnel, budget, and duties, except insofar as the commission may find such separation to be impracticable.

Board of review.

(d) Board of review. The executive directors shall appoint, subject to the provisions of Title 11, Civil Service, from civil service eligible lists, subject to approval of the commission, a board of review, consisting of three members whose duties shall be to act as a final appeals board in cases of dispute and to whom shall be delegated the duty of supervising the work of local appeal tribunals to be organized as provided for elsewhere in this chapter. No member of the board of review shall participate in any case in which he is an interested party.

Powers and duties.

(e) Powers and duties. The commission shall have the following specific powers and duties:

(1) To designate its chairman.

(2) To study the operation of this chapter and from time to time prepare recommendations to the Governor and Legislature with respect to any improvements which might be desirable.

(3) To make rules and regulations governing its own procedure.

(4) To advise the executive director and other members of the commission staff with particular respect to policies and procedures.

(f) Quorum. Any four commissioners shall constitute a quorum. No vacancies shall impair the right of the remaining commissioners to exercise all of the powers of the commission.

2. This act shall take effect immediately.

Approved April 20, 1945.

CHAPTER 204

AN ACT concerning the State Board of Agriculture, amending section 4:1–17, and supplementing chapter five of Title 4 of the Revised Statutes.

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

1. Section 4:1–17 of the Revised Statutes is amended to read as follows: Section amended.

4:1–17. For the economic and efficient execution and performance of its powers and duties the board may create a bureau of animal industry with a division of animal tuberculosis control, a bureau of markets, a bureau of plant industry and such other bureaus as it may from time to time deem necessary and proper, and may assign to each bureau its proper functions and secure the performance thereof. Each bureau shall consist of such officers and employees as the board may designate. Bureaus.

2. The policy of the department shall be that no official tuberculin test of any cattle in any herd shall be conducted by the same person who conducted the immediately preceding official tuberculin tests of any cattle in said herd. C. 4:5-53.1. Tuberculin tests.

C. 4:5-53.2. Quarantine.

3. When the percentage of tuberculous cattle within a county, township, municipality or designated part thereof, exceeds one-half of one per centum (½ of 1%) of the cattle within such county, township, municipality or designated part thereof, the department may impose a quarantine on all the cattle within such county, township, municipality or designated part thereof, during the period of the quarantine. Such quarantine may be continued by the department until such time as the infection is reduced below one-half of one per centum (½ of 1%) according to the official tests.

C. 4:5-53.3. Special services.

4. When positive reaction to any tuberculin test results, the department may provide special services to insure complete and continued disinfecting of the quarters in which such infected animals have been housed and may make recommendations for such change in the ventilation and accommodations of such quarters as will tend to eradicate the infection.

5. This act shall take effect immediately.

Approved April 20, 1945.

CHAPTER 205

AN ACT making an appropriation to the Legislature.

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

Appropriation.

1. The sum of twelve thousand six hundred dollars ($12,600.00), or so much thereof as may be necessary, is appropriated to the Legislature to provide for the payment of compensation of officers and employees and for miscellaneous expenses.

2. This act shall take effect immediately.

Approved April 20, 1945.

CHAPTER 206

AN ACT concerning elections, and supplementing chapter twenty-seven of Title 19 of the Revised Statutes.

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

C. 19:27-10.1. Vacancy.

1. When a vacancy, howsoever caused, happens in the representation of this State in the House of Representatives in any year later than the fiftieth day prior to the day for holding the primary election for the general election but before the fiftieth day preceding the day of the general election, and the unexpired term to be filled exceeds one year, the Governor, in issuing a writ of election to fill such vacancy, may designate in said writ the next general election day as the day on which the election shall be held to fill such vacancy and that no primary election shall be held for nomination of candidates to fill such vacancy.

Writ of election.

Selection of candidates.

In such case, the State committee of each political party shall select the candidate of such political party to fill such vacancy if the congressional district lies in more than one county and the county committee of each political party of such county shall select the candidate of such political party to fill such vacancy if the congressional district lies wholly within such county. Such selection shall be made within ten days of the date of the proclamation and a statement of the selection filed within said ten days with the Secretary of State.

Petitions filed.

In such case, petitions of nominations of other candidates shall be filed in the office of the Secretary of State within ten days of the date of such proclamation.

Certification.

The Secretary of State on the eleventh day following the date of such proclamation shall certify to the clerk and county board of each county af-

fected by the vacancy, a statement of all candidates selected and nominated for the office so vacated.

Election. The election to fill such vacancy shall in all other respects be conducted as though it were being conducted to fill the office upon the expiration of the term of the incumbent.

2. This act shall take effect immediately.

Approved April 20, 1945.

CHAPTER 207

AN ACT vesting the title to real estate of which Friedrich W. Muhs, also known as Fridrich W. Muhs, died seized, and which is alleged to have escheated to the State of New Jersey on February ninth, one thousand eight hundred and eighty-three, in Charles Friedel, Sr., Louise Lundy and Lena Siebold.

Preamble. WHEREAS, Friedrich W. Muhs, also known as Fridrich W. Muhs, of the former town of Union (now City of Union City), county of Hudson and State of New Jersey, departed this life on February ninth, one thousand eight hundred and eighty-three, seized of the following described lands and premises:

Description. ALL that certain lot, tract or parcel of land and premises hereinafter particularly described, situate, lying and being in the City of Union City (formerly Town of Union) in the County of Hudson and State of New Jersey being part of a tract of land known by the name of North Hoboken, and which on a map of said tract made by Charles Heering, and filed on June 4th, 1852, is laid down, and designated as lot number thirty-two (32) in block

number nine (9) and being twenty-five (25) feet wide in front and rear and one hundred (100) feet deep throughout and fronting and facing on the westerly line or side of Hudson Avenue as by reference to said map will more fully appear. Corresponding with lot number twelve (12) in block number sixty-six (66) on a map of the Town of Union, Hudson County, New Jersey dated August A. D. 1866. Being the same premises conveyed to the said Friedrich W. Muhs by Ludwig Lietzmann, Singleman, by deed bearing date July 20, 1875, and recorded in the Office of the Register of the County of Hudson (formerly Clerk's Office) on August 12, 1875, in Book 284 of Deeds for said County, pages 691, etc.; and

Preamble.

WHEREAS, the said Friedrich W. Muhs, also known as Fridrich W. Muhs, left no person or persons capable of inheriting the said lands and premises; 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:*

Title to vest in Charles Friedel, Sr.

1. All the estate, right, title 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 Friedrich W. Muhs, also known as Fridrich W. Muhs, more particularly described in the preamble in this act, are hereby vested in Charles Friedel, Sr., Louise Lundy and Lena Siebold, their respective heirs and assigns forever; and such title so as aforesaid vested under the provisions of this act is validated and confirmed.

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

Approved April 20, 1945.

CHAPTER 208

AN ACT to provide for, and to make uniform the method of computing, rebates of interest or discounts on loans made or notes discounted under sections 17:4–31.1 to 17:4–31.8, inclusive, of the Revised Statutes, by banks, trust companies and national banks doing business in this State, where the unpaid balances owing on the loans or notes are paid before maturity, and amending section 17:4–31.1 of the Revised Statutes.

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

Section amended.

1. Section 17:4–31.1 of the Revised Statutes is amended to read as follows:

Powers.

17:4–31.1. Any bank or trust company organized under any general or special law of this State and any national bank doing business in this State may, in addition to such other powers as it may have:

Loan not exceeding $1,000.00.

a. Upon the making of a loan in an amount not exceeding one thousand dollars ($1,000.00) bearing interest at a rate not exceeding six per centum (6%) per annum, deduct in advance from the proceeds of such loan, interest at a rate not exceeding six per centum (6%) per annum upon the amount of the loan from the date thereof until the maturity of the final installment, notwithstanding that the principal amount of such loan is required to be repaid in installments;

Note not exceeding $1,000.00.

b. Upon the discount of any note in an amount not exceeding one thousand dollars ($1,000.00) deduct in advance from the proceeds of such discount, a discount fee at a rate not exceeding six per centum (6%) per annum upon the amount of the note from the date

thereof until the maturity of the final installment, notwithstanding that the principal amount of such note is required to be paid in installments;

Provided, however, that in either case, if the entire unpaid balance owing on the loan or note is paid, either in money or by or out of the proceeds of a new loan or note or otherwise, before the maturity of an installment or installments of the loan or note, the debtor shall be entitled to a rebate of the interest or discount deducted in advance which rebate shall be computed in the following manner: the interest or discount charged shall be allocated to the successive periods of time ending on schedule installment payment dates in proportions corresponding to the amounts of the successive unpaid portions of the balances scheduled to be outstanding, and the charges thus allocated to the periods of time following the date of full prepayment shall constitute the amount to be refunded; *provided, further,* that no rebate shall be required to be made for fractional parts of installment periods. Proviso. Proviso.

To facilitate the computation of such rebate in the manner above set forth, schedules or tables of rebates, prepared in accordance with the so-called "78 method," may be used; *provided,* the same are approved by the Commissioner of Banking and Insurance. Tables of rebates.

2. This act shall take effect immediately.

Approved April 20, 1945.

CHAPTER 209

AN ACT to validate and confirm the proceedings of school district meetings heretofore held and bonds voted at such meetings.

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

Validating bond issue.

1. All proceedings of school district meetings and elections heretofore held in school districts in this State for the purpose of authorizing the issuance of bonds and any bonds issued or to be issued in pursuance of a proposal or proposals adopted by the legal voters at any such meeting or election are hereby validated and confirmed, notwithstanding that the polls at any such meeting or election were not open between the hours required by law; *provided,* that said polls were open for at least four hours, three hours of which were between the hours of five o'clock and nine o'clock in the afternoon.

Proviso.

2. This act shall take effect immediately.

Approved April 20, 1945.

CHAPTER 210

AN ACT to amend "An act concerning wills, and supplementing chapter two of Title 3 of the Revised Statutes," approved April thirteenth, one thousand nine hundred and forty-four (P. L. 1944, c. 109).

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 is amended to read as follows: Section amended.

C. 3:2-25.1. Witness not available.

1. When the only living subscribing witness or witnesses, to the will of a resident of this State, is not or are not available in this State to prove such will, because of absence from the State in the active military or naval service of the United States in time of war or of any ally of the United States in time of war or because of absence from the State in service as a merchant seaman in time of war, such will shall be admitted to probate upon proof of the signatures of the subscribing witnesses to said will; *provided,* that such will would be admitted to probate upon the proof of the signatures of the subscribing witnesses in case the subscribing witnesses were all dead. Proviso.

2. This act shall take effect immediately.

Approved April 20, 1945.

CHAPTER 211

AN ACT concerning the State Department of Education, and amending section 18:2–1 of the Revised Statutes.

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

Section amended.

1. Section 18:2–1 of the Revised Statutes is amended to read as follows:

State Department of Education.

18:2–1. There hereby is established a State Department of Education, which shall consist of a State Board of Education and a Commissioner of Education, with such divisions, bureaus, branches, committees, officers and employees as are specifically referred to in this Title and as may be constituted or employed by virtue of the authority conferred by this Title and by any other law.

Expiration of terms of present members.

The terms of office of all of the present members of the present State Board of Education shall expire on the thirtieth day of June, one thousand nine hundred and forty-five.

Number of members.

The State Board of Education established hereby shall consist of twelve members, not less than three of whom shall be women, not more than one of whom shall be a resident of any one county.

Qualification.

The members shall be citizens who have resided within the State for not less than five years immediately preceding their appointment.

Appointed by Governor.

The members shall be appointed by the Governor by and with the advice and consent of the Senate for terms of six years, except that the first members shall be appointed for terms which shall commence on the first day of July, one thousand nine hundred and forty-five, and shall continue four for two years, four for four years, four for six years.

Vacancies.

Vacancies in said board occurring from any cause shall be filled in like manner but for the unexpired term only. All members shall continue in office

after the expiration of their respective terms until their respective successors are appointed and qualified.

Control vested in State Board.

The general supervision and control of public instruction in this State and of the State Department of Education shall be vested in the State Board. The State Board shall be charged with the duty of planning and recommending respecting the unified, continuous and efficient development of public education including public higher education.

C. 18:2-1.1.

2. This act shall take effect the first day of July, one thousand nine hundred and forty-five, except that any appointment and any confirmation of any appointment permitted by this act may be made prior to such date.

Approved April 20, 1945.

CHAPTER 212

AN ACT to abolish the Board of Visitors of the State Agricultural College, and repealing sections 18:22–23, 18:22–24 and 18:22–25 of the Revised Statutes.

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

Board abolished.

1. The Board of Visitors of the State Agricultural College hereby is abolished.

Sections repealed.

2. Sections 18:22–23, 18:22–24 and 18:22–25 of the Revised Statutes are repealed.

3. This act shall take effect the first day of July, one thousand nine hundred and forty-five.

Approved April 20, 1945.

New Jersey State Library

CHAPTER 213

AN ACT concerning the retirement of certain municipal employees in villages in counties of the first class of this State and pensioning such employees and their dependents, and amending sections 43:13–44, 43:13–45, 43:13–46, 43:13–48 and 43:13–50 of the Revised Statutes and supplementing article five of chapter thirteen of Title 43 of the Revised Statutes.

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

Section amended.

1. Section 43:13–44 of the Revised Statutes is amended to read as follows:

43:13–44. For the purpose of paying the pensions a fund shall be created in each village where this article takes effect, as follows:

Deduction from salary.

a. There shall be deducted from every payment of salary to a municipal employee or officer benefited by this article five per centum (5%) of the amount thereof and if any employee or officer hereafter enters the service of the municipality after reaching the age of thirty-five years, such percentage shall be increased to such an amount as the pension commission determines to correspond to the risk arising by the age of such employee.

Payment by village.

b. The village shall raise by taxation and pay into the fund yearly an amount equal to seven per centum (7%) of the total salaries paid to the employees or officers who shall benefit by this article, and may raise by taxation and pay into the fund yearly such additional amount or amounts as, upon the recommendation of the pension commission of the municipality, the governing body shall determine to be necessary to maintain the fund.

c. There shall be added all fines imposed upon any such employee or officer, all moneys given or donated to the fund, all moneys deducted from the salary of such employee or officer because of absence or loss of time and one-half of all rewards paid for any purpose to such employees or officers. Fines.

If there shall not be sufficient money in the fund so created, the governing body of such village shall include in any tax levy a sum sufficient to meet the requirements of the fund for the time being. Amount included in tax levy.

All pensions granted under this article shall be exempt from any State or municipal tax, levy and sale, garnishment or attachment or any other process whatsoever, and shall be unassignable. Exemptions.

2. Section 43:13–45 of the Revised Statutes is amended to read as follows: Section amended.

43:13–45. If any municipal employee or officer shall resign, be dismissed or discharged from his or her employment, the moneys he or she shall have paid into the pension fund due to the assessments shall be returned to him or her, without interest; but such person shall not thereafter be eligible for a pension under this article unless upon his or her re-employment by the village he or she shall repay to the fund the amount of any rebate made to him or her. No other refund of assessments collected from the salaries of such employees or officers shall be made. Return of assessments.

3. Section 43:13–46 of the Revised Statutes is amended to read as follows: Section amended.

43:13–46. No person who shall receive any pension under any other law of this State shall be entitled to receive the benefits of this article. Any compensation paid under the workmen's compensation law, chapter fifteen of Title 34 of the Revised Statutes of New Jersey, to a member on account of a happening to the member, shall be deducted from any pension or benefit payments to a member as provided by this article. Should the compensation payment be made in a lump sum, then the Persons not entitled to receive benefit of act.

pension or benefit payments shall cease and be deducted until such deductions shall equal the amount of such compensation. Should the compensation be paid in periodic payments, then the amount of such compensation payments shall be deducted from the pension or benefits payable under this article until the deductions shall equal the amount of such compensation.

Section amended.

4. Section 43:13–48 of the Revised Statutes is amended to read as follows:

Pension commission.

43:13–48. In every village in counties of the first class, there shall be a pension commission of five members consisting of the mayor or other chief executive, the treasurer, and the clerk of such village and two citizens of the village who are not holding an office under the village. The two citizens shall be appointed by the governing body of the village and shall hold office for the term of two years. In case of vacancy for any cause the governing body may fill it.

Meetings.

The commission shall hold its annual meetings on the.....day of January each year and elect its president, and such other officers as it shall deem advisable. The commission shall also at such meeting elect a secretary from or outside of the village employees, whose compensation the commission shall have power to fix.

Name of commission.

The pension commission shall be known as the "municipal employees pension commission of the village of....."

Retirements.

All retirements shall be made and pensions allowed under this article by this commission.

Section amended.

5. Section 43:13–50 of the Revised Statutes is amended to read as follows:

Deposit of fund.

43:13–50. The pension commission shall deposit the fund in any of the banks or trust companies of the village, and shall invest the fund in bonds secured by first mortgages on improved property

Investments.

worth at least twice the amount loaned, or in bonds of the United States, of this State or of any municipality in this State, or in securities in which savings banks of this State are authorized by law to invest.

All income, interest or dividend paid or agreed to be paid on account of any loan or deposit shall belong to and constitute a part of the fund.

C. 43:13-38.1. Salary.

6. The word "salary," as used in this article, shall mean the average annual salary paid during the last five years of a member's service, or in the event he or she has been employed for less than five years, the average annual salary he or she received during the time that he or she was employed. The words "half pay," as used in this article, shall mean half of the average annual salary paid during the last five years of a member's service, or in the event he or she has been employed for less than five years, the average annual salary he or she received during the time he or she was employed, and all pensions granted under this article shall be based on such average salary, regardless of any other provision of law; *provided, however,* that no pension shall be paid hereunder in excess of three thousand seven hundred fifty dollars ($3,750.00) per annum.

Half pay.

Proviso.

7. This act shall take effect immediately.

Approved April 23, 1945.

CHAPTER 214

AN ACT to amend "An act to provide for the creation, setting apart, maintenance and administration of a county employees' pension fund in counties having a population exceeding eight hundred thousand inhabitants," approved April eighth, one thousand nine hundred and forty-three (P. L. 1943, c. 160).

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

Section amended.

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

C. 43:10-18.20.

20. Any member of this retirement system or of any county retirement system referred to in section seven of this act and merged into this retirement system by this act, who, heretofore and subsequent to July first, one thousand nine hundred and forty, entered, or hereafter, in time of war, shall enter the active military or naval service of the United States or the active service of the Merchant Marine or the active service of the Women's Army Auxiliary Corps, the Women's Reserve of the Naval Reserve or any similar organization authorized by the United States to serve with the Army or Navy, including any member of this system while serving in the foreign service of the American Red Cross outside continental United States, shall not suffer the loss or impairment of any of the rights, benefits or privileges accorded by the provisions of this act; *provided, however,* that in the event of the death or disability of such person while in such service the pension to be paid such person or his or her dependents shall be based upon the salary which such person would have been entitled to receive at the time of his or her death or disability had he or she continued in county employment up to the time

Proviso.

of his or her death or disability. The benefits granted hereunder to any such person who dies or is disabled while he or she is in any of the services described in this section shall not be reduced or affected by the payment of any Federal pension, compensation or insurance to such person or his or her beneficiaries.

During period of service or otherwise.

During the period beginning with the time of the entry of such person into such service and ending at the earliest of (a) three months after the time of such person's discharge from such service or (b) the time such person resumes such county employment or (c) the time of such person's death or disability while in such service, the proper officer of the county shall contribute or cause to be contributed to the pension fund provided hereunder the amount required by the terms of this act based upon the amount of compensation received by such person prior to his or her entry into such service and during the period first mentioned in this paragraph any such person receiving compensation from the county shall continue to contribute the amount required by this act to be paid by members of this retirement system and during the period first mentioned in this paragraph any such person not receiving compensation from the county shall not be required to contribute the amount required by this act to be paid by members of this retirement system but said amount shall be contributed for such person by the county.

2. This act shall take effect immediately.

Approved April 23, 1945.

CHAPTER 215

AN ACT to amend "An act relating to education; providing for the establishment, organization and functions of a Division of the State Library, Archives and History, and a Division of the State Museum, in the Department of Education; transferring to, and vesting in, said Division of the State Library, Archives and History the functions, powers and duties of the Board of Commissioners governing the State Library, of the present State Librarian, of the Public Library Commission, of the Board of Commissioners governing the Public Record Office and of the Director of the Public Record Office, and transferring to, and vesting in, said Division of the State Museum the functions, powers and duties of the Board of Conservation and Development exercised and used in the control and management of the State Museum, and repealing sections 13:11–1, 47:2–1, 47:2–2, 47:2–9, 52:26–1, 52:26–4, 52:26–6, 52:26–7 and 52:26–14 to 52:26–20, inclusive, of the Revised Statutes," approved March twenty-sixth, one thousand nine hundred and forty-five (P. L. 1945, c. 50).

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

Section amended.

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

C. 18:24-10. Bureau heads.

10. The Commissioner of Education shall appoint all bureau heads and fix the compensation of all such persons thus appointed. All such persons thus appointed shall be in the classified service of

the civil service of the State. He shall appoint such other personnel as he may consider necessary for the efficient performance of the work of the divisions established by this act, and fix their compensation, subject to the provisions of Title 11, Civil Service of the Revised Statutes. Personnel.

2. This act shall take effect on the first day of July, one thousand nine hundred and forty-five. Effective.

Approved April 23, 1945.

CHAPTER 216

AN ACT vesting the title to real estate of which Elizabeth Clark Newcomb died seized, and which is alleged to have escheated to the State of New Jersey in the year one thousand nine hundred and forty-three, in Lyman H. Newcomb, James E. Newcomb, and the heirs of Irene H. Coleman, deceased.

WHEREAS, Elizabeth Clark Newcomb, late of the township of Downe, county of Cumberland, and State of New Jersey, departed this life on the 1st day of March, one thousand nine hundred and forty-three, seized of all that certain tract of land and premises situate in the township of Downe, county of Cumberland and State of New Jersey, bounded and described as follows: Preamble.

Beginning at a stake for a corner standing north forty-four degrees and one-half east, forty-six links from a stone on the west side of the road leading from Newport to Fortescue; thence passing over said stone and along John Spencer's and R. D. Bateman's deceased land south forty-four degrees and one-half west, twenty-two chains and forty Description.

links to a corner of said Spencer's and Bateman's land; thence south forty-five degrees and one-half east, twelve chains and sixty-four links to a stake corner of William Spencer's land; thence along his line north forty-five degrees east, nine chains and fifty links to a stone; thence still by the same north three degrees west, two chains and thirty-three links to a stone; thence still by the same north fifty-two degrees east, four chains and sixty-four links to a corner in the middle of said road; thence north sixteen degrees west, thirteen chains and thirty-two links to the place of Beginning.

Containing twenty-two acres and ninety-five hundredths of an acre of land more or less.

Being the same lands and premises conveyed to her by deed from Sara Fitch (single) dated December eighteenth, one thousand nine hundred and thirty-one, and recorded in the Cumberland County Clerk's Office and appears in Book 487 of Deeds on Page 270 et cetera; and

Preamble.

WHEREAS, the said Elizabeth Clark Newcomb left a Will which has not been admitted to probate because the executor therein named pre-deceased the testatrix and no one can be found to sign a Petition for Administration of her estate, in which said will she devised the premises above set out and described as follows: "Second; I give, devise, and bequeath to my husband, James S. Newcomb, all of my estate, whether real, personal, or mixed, for and during the term of his natural life. After his decease, the same to go to my children, share and share alike. Should any of my children be deceased at that time, their representatives to take their parent's share." It is alleged the said Elizabeth Clark Newcomb never had heirs of her body and further when she referred in her Will aforesaid to "my children" she intended to say to my stepchildren who are Lyman H. Newcomb, James E. Newcomb, and the late Irene H. Coleman, deceased; and

WHEREAS, the said Elizabeth Clark Newcomb left no person or persons capable of inheriting the said lands and premises; 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, Preamble.

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

1. All the estate, right, title, 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 Elizabeth Clark Newcomb, more particularly described in the first preamble of this act, are hereby vested in Lyman H. Newcomb, James E. Newcomb, and the heirs of the late Irene H. Coleman, deceased, namely; one-third in Lyman H. Newcomb; one-third in James E. Newcomb; and one-third in the heirs of the late Irene H. Coleman, deceased; such title so far as aforesaid vested under the provisions of this act is validated and confirmed. Title vested in Lyman H. Newcomb and others.

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

Approved April 23, 1945.

CHAPTER 217

AN ACT concerning bribery and corruption in connection with certain sporting contests, and supplementing subtitle thirteen of Title 2 of the Revised Statutes.

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

C. 2:114-14. Giving of bribe.

1. Any person who shall, directly or indirectly, give or promise to give, any money or valuable thing, as a bribe, present or reward, to any person taking part or intending to take part, as a professional or amateur participant, in any baseball, football, basketball or hockey game, boxing match or sporting contest, with intent to induce such person to lose or cause the loss, or to attempt to lose or cause the loss, of any such game, match or contest, by such person or by the team or side of such person, shall be guilty of a misdemeanor.

C. 2:114-15. Soliciting a bribe.

2. Any person taking part or expecting to take part, in any baseball, football, basketball or hockey game, boxing match or sporting contest, as a professional or amateur participant, who shall solicit or receive, directly or indirectly, any money or valuable thing, as a bribe, present or reward, to lose or cause the loss, or to attempt to lose or cause the loss, of such game, match or contest, by such person or by the team or side of such person, shall be guilty of a misdemeanor.

3. This act shall take effect immediately.

Approved April 23, 1945.

CHAPTER 218

AN ACT prescribing general qualifications of policemen and firemen, and amending section 40:47–3 of the Revised Statutes.

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

1. Section 40:47–3 of the Revised Statutes is amended to read as follows: Section amended.

40:47–3. No person shall be appointed: Qualification for appointment.

a. An officer or member of the police force;

b. An officer or member of the paid fire department; or

c. A member of any municipal part paid fire department who is permanently employed by the municipality at a fixed annual salary and whose sole occupation is that of fireman in said municipal part paid fire department—

Unless he is a citizen of the United States and has been a resident of the municipality in which he is appointed for two years next preceding his appointment, is sound in body, of good health sufficient to satisfy the board of trustees of the police and firemen's retirement system of New Jersey that such person is eligible to membership in the retirement system, able to read, write and speak the English language well and intelligently, and is of good moral character. No person shall be so appointed who has been convicted of any crime involving moral turpitude, which in the judgment of the appointing power would be prejudicial to the morale of the force.

The body or officer or officers in the respective municipalities having authority to appoint to or employ members of the police department and force, or of the fire department and force therein, may, Temporary employment.

however, employ officers or men temporarily in case of emergency, or for parts of years, where their services are not needed throughout the entire year, and discharge them at the expiration of such temporary employment.

Cease to be member if absent without leave.

Any member or officer of any such police department and force or of such paid fire department or a member of any municipal part paid fire department who is permanently employed by the municipality at a fixed annual salary and whose sole occupation is that of fireman in said municipal part paid fire department who shall be absent from duty without just cause for a term of five days continuously, and without leave of absence, shall, at the expiration of such five days, cease to be a member of such police department and force or of such paid or part paid fire department.

2. This act shall take effect immediately.

Approved April 24, 1945.

CHAPTER 219

AN ACT fixing age limits for the appointment of members of police and fire departments in municipalities of this State, and amending section 40:47–4 of the Revised Statutes.

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

Section amended. . .

1. Section 40:47–4 of the Revised Statutes is amended to read as follows:

Appointment age.

40:47–4. No person shall be appointed a member of the police force of any municipality who is less than twenty-one or more than thirty years of age.

Continuance of employment.

No person shall be appointed a member of the paid fire department or force of any municipality who is less than twenty-one or more than thirty

years of age, but upon the creation of paid fire department in any municipality, nothing herein contained shall be construed to prohibit the continuance in office or employment of any person who is permanently employed by the municipality in a part-paid fire department at a fixed annual salary and whose sole occupation is that of fireman.

The provisions of this section are subject to the provisions of chapter ninety-eight of the laws of one thousand nine hundred and forty-four.

2. This act shall take effect immediately.

Approved April 24, 1945.

CHAPTER 220

AN ACT concerning county and municipal finances, and supplementing chapter one of Title 40 of the Revised Statutes.

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

C. 40:1-25.1. Application to local government board for relief.

1. If the governing body of any county or municipality proposing to issue bonds under the authority of chapter one of Title 40 of the Revised Statutes believes that the application to such bonds of the limits on maturities or amounts of annual installments or both as set forth in section 40:1–25 will adversely affect the financial position of such county or municipality, it may make application in writing to the local government board setting forth such belief and the reasons therefor and containing a schedule of proposed maturities or amounts of annual installments or of both which are desired. If the local government board finds such belief to be well founded, it may, by order, fix the maturities or the amounts of annual installments or both as desired by the applicant, or it may, by order, fix

Maturities fixed.

any other maturities or amounts of annual installments or both as, in its opinion, the circumstances warrant. If such proposed bonds are issued, the maturities and amounts of annual installments fixed by order of the local government board, and not those contained in section 40:1–25, shall apply to such bond issue.

2. This act shall take effect immediately.

Approved April 24, 1945.

CHAPTER 221

AN ACT concerning county and municipal finances, and amending section 40:1–53 of the Revised Statutes.

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

Section amended.

1. Section 40:1–53 of the Revised Statutes is amended to read as follows:

Bond sold at not less than par.

40:1–53. Notwithstanding any provisions of this or any other law, any bonds or notes may be sold at not less than their par value and accrued interest without any previous public offering to, and be purchased by, the sinking fund commission or the insurance or pension fund commissioners of the county or municipality or by a board of water commissioners of such municipality which is authorized by law to invest, reinvest and keep invested moneys in its hands and constituting a part of its surplus revenue unappropriated or be so sold to the State or the United States of America or any Federal or State agency. Any contract of sale of bonds or notes pursuant to this section made after the taking effect of the county bond resolution or municipal bond ordinance authorizing such bonds or notes may contain such terms and conditions as may be

approved by resolution of the governing body of the county or municipality.

2. This act shall take effect immediately.

Approved April 24, 1945.

CHAPTER 222

AN ACT concerning motor vehicles, and amending sections 39:3–34 and 39:3–40 of the Revised Statutes.

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

1. Section 39:3–34 of the Revised Statutes is amended to read as follows: Section amended.

39:3–34. No person whose registration certificate or driver's license has been suspended or revoked, or who has been prohibited from obtaining a driver's license or registration certificate, shall apply to an agent of the commissioner for a registration certificate or license, or a learner's permit, as the case may be, during the period of the suspension, revocation, or prohibition. A person who violates this section shall be subject to a fine of not more than five hundred dollars ($500.00) or imprisonment for not more than three months, or both, at the discretion of the court. Not to apply for license during suspension. Fine.

2. Section 39:3–40 of the Revised Statutes is amended to read as follows: Section amended.

39:3–40. No person to whom a driver's license has been refused or whose driver's license or reciprocity privilege has been suspended or revoked, or who has been prohibited from obtaining a driver's license, shall personally operate a motor vehicle during the period of refusal, suspension, revocation or prohibition. Not to operate motor vehicle during suspension.

Fine.

No person whose motor vehicle registration has been revoked shall operate or permit the operation of such motor vehicle during the period of such revocation. A person who violates this section shall be fined not less than one hundred dollars ($100.00) nor more than five hundred dollars ($500.00).

3. This act shall take effect immediately.

Approved April 24, 1945.

CHAPTER 223

AN ACT providing for the issuance of a real estate broker's license in certain cases.

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

C. 45:15-11.2. Issuance of broker's license.

1. The Real Estate Commission may issue a real estate broker's license upon payment of the regular fee, which license shall be the same as other licenses issued under article one of chapter fifteen of Title 45 of the Revised Statutes, to any citizen of New Jersey who has held a real estate salesman's license and who has had in the aggregate, during the twenty years last past, ten years' experience in the office of a licensed real estate broker, in the capacity of a real estate salesman, which experience need not have been acquired in a consecutive period, and without having first served an apprenticeship for one full year as a duly licensed real estate salesman in this State immediately preceding the date of application for a real estate broker's license; *provided,* that the real estate broker by whom such an applicant was last employed as a real estate salesman shall have died during the two years preceding the date of such application; *and provided further,* that such applicant shall satisfactorily pass an examination conducted by the commission.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved April 24, 1945.

CHAPTER 224

AN ACT concerning insurance, and amending sections 17:17–2, 17:17–3, 17:17–4, 17:17–7, 17:33–1 of the Revised Statutes and section fourteen of an act entitled "An act relating to the licensing, regulation and supervision of insurance agents, insurance brokers and insurance solicitors, supplementing chapters twenty-two, thirty-two and thirty-six of Title 17 of the Revised Statutes, and repealing sections 17:22–1, 17:22–2, 17:22–3, 17:22–4, 17:22–5, 17:23–3, 17:32–6 and 17:32–11 of the Revised Statutes, and section one of 'An act concerning the licensing of agents for insurance companies in certain cases, supplementing chapter twenty-two of Title 17, and amending section 17:33–1 of the Revised Statutes,' approved May sixteenth, one thousand nine hundred and forty-one (P. L. 1941, c. 118)," approved April twentieth, one thousand nine hundred and forty-four (P. L. 1944, c. 175).

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

1. Section 17:17–2 of the Revised Statutes is amended to read as follows: Section amended.

17:17–2. Companies may be formed upon the stock or mutual plan to transact any kind of insurance authorized by section 17:17–1 of this Title, subject to the limitations specified in section 17:17–3 of this Title. Stock or mutual companies.

2. Section 17:17–3 of the Revised Statutes is amended to read as follows: Section amended.

17:17–3. A company may be formed: Objects.

a. For the purposes specified in any or all of the paragraphs of section 17:17–1 of this Title except paragraph "c"; or

b. For the purposes specified in paragraph "c" and for the purpose of making insurances against bodily injury or death by accident as specified in paragraph "d" of said section 17:17–1.

Section amended.

3. Section 17:17–4 of the Revised Statutes is amended to read as follows:

Certificate of intention.

17:17–4. The persons so proposing to incorporate shall sign a certificate stating their intention to form a corporation under chapters seventeen to thirty-three of this Title (§17:17–1 et seq.), and setting forth:

Contents of certificate.

a. The name of the company, which shall contain the words "insurance company," except that a company which may be formed for any or all of the purposes specified in paragraphs "d" to "o" of section 17:17–1 of this Title may adopt a name containing the words "insurance company," "indemnity company," "casualty company," "surety company" or "guaranty company." The name shall be appropriate to the kind or kinds of insurance proposed to be transacted by the company and shall not so closely resemble that of any existing corporation as to be likely to mislead the public, and shall be approved by the commissioner.

b. The place where its principal office in this State is to be located;

c. The kind or kinds of insurance proposed to be transacted by the company, stating the paragraphs of section 17:17–1 of this Title authorizing the same;

d. Whether the company is to be a stock company or a mutual company.

e. If a stock company, the amount of its capital stock, which shall not be less than two hundred thousand dollars ($200,000.00), except, if incorporated under paragraph "h" of section 17:17–1 of this Title, the capital stock shall not be less than one hundred thousand dollars ($100,000.00), the number of shares into which it is divided, and the par value of each share; and

f. The period, if any, limited for the duration of the company.

The certificate may contain such other particulars as may be necessary to explain and make manifest or limit the objects and purposes of the corporation, and such other provisions not inconsistent with chapters seventeen to thirty-three of this Title (§17:17–1 et seq.), or the Constitution or laws of this State, which the corporators may choose to insert for the conduct of the affairs of the company, the regulation of its business, or for defining, regulating and limiting the powers of the directors or stockholders.

Section amended.

4. Section 17:17–7 of the Revised Statutes is amended to read as follows:

Amount of premiums received before transaction of business.

17:17–7. Except as otherwise provided in section 17:34–8 of this Title, no mutual insurance company organized under chapters seventeen to thirty-three of this Title (§17:17–1 et seq.), shall commence business until bona fide engagements have been entered into for insurance with the company and premiums on which amounting to at least fifty thousand dollars ($50,000.00) have been paid into the company in cash for each kind of insurance it may transact, as specified in section 17:17–3 of this Title. A company shall not commence the business of workmen's compensation or employer's liability insurance, as comprised in paragraph "e" of section 17:17–1 of this Title unless it has net cash assets of at least three hundred thousand dollars ($300,000.00).

Section amended.

5. Section 17:33–1 of the Revised Statutes is amended to read as follows:

Schedule of fees.

17:33–1. On filing any certificate, executed by an insurance company of this State, in the department, there shall be paid to the commissioner, for the use of the State, fees as follows:

Certificate of incorporation, for each thousand dollars ($1,000.00) of the total amount of the capital stock authorized, but in no case less than twenty-five dollars ($25.00), twenty cents ($0.20).

Increase of capital stock, for each thousand dollars ($1,000.00) of the total increase authorized, but

in no case less than twenty dollars ($20.00), twenty cents ($0.20).

Consolidation and merger of companies, twenty dollars ($20.00).

Extension of corporate existence, the same as required by this section for the original certificate of incorporation.

Dissolution of company, change of name, change of nature of business, or for amended certificates of incorporation (other than those authorizing increase of capital stock), decrease of capital stock, increase or decrease of par value of shares, twenty dollars ($20.00).

In all cases where several amendments are contained in one certificate, for each amendment, twenty dollars ($20.00).

All certificates not hereby provided for, five dollars ($5.00).

The commissioner shall also charge and collect for his services under this subtitle, in addition to any other fees and charges due and payable into the State treasury for any of his official acts or services, and pay into the State treasury the following fees:

Filing the certified copy of the charter, deed of settlement or certificate of organization of an insurance company of another State or foreign country, twenty dollars ($20.00).

Filing the statement of any such company on admission, twenty dollars ($20.00).

Filing each annual statement of each insurance company, twenty dollars ($20.00).

Each certificate of authority to an agent of an insurance company, two dollars ($2.00).

Each license to an agent to procure insurance in unauthorized fire insurance companies, twenty dollars ($20.00).

Computing the value of policies of life insurance companies, thirty cents ($0.30) per thousand dollars ($1,000.00) of value so computed for the first million dollars ($1,000,000.00) of the value, ten cents ($0.10) per thousand for the next nine million dollars ($9,000,000.00), five cents ($0.05) per thou-

sand for the next two hundred and forty million dollars ($240,000,000.00), two cents ($0.02) per thousand for the next two hundred and fifty million dollars ($250,000,000.00) and one cent ($0.01) per thousand for that part of the value so computed in excess of five hundred million dollars ($500,000,000.00), except that, until the time the fee so computed exceeds the fee paid for the one thousand nine hundred and thirty valuation, the latter amount shall be paid instead.

Each certificate of valuation of the policies, one dollar ($1.00).

Each certificate of the condition or qualification of an insurance company, one dollar ($1.00).

Each service of lawful process upon the commissioner as attorney, two dollars ($2.00).

Each copy of any paper filed in the department, for each sheet or folio of one hundred words, twenty cents ($0.20).

Certifying the same, one dollar ($1.00).

For services in connection with deposits of securities by domestic insurance companies, the depositing company shall pay to the commissioner an annual fee of ten dollars ($10.00) on January first of each year and on each substitution of securities an additional fee of five dollars ($5.00).

Section amended.

6. Section fourteen of an act entitled "An act relating to the licensing, regulation and supervision of insurance agents, insurance brokers and insurance solicitors, supplementing chapters twenty-two, thirty-two and thirty-six of Title 17 of the Revised Statutes, and repealing sections 17:22–1, 17:22–2, 17:22–3, 17:22–4, 17:22–5, 17:23–3, 17:32–6 and 17:32–11 of the Revised Statutes, and section one of 'An act concerning the licensing of agents for insurance companies in certain cases, supplementing chapter twenty-two of Title 17, and amending section 17:33–1 of the Revised Statutes,' approved May sixteenth, one thousand nine hundred and forty-one (P. L. 1941, c. 118)," approved April twentieth, one thousand nine hundred and forty-

four (P. L. 1944, c. 175), is amended to read as follows:

C. 17:22-6.14. May approve agent.

14. Any insurance company lawfully authorized to transact business in this State, may, by a written certificate of authority, contract with and appoint as its representative in this State, as its agent or agents, any person or persons who holds an unexpired certificate of authority issued prior to the effective date of this act, or a license issued under the provisions of this act. Such company shall file with the commissioner a certificate showing the names and addresses of such appointees and shall pay a fee of two dollars ($2.00) for each company appointment so made. If an agency is operating its business affairs as a copartnership or corporation, such certificate of authority may be issued by such company in the name of such copartnership or corporation, which certificate shall permit such copartnership or corporation to be licensed as an insurance agent under this act; *provided,* all individuals actively engaged in the insurance business of such agency hold an unexpired agent's license issued in accordance with the provisions of this act. The payment of one agency appointment fee by each insurance company represented by said agency shall cover all of its licensed agents in said agency. Such certificate of authority shall remain in full force and effect until the license as agent is revoked by the commissioner as provided in this act or canceled by the company upon written notice to that effect filed with the commissioner. Any licensed insurance agent who is a stockholder, officer or agent of any such corporation may be authorized by it to act for such corporation. Nothing contained in this act shall vest in any individual stockholder, officer or agent of any such corporation, any vested interest, claim, title or proprietary right in the agency franchise or otherwise, separate and apart from the title, franchise or proprietary right of the said corporation.

Fee.

If company copartnership or corporation.

Proviso.

Payment of agency appointment fee.

7. This act shall take effect immediately.

Approved April 24, 1945.

CHAPTER 225

AN ACT concerning health and accident insurance, and amending section 17:38–1 of the Revised Statutes.

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

1. Section 17:38–1 of the Revised Statutes is amended to read as follows: Section amended.

17:38–1. No policy of insurance or endorsement thereto against loss or damage from the sickness or the bodily injury or death of the insured by accident shall be issued or delivered in this State by any insurance company to any resident thereof until a copy of the form thereof, classification of risks and premium rates pertaining thereto and form of application therefor have been filed with the Commissioner of Banking and Insurance. If the commissioner shall at any time notify any company of his disapproval of any such policy form, application or endorsement because such policy, application or endorsement contains provisions which are unjust, unfair, inequitable, misleading, contrary to law or to the public policy of this State or because the policy is sold in such manner as to mislead the insured, or because insurance under such policy is being solicited by any means of advertising, communication or dissemination of information which involves misleading or inadequate description of the provisions of the policy, specifying particulars, it shall be unlawful for such company thereafter to issue any policy or endorsement or use any application in the form so disapproved. Such disapproval of the commissioner may be reviewed by a writ of certiorari. Policy of Insurance filed with commissioner.

2. This act shall take effect immediately.

Approved April 24, 1945.

CHAPTER 226

AN ACT concerning investments by insurance companies generally, and amending sections 17:18–3 and 17:24–1 of the Revised Statutes.

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

Section amended.

1. Section 17:18–3 of the Revised Statutes is amended to read as follows:

May hold and convey real estate.

17:18–3. Any insurance company of this State may purchase, hold and convey, such real estate as may be:

(a) Requisite for its accommodation in the transaction of its business;

(b) Conveyed to it in satisfaction of debts previously contracted in the course of its dealings;

(c) Purchased at sales upon judgments, decrees or mortgages obtained or made for those debts;

(d) Conveyed to it pursuant to or in connection with any contract of reinsurance effected under section 17:34–13 of this Title; or

(e) Purchased or held as an investment for the production of income as permitted by section 17:24–1 of this Title.

No such company shall purchase, hold or convey real estate in any other case or for any other purpose. All real estate so acquired (except real estate held as an investment for the production of income as permitted by section 17:24–1 of this Title), not necessary for the accommodation of the company in the convenient transaction of its business, shall be sold and disposed of within five years after the company has acquired title thereto, unless it procures a certificate from the Chancellor that the interests of the company will suffer materially

by a forced sale of the real estate, in which event the time for the sale may be extended to such time as the Chancellor directs in the certificate. Nothing herein contained shall prevent any company from improving and conveying its real estate, notwithstanding the lapse of five years without having procured the certificate. Real estate acquired by such company as provided in subsections (b), (c) and (d) of this section shall not be held as an investment for the production of income as provided in subsection (e) of this section unless such company shall have procured the approval of the Chancellor.

Section amended.

2. Section 17:24–1 of the Revised Statutes is amended to read as follows:

17:24–1. Any insurance company of this State, for the purpose of investing its capital, surplus and other funds, or any part thereof, may:

Class of investments.

a. Purchase or hold as collateral security or otherwise and sell and convey any bonds or public stock issued, created or guaranteed by the United States, or any territory or insular possession thereof, or by this State, or by any of the other States of the United States or the District of Columbia, or the Dominion of Canada or any of the provinces thereof, or by any of the incorporated cities, counties, parishes, townships or other municipal corporations situated in any of the countries or subdivisions thereof hereinabove mentioned; or bonds authorized to be issued by any commission appointed by the Supreme Court of this State;

b. Purchase or hold real estate for business or residential purposes (other than as provided for in sections 17:19–8 to 17:19–12, inclusive, of this Title) as an investment for the production of income, and improve or otherwise develop such real estate; *provided,* that if the commissioner shall decide, after due hearing upon notice to any such insurance company, that the interests of such insurance company's policyholders require that any specified real estate so purchased or held be disposed of, then such insurance company shall dispose of such real estate within such reasonable time as the commis-

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c. Invest in bonds or notes secured by mortgages or trust deeds on unencumbered real estate, which shall include areas above the surface of the ground but not contiguous thereto, or any interest therein located within said States, the District of Columbia, or the Dominion of Canada, worth at least one-half more than the sum invested or loaned; or invest in bonds or notes secured by mortgages or trust deeds on unencumbered real estate or any interest therein so located worth less than as above provided but worth at least one-third more than the sum so in-

Proviso. vested, *provided,* (1) that any such bonds or notes so secured shall provide for amortization payments to be made by the borrower on the principal amount thereof at least once in each year, and (2) that in every such case such insurance company shall carry as a reserve any amount by which such investment or loan, or balance thereof remaining after such amortization payments, may exceed the amount which could otherwise have been so invested or loaned as hereinabove provided. For the purposes of this section real estate or any interest therein shall not be deemed to be encumbered within the meaning of this section by reason of the existence of taxes or assessments that are not delinquent, easements, profits or licenses, nor by reason of building restrictions or other restrictive covenants, nor when such real estate or interest therein is subject to lease in whole or in part whereby rents or

Proviso. profits are reserved to the owner; *provided,* that the security created by the mortgage or trust deed on such real estate or interest therein securing such

bond or note is a first lien upon such real estate or interest therein;

d. Lend on or purchase mortgage or collateral trust bonds of railroad companies organized under the laws of said States, or the District of Columbia, or the Dominion of Canada, or operated wholly or partly in such States, district or country; or equipment trust certificates payable within sixteen years from their date of issue in annual or semiannual installments beginning not later than the fifth year after such date, and which certificates are a first lien on the specific equipment pledged as security for the payment thereof, which are either the direct obligations of such railroad companies, or are guaranteed by them, or are executed by trustees holding title to the equipment; or certificates of receivers of any corporation where such purchase is necessary to protect an investment in the securities of such corporation theretofore made under authority of chapters seventeen to thirty-three of this Title (§17:17–1, et seq.); or the capital stock, bonds, securities or evidences of indebtedness created by any corporation of the United States or of any State; *provided,* that no purchase of any bond or evidence of indebtedness which is in default as to interest shall be made by such company unless such purchase is necessary to protect an investment theretofore made under authority of said chapters seventeen to thirty-three in the securities of the corporation which issued, assumed or guaranteed such bond or evidence of indebtedness in default; *provided, further,* that no purchase of the stock of any company of a class on which dividends have not been paid during each of the past five years preceding the time of purchase shall be made unless the stock so purchased shall represent a majority in control of all the stock then outstanding; *and provided further,* that in the case of the stock of a corporation resulting from or formed by merger or consolidation less than five years prior to such purchase, each consecutive year next preceding the

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effective date of such merger or consolidation during which dividends shall have been paid by any one or more of its constituent corporations on any or all classes of its or their stock in an aggregate amount sufficient to have paid dividends on that class of stock of the existing corporation whose stock is to be purchased, had such corporation then been in existence, shall be deemed a year during which dividends have been paid on such class of stock; *provided, however,* that nothing herein contained shall prohibit the purchase of stock of any class which is preferred, as to dividends, over any class the purchase of which is not prohibited by this section; *and provided further,* that no purchase of its own stock shall be made by any insurance company except for the purpose of the retirement of such stock or except as specifically permitted by any law of this State applicable by its terms only to insurance companies.

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3. This act shall take effect immediately.

Approved April 24, 1945.

CHAPTER 227

AN ACT to amend "An act concerning life, accident and health insurance policies and certificates issued by assessment life, health and accident insurance companies and associations; providing for the maintenance of reserves by such companies and associations, for the certification of such reserves, for penalties for violations, and supplementing chapter thirty-five of Title 17 of the Revised Statutes," approved May twenty-fifth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 232).

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 is amended to read as follows: Section amended.

1. No policy or certificate or endorsement thereto granting benefits in the event of death, sickness or bodily injury or death of the insured by accident shall be issued or delivered in this State by any assessment insurance company or assessment insurance association until a copy of the form thereof, the classification of risks and the premiums or rates of contribution thereon and the form of application therefor have been filed with the Commissioner of Banking and Insurance. If the commissioner shall at any time notify any company or association of his disapproval of any such policy or certificate form, application or endorsement because such policy, application or endorsement contains provisions which are unjust, unfair, inequitable, misleading, contrary to law or to the public policy of this State or because the policy or certificate is sold in such manner as to mislead the insured or because insurance under such policy or certificate is being so- C. 17:35-26. Provisions applicable.

licited by any means of advertising, communication or dissemination of information which involves misleading or inadequate description of the provisions of the policy or certificate, specifying particulars, it shall be unlawful for such company or association thereafter to issue any policy or certificate or endorsement thereto or use any application in the form so disapproved. Such disapproval of the commissioner may be reviewed by writ of certiorari.

2. This act shall take effect immediately.

Approved April 24, 1945.

CHAPTER 228

AN ACT concerning life insurance, and repealing sections 17:34–1 and 17:34–2 of the Revised Statutes.

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

Section repealed.

1. Section 17:34–1 and section 17:34–2 of the Revised Statutes are repealed.

2. This act shall take effect immediately.

Approved April 24, 1945.

CHAPTER 229

AN ACT concerning alcoholic beverages, and amending section 33:1–4 of the Revised Statutes.

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

1. Section 33:1–4 of the Revised Statutes is amended to read as follows: Section amended.

33:1–4. The commissioner is hereby empowered:

a. To maintain suitable headquarters for said department and such other offices and establishments within the State as he may determine necessary; to organize said department, creating such divisions and altering them in such manner and at such times as he considers advisable. Maintain suitable headquarters.

b. To appoint and have at all times three deputy commissioners who shall each receive compensation, fixed by the commissioner, at the rate of not exceeding seven thousand five hundred dollars ($7,500.00) per annum, and who shall be removable by the commissioner for cause, and who shall be respectively in charge of the divisions assigned to them by the commissioner. Each such deputy shall, before entering upon the duties of his office, if required by the commissioner, give bond, to be approved by the commissioner, in the sum of twelve thousand dollars ($12,000.00). Deputy commissioners shall not be subject to the provisions of Title 11, Civil Service. Appoint deputy commissioners.

c. To appoint such clerical force and employees as he may deem necessary and to fix their duties, all of whom shall be subject to the provisions of Title 11, Civil Service. Appoint clerical force.

d. To appoint such inspectors, investigators, and executive assistants as he may deem necessary and to fix their duties and compensation. Inspectors, investigators, and executive assistants shall (1) Appoint inspectors.

not be subject to the provisions of Title 11, Civil Service, and (2) shall be removable by the commissioner at will; *provided, however,* that any person who has been employed as such inspector, investigator, or executive assistant for a period of three years shall serve during good behavior and shall not be removed except for cause. The commissioner, deputies, inspectors and investigators shall have authority to arrest, without warrant, for violations of this chapter committed in their presence, and shall have all the authority and powers of peace officers to enforce this chapter. Investigators shall have full authority to conduct any investigation ordered by the commissioner.

Appoint experts.

e. To appoint for short-time employment or for the purpose of performing specified expert or specialist service such experts and specialists as from time to time he shall deem necessary to carry out the provisions of this chapter, and to determine the specified duty, salary or fee and term of service. Such experts or specialists shall not be subject to the provisions of Title 11, Civil Service.

Appoint counsel.

f. To appoint such counsel and other legal assistants as he shall deem necessary to carry out the provisions of this chapter and to fix their powers, duties, salaries and terms of office. Such counsel and assistants shall not be subject to the provisions of Title 11, Civil Service.

2. This act shall take effect immediately.

Approved April 25, 1945.

CHAPTER 230

AN ACT to amend the commission form of government law, and amending sections 40:75–9 and 40:75–22 of the Revised Statutes.

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

1. Section 40:75–9 of the Revised Statutes is amended to read as follows: Section amended.

40:75–9. The municipal clerk shall draw lots to determine the order in which the names of the candidates or groups of candidates shall appear upon the ballots. The name of the person or group of candidates first drawn shall occupy first place on the ballot, or voting machine and the name of the person or group of candidates next drawn shall occupy second place, and so forth. The manner of drawing by 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 cards to be drawn therefrom. The municipal 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. The municipal clerk shall at least two days prior to the drawing notify each candidate by registered mail of the time and place of the drawing. The candidate or his representative shall have the right to examine the cards prior to their being placed in the covered box. Drawing for position on ballots.

2. Section 40:75–22 of the Revised Statutes is amended to read as follows: Section amended.

40:75–22. 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 Ballots counted.

candidates in the manner provided by law at the general election for members of the General Assembly, and make return thereof to the city clerk immediately upon the completion of the count of such ballots, upon proper blanks to be furnished by the said clerk. In counties of the first class one of said returns shall be made available immediately to the superintendent of elections. The superintendent may arrange to accept such statement of returns in each municipality within the county at the office of the clerk of such municipality or some other convenient place. Any municipal clerk who shall refuse to permit such superintendent or his deputies or assistants access to his office for the purpose of collecting such statement of returns or any municipal clerk or other person who shall interfere or obstruct the superintendent, his deputies or assistants in the collection of such statement of returns, or any member of a district board who shall willfully fail or refuse to deliver such statement to the superintendent, his deputies or assistants as the case may be, shall be guilty of a misdemeanor. On the day following the municipal election, the city clerk shall canvass said returns so received from all the election districts, and immediately make and file in his office the result thereof. Said canvass by the city clerk shall be publicly made.

Filing returns.

Canvass of ballots.

3. This act shall take effect immediately.

Approved April 25, 1945.

CHAPTER 231

AN ACT relating to public utilities corporations and their use and occupancy of the public highways, streets and other public places in this State, and supplementing Title 48 of the Revised Statutes.

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

C. 48:3-17.1. Placing of poles by utility corporation.

1. Whenever a public utility corporation subject to regulation by the Board of Public Utility Commissioners of this State has occupied a public highway, street or other public place in this State by the placing of a pole or poles in, on or along any such public highway, street or other public place for the purpose of supplying and distributing electricity for light, heat or power, or for furnishing telegraph or telephone service, and the use and occupancy, as aforesaid, by such public utility corporation has continued at substantially the same location or locations for a period of ten years, then and in that case, such occupancy shall be presumed to be with the consent in writing of the owner of the soil upon which such pole or poles have been placed, and no suit, action or proceeding shall lie in any court of this State for the removal of any pole or poles so placed and used, unless the same shall be instituted within ten years from the time of the original occupation, as aforesaid, of said public highway, street or other public place.

Action to remove poles commenced within ten years.

2. This act shall take effect immediately.

Approved April 25, 1945.

CHAPTER 232

AN ACT concerning sales for unpaid taxes and other municipal liens on real property, and amending sections 54:5–20, 54:5–21, 54:5–23, 54:5–25, 54:5–39 and 54:5–47 of the Revised Statutes.

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

Section amended.

1. Section 54:5–20 of the Revised Statutes is amended to read as follows:

Sale of real estate for taxes under $10.00.

54:5–20. When a tax on real property, together with the interest, penalties, charges and costs of advertising would amount to less than ten dollars ($10.00), it shall be discretionary with the collector as to whether or not the property shall be advertised and sold for the enforcement of the tax lien.

Tax on lien.

The tax shall remain a lien on the property and may be included in any tax sale or other municipal lien sale affecting the property, notwithstanding anything in this chapter to the contrary.

Sale of property.

When any such tax shall be due for a period of three years following the year in which it became in arrears, the collector shall sell the property.

Section amended.

2. Section 54:5–21 of the Revised Statutes is amended to read as follows:

List of lands to be sold.

54:5–21. The collector shall make a list of the lands so subject to sale, describing them in accordance with the last tax duplicate, including the name of the owner as shown on the duplicate, amplifying the description in the duplicate if necessary to better identify the parcel. He shall enter on the

Unpaid installments added.

list all taxes, assessments and other municipal charges which were a lien on the property on December thirty-first in the calendar year when it became in arrears. He shall add to the list all unpaid installments of assessments for benefits theretofore levied and existing as immediate or direct benefits,

whether then payable or not, so that the list shall be a complete statement of all municipal charges against the property existing on said December thirty-first, together with all interest and costs on all of the items of the list computed to July first following. If directed so to do by resolution, the collector shall omit from such list such lands as may be subject to sale for unpaid taxes or for any municipal lien, or part thereof, upon which regular installment payments are being made under any agreement or agreements approved by the municipality.

Section amended.

3. Section 54:5–23 of the Revised Statutes is amended to read as follows:

Installments not due included.

54:5–23. When installments not yet due are not included in the amount for which sale is made, the amount of such installments shall, nevertheless, be included in the list made up under section 54:5–21 of this Title, but shall be entered in the list as an appendix to each parcel affected thereby under the heading "installments not due." In the notice of sale required by section 54:5–25 of this Title after the statement of the amount due on every such parcel, shall be added a statement substantially in the following form:

Form of statement.

> "To be sold subject to assessment installments not yet due, amounting to (stating the amount thereof) and interest thereon."

In the certificate of sale provided for under section 54:5–46 of this Title there shall be added to the statement that the sale is subject only to municipal liens accruing after December thirty-first, one thousand nine hundred....., (insert year of last item of taxes or assessments for which sale is to be made) a statement substantially in the following form:

> "And to assessment installments not yet due, amounting to (stating the amount thereof) and interest."

The title of a person claiming under a tax sale shall not be subject to any municipal lien except those recited in the certificate.

Section amended.

4. Section 54:5–25 of the Revised Statutes is amended to read as follows:

Public notice of sale.

54:5–25. After completing the list or sections thereof the collector shall give public notice of the time and place of sale, stating the description of the several lots and parcels of land and the owner's name as contained in the list, together with the total amount due thereon respectively as computed to said July first and stating in substance that the respective lands will be sold to make the amounts severally chargeable against them on said July first as computed in the list, together with interest from said July first to the date of sale, and the costs of sale. No other statements need be included in the notice.

Section amended.

5. Section 54:5–39 of the Revised Statutes is amended to read as follows:

Subsequent taxes assessed in name of owner.

54:5–39. When a parcel of land is held by the municipality under a sale not redeemed, until the right of redemption is barred, all subsequent taxes, assessments for benefits and other municipal charges shall be assessed in the name of the owner,

Additional liens.

as if no sale had been made, and shall be additional liens on the land and be added to the amount of the sale, and shall be paid before the land can be redeemed from the sale. No further sale of a parcel while held by the municipality shall be made for subsequent municipal liens, unless directed by resolution of the governing body of the municipality. In that case the officer shall enter the property on his tax sale list, and make up a new calculation to July first preceding the time of the proposed sale, in the manner hereinbefore directed, the amount included in the former sale to be entered in the calculation as a sale, as if it were an independent lien originating on the date of the sale, the interest thereon to be computed from that date, so that whenever a sale is held to enforce a municipal lien it shall include all municipal liens or charges

against the property mentioned in the notice of sale.

6. Section 54:5–47 of the Revised Statutes is amended to read as follows: Section amended.

54:5–47. The certificate shall be substantially in the following form: Form of certificate.

"I, ..., collector of taxes of ..... (name of municipality), hereby certify that on ....., 19..., I sold to..... ..... for ..... dollars, the lands in the municipality described as ..... on the tax duplicate of the municipality, and assessed thereon to ..... as owner (followed by amplified description if desired). The amount of sale was made up of the following items (followed by the items, including interest and costs). The sale is subject to redemption on repayment of the amount of the sale, together with interest thereon at the rate of ..... per cent per annum from the date of sale, and the costs incurred by the purchaser. The sale is subject only to municipal liens accruing after December 31, 19.... (insert year of last item of taxes or assessment for which sale is made). The right to redeem will expire in six months after the service of notice to redeem, except that the right to redeem shall in all cases extend for two years from the date of sale.

"Witness my hand and seal this..... ..... day of ....., 19.... (Followed by acknowledgment)."

7. This act shall take effect immediately.

Approved April 25, 1945.

CHAPTER 233

AN ACT to amend the title of "An act relating to letters or powers of attorney by any person in the military service or armed forces of the United States of America or its allies, and the acknowledgment, recording, and effect thereof, and ratifying certain instruments heretofore made by virtue of such letters or powers of attorney," approved April eighth, one thousand nine hundred and forty-three (P. L. 1943, c. 157), so that the same shall read "An act relating to letters or powers of attorney by certain persons and the acknowledgment, recording, and effect thereof, and validating certain instruments heretofore made by virtue of said letters or powers of attorney," and to amend the body of said act.

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

Title amended

1. The title of "An act relating to letters or powers of attorney by any person in the military service or armed forces of the United States of America or its allies, and the acknowledgment, recording, and effect thereof, and ratifying certain instruments heretofore made by virtue of such letters or powers of attorney," approved April eighth, one thousand nine hundred and forty-three, is amended to read "An act relating to letters or powers of attorney by certain persons and the acknowledgment, recording, and effect thereof, and validating certain instruments heretofore made by virtue of said letters or powers of attorney."

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

1. Any letter or power of attorney by any person who is in the military service or armed forces of the United States of America or of any of its allies, or is serving as a merchant seaman outside the limits of the United States included within the forty-eight States and the District of Columbia or is outside said limits by permission, assignment or direction of any department or official of the United States Government, in connection with any activity pertaining to the prosecution of any war in which the United States is then engaged, heretofore or hereafter made, shall be valid and sufficient, to all intents and purposes, as to any and all of the powers therein granted to the attorney-in-fact therein named, until revoked by the said constituent or by his executor, administrator or heirs, by instrument of record, or as may otherwise be provided in such letter or power of attorney, notwithstanding the death or incompetence or possible death or incompetence of said constituent or principal. C. 46:2B-1. Certain powers of attorney validated.

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

3. Any such acknowledgment may be made before any notary public of any State, or before any other officer authorized by the law of this State to take acknowledgments and proofs of deeds, or before any commissioned officer in the military service or armed forces of the United States or of any of its allies, and shall be sufficient if it shall appear in said letter or power of attorney or in said certificate of acknowledgment that the said constituent is in such military service or armed forces, or is serving as a merchant seaman outside the limits of the United States included within the forty-eight States and the District of Columbia or is outside said limits by permission, assignment or direction of any department or official of the United States Government, in connection with any activity pertaining to the prosecution of any war in which the United States is then engaged, and if it certify that he ap- C. 46:2B-3. Certification as to authority.

peared before such officer, and acknowledged the said letter or power of attorney to be his act and deed before such officer; and the recital in said letter or power of attorney, or the recital of such officer in the certificate of acknowledgment over his signature as such officer or commissioned officer shall be sufficient proof that the person before whom the same was taken is such an officer and that such person making such acknowledgment was in the military service or armed forces of the United States of America or one of its allies or is serving as a merchant seaman outside the limits of the United States included within the forty-eight States and the District of Columbia or is outside said limits by permission, assignment or direction of any department or official of the United States Government, in connection with any activity pertaining to the prosecution of any war in which the United States is then engaged; and such acknowledgment when so taken or made shall have the same force and effect as though taken or made before the Chancellor of this State.

Effect of acknowledgment.

Section amended.

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

C. 46:2B-6. Act to be liberally construed.

6. This act shall be liberally construed for the benefit of persons in the military service or armed forces of the United States or its allies or serving as a merchant seaman outside the limits of the United States included within the forty-eight States and the District of Columbia or outside said limits by permission, assignment or direction of any department or official of the United States Government, in connection with any activity pertaining to the prosecution of any war in which the United States is then engaged, and their relatives and dependents, and shall be and remain in full force and effect although in contravention of any prior or existing statute or rule of law.

5. This act shall take effect immediately.

Approved April 25, 1945.

CHAPTER 234

AN ACT to amend the title of "An act authorizing the taking of oaths, affirmations, affidavits and acknowledgments, and the making of proof of execution of certain instruments, before any commissioned officer of the United States Army, Navy or Marine Corps by any person in the military or naval service of the United States," approved August fourth, one thousand nine hundred and forty-one (P. L. 1941, c. 333), so that the same shall read "An act authorizing the taking of oaths, affirmations, affidavits and acknowledgments, and the making of proof of execution of certain instruments, before any commissioned officer of the United States Army, Navy or Marine Corps, by certain persons," and to amend the body of said act.

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

Title amended.

1. The title of "An act authorizing the taking of oaths, affirmations, affidavits and acknowledgments, and the making of proof of execution of certain instruments, before any commissioned officer of the United States Army, Navy or Marine Corps by any person in the military or naval service of the United States," approved August fourth, one thousand nine hundred and forty-one, is amended to read "An act authorizing the taking of oaths, affirmations, affidavits and acknowledgments, and the making of proof of execution of certain instruments, before any commissioned officer of the United States Army, Navy or Marine Corps, by certain persons."

Section amended.

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

C. 38:23A-1. Validity of oaths or acknowledgments taken before military officers.

1. Any oath, affirmation or affidavit, required or authorized to be taken or made in any suit or legal proceeding in this State or for any lawful purpose whatever, by any person who, is in the military or naval service of the United States or, is serving as a merchant seaman outside the limits of the United States included within the forty-eight States and the District of Columbia or, is outside said limits by permission, assignment or direction of any department or official of the United States Government in connection with any activity pertaining to the prosecution of any war in which the United States is then engaged, for use within this State or any acknowledgment or proof of any deed or other instrument, relating to real or personal property within this State, by any person, in such military or naval service or, serving as a merchant seaman outside the limits of the United States included within the forty-eight States and the District of Columbia or, being outside said limits by permission, assignment or direction of any department or official of the United States Government in connection with any activity pertaining to the prosecution of any war in which the United States is then engaged, in order to entitle such deed or instrument to be recorded or filed in any public office of this State, may be taken or made before any commissioned officer of the United States Army, Navy or Marine Corps and the recital that he is such commissioned officer, including a recital of his rank and official designation as such and that the person taking or making such oath, affirmation or acknowledgment or making any such proof is in the military or naval service of the United States or is serving as a merchant seaman outside the limits of the United States included within the forty-eight States and the District of Columbia or is outside said limits by permission, assignment or direction of any department or official of the United States Government, in connection with any activity per-

Statement by administering officer.

taining to the prosecution of any war in which the United States is then engaged, in the jurat or certificate of such oath, affirmation, affidavit, acknowledgment or proof over his signature as such commissioned officer shall be sufficient proof that the person before whom the same is taken or made is such an officer and that such person taking or making such oath, affirmation, affidavit or acknowledgment or making such proof is in the military or naval service of the United States or is serving as a merchant seaman outside the limits of the United States included within the forty-eight States and the District of Columbia or is outside said limits by permission, assignment or direction of any department or official of the United States in connection with any activity pertaining to the prosecution of any war in which the United States is then engaged at the time of the taking or making the same and such oath, affirmation, affidavit, acknowledgment or proof when so taken or made and certified shall have the same force and effect as though taken or made before the Chancellor of this State and any such deed or instrument when so acknowledged or proved, if otherwise sufficient, shall be entitled to recording or filing in any public office of this State without any other or additional certificate of the authority of such officer to take the acknowledgment or proof of the execution thereof. Any such certificate of acknowledgment shall be valid and sufficient to all intents and purposes, if it certifies that the party making such instrument appeared before such officer and acknowledged the same to be his act and deed; and any affidavit of proof by a witness, made before such officer shall be sufficient to all intents and purposes if the affiant swears that the party making such instrument executed and delivered the same as his act and deed. The failure to state the place of execution of any such deed or other instrument or of any such oath, affirmation, affidavit, acknowledgment or proof shall not invalidate the said deed or other instrument or

Proof.

said oath, affirmation, affidavit, acknowledgment or proof.

3. This act shall take effect immediately.

Approved April 25, 1945.

CHAPTER 235

AN ACT to abolish the Board of Managers of the New Jersey Agricultural Experiment Station, and repealing sections 4:16–2 to 4:16–5, inclusive, of the Revised Statutes.

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

Sections repealed.

1. The Board of Managers of the New Jersey Agricultural Experiment Station hereby is abolished.

2. Sections 4:16–2 to 4:16–5, inclusive, of the Revised Statutes are repealed.

3. This act shall take effect the first day of July, one thousand nine hundred and forty-five.

Approved April 25, 1945.

CHAPTER 236

AN ACT concerning deeds heretofore made by married women and the estates taken and vested thereunder.

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

1. Any deed executed and delivered before July fourth, one thousand nine hundred and thirty-four, by any married woman above the age of twenty-one years for any real estate or interest therein, without the joinder of her husband, shall as to the grantee or grantees, and all other persons claiming under said grantee or grantees, be as valid and effectual in law as if her husband had joined in the said deed; *provided,* such deed of said married woman is duly acknowledged, with acknowledgment certificate attached according to law; *and provided further,* the said deed has been of record in the office of the county clerk or register of deeds of the county wherein the said lands are situate for a period of at least ten years; *and provided further,* that this act shall not affect the title or interest, if any, of her husband in said lands, and shall not affect the title or interest of any person or persons in possession of such lands who do not claim under the said grantee or grantees, his or their heirs or assigns.

Validating deed.

Proviso.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved April 25, 1945.

CHAPTER 237

AN ACT concerning the Board of Commerce and Navigation.

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

Dredging of Deal Lake authorized.

1. The Board of Commerce and Navigation is hereby authorized and empowered to dredge the bottom of Deal lake, in the county of Monmouth and the State of New Jersey.

Appropriation.

2. There is hereby appropriated to the Board of Commerce and Navigation, from the State highway fund and directed to be paid by the State Treasurer, the sum of ninety thousand dollars ($90,000.00), if and when included in any annual appropriation law, for carrying into effect the provisions of this act.

Lake deeded to State.

3. The specific appropriation herein made shall not be expended until the bed of Deal lake shall have been deeded to the State of New Jersey by the township of Ocean, borough of Interlaken, city of Asbury Park, borough of Allenhurst and borough of Deal, and all bordering on said Deal lake; *and*

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further provided, the township of Ocean, the borough of Interlaken, city of Asbury Park, borough of Allenhurst and borough of Deal, and the county of Monmouth shall have collectively appropriated the sum of ninety thousand dollars ($90,000.00), in the following manner:

Asbury Park, twenty thousand dollars ($20,000.00); Allenhurst, fifteen thousand dollars ($15,000.00); Deal, ten thousand dollars ($10,000.00); Interlaken, fifteen thousand dollars ($15,000.00); Ocean township, fifteen thousand dollars ($15,000.00); county of Monmouth, fifteen thousand dollars ($15,000.00); which moneys shall be used in conjunction with the appropriation in this act authorized.

4. All moneys so appropriated by the township of Ocean, borough of Interlaken, city of Asbury Park, borough of Allenhurst and borough of Deal and the county of Monmouth shall be turned over to the Board of Commerce and Navigation, and together with the State of New Jersey appropriation, expended under its direction for the aforesaid purpose. Appropriation paid to Board of Commerce and Navigation.

5. The appropriations herein made shall not lapse by reason of the expiration of the State fiscal year.

6. This act shall take effect immediately.

Approved April 25, 1945.

CHAPTER 238

AN ACT making an appropriation to the Department of Conservation and Development for the acquisition of land for addition to the Stokes State Forest.

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

1. There is hereby appropriated from the treasury of this State to the Department of Conservation and Development the sum of fifty-five thousand dollars ($55,000.00), if and when including in any annual appropriation bill, for the acquisition of land for addition to the Stokes State Forest, in the county of Sussex, to be disbursed and paid by the State Treasurer on warrant of the Comptroller of the Treasury, and on vouchers properly signed and approved by the Director of the Department of Conservation and Development. Appropriation for addition to Stokes State Forest.

2. This act shall take effect immediately.

Approved April 25, 1945.

CHAPTER 239

AN ACT concerning the Board of Commerce and Navigation.

Preamble. WHEREAS, an emergency exists in Greenwood Lake in the township of West Milford, in the county of Passaic, State of New Jersey; and

Preamble. WHEREAS, the purging of Greenwood Lake has created a hazard to navigation and a condition detrimental to public health; now, therefore,

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

Dredging Greenwood Lake. 1. The Board of Commerce and Navigation is hereby authorized and empowered to dredge, blast, treat with chemicals or by any other means overcome and eliminate the purging in Greenwood Lake.

Services of Federal Government authorized. 2. The Board of Commerce and Navigation is further authorized and empowered to use the facilities and services of any branch of the Federal Government and to accept any contribution of funds which may now be available or which may hereafter be appropriated by the Federal Government, or any subdivisions of the State Government, for carrying out the purposes of this act.

Removal of obstructions. 3. The Board of Commerce and Navigation is further authorized and empowered to dredge and remove any and all obstructions in Greenwood Lake which interfere with navigation or are a menace to public health.

Appropriation. 4. There is hereby appropriated from the State Highway Fund and directed to be paid by the State Treasurer the sum of twenty-five thousand dollars ($25,000.00), if and when included in any annual appropriation law, to dredge, blast, treat with chemicals or any other means, the waters of Greenwood Lake. All moneys so appropriated by the

State of New Jersey, or the Federal Government, or any subdivision of the State Government, and all services rendered by the Federal Government or any other branch of the State Government shall be used by the Board of Commerce and Navigation for the aforesaid purposes.

5. This act shall take effect immediately.

Approved April 25, 1945.

CHAPTER 240

AN ACT making appropriation to the Department of Conservation and Development for the acquisition of land for addition to Saxton Falls State Park.

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

Appropriation for addition to Saxton Falls State Park.

1. There is hereby appropriated from the treasury of this State to the Department of Conservation and Development the sum of seventeen hundred dollars ($1,700.00), if and when included in any annual appropriation act, for the acquisition of land for addition to Saxton Falls State Park, in the county of Morris, to be disbursed and paid by the State Treasury on warrant of the Comptroller of the Treasury, and on vouchers properly signed and approved by the director of the Department of Conservation and Development.

2. This act shall take effect immediately.

Approved April 25, 1945.

CHAPTER 241

AN ACT concerning certain park commissions, and supplementing section 40:37–96 to section 40:37–174 of the Revised Statutes.

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

C. 40:37-168.1. Group plan life insurance.

1. Whenever the employees of any county park commission governed by and acting under the provisions of sections 40:37–96 to 40:37–174 of the Revised Statutes have formed or may hereafter form themselves into groups for the purpose of obtaining the advantages of the group plan of life insurance in any one of the plans now in vogue, or any plan which may hereafter be inaugurated, it shall be lawful for the commission, when written petitions and authorizations signed by the employees as individuals are filed with the secretary or other duly designated officer of the commission, to authorize by resolution the deductions from salaries specified in the said written petitions and authorizations and the payment of them to the designated fiscal agent.

Deduction from salaries.

C. 40:37-168.2. Payment of part of premiums.

2. Whenever a group has been or may hereafter be established in accordance with the provisions heretofore set forth, it shall be lawful for the commission, except in counties where a county employees' pension fund operates under the provisions of chapter one hundred sixty, laws of one thousand nine hundred and forty-three (R. S. §43:10–18.1 et seq.), and the amendments and supplements thereto, to pay as additional compensation to the individual members of the said group or groups a part of the premium on the said group policy or policies; *provided, however,* that the portion of the premium thus paid by the commission does not exceed twenty-five per centum (25%); *and further provided,* that nothing in this act contained shall be construed as compelling the commission to pay any

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portion of the premium on the said group policy or policies.

3. This act shall take effect immediately.

Approved April 25, 1945.

CHAPTER 242

AN ACT concerning crimes, and supplementing subtitle thirteen of Title 2 of the Revised Statutes.

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

1. Any person who shall force or induce any child under the age of sixteen years to do or to submit to the doing of any act which tends to debauch such child or which tends to impair the morals of such child shall be guilty of a misdemeanor. C. 2:117-6.1. Impair morals of child under 16 years.

2. This act shall take effect immediately.

Approved April 25, 1945.

CHAPTER 243

AN ACT to validate sales of land at public auction or private sales by the several municipalities of this State in certain cases.

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

1. All sales heretofore made at public auction or at private sale of any lands and premises by any municipality are hereby validated and confirmed and any conveyances by such municipality of said lands to the purchaser or purchasers thereof, upon Validating sales.

the delivery of the deed therefore, shall be construed in all courts of this State to convey or have conveyed all the right, title and interest of any such municipality of, in and to the said land and premises; *provided, however,* that such sales shall have been or shall be authorized or confirmed by resolution of the governing body of such municipality; *and provided further,* that this act shall not be deemed to validate any defective or invalid assignment of any certificate of sale for taxes, assessments or other liens of any municipality, or to cure any infirmity in any such assignment; *provided, however,* that nothing herein contained shall apply to the sale of any riparian lands of the State of New Jersey.

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2. This act shall take effect immediately.

Approved April 26, 1945.

CHAPTER 244

AN ACT concerning the retirement of police officers in certain counties having a population in excess of two hundred thousand inhabitants, and supplementing article four of chapter ten of Title 43 of the Revised Statutes.

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

C. 43:10-36.1. Act not to apply in certain case.

1. This article shall not apply to any person becoming a member of such police department after this supplement takes effect who, at the time he becomes such member, is eligible to become a member of the Police and Firemen's Retirement System of New Jersey.

2. This act shall take effect immediately.

Approved April 26, 1945.

CHAPTER 245

AN ACT to amend "An act to provide for temporary bonus for certain persons holding public office, position, or employment, whose compensation is paid by any county, municipality, school district, or other political subdivision of this State, or by any board, body, agency, or commission of any county, municipality, or school district of this State," approved December twenty-seventh, one thousand nine hundred and forty-one (P. L. 1941, c. 404), as said title was amended by chapter thirty-one of the laws of one thousand nine hundred and forty-three (P. L. 1943, c. 31).

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 is amended to read as follows: Section amended.

1. Every board of chosen freeholders, common council, governing body, board of education, board, body and officer by whatsoever name, of any county, municipality, school district, or other political subdivision of this State, now having the power or charged with the duty of paying, on behalf of such county, municipality, school district, or other political subdivision of this State, or of such board, body, agency, or commission of any county, municipality, or school district of this State, the salary or pay of persons holding office, position, or employment, shall have the right and power in the discretion of such body, board, or officer, to grant and order paid in monthly or other installments, to any persons holding such office, position, or employment, such sum, in addition to the regular salary or pay of such persons holding office, position, or employment, by way of bonus for the fiscal Right to pay bonus.

year in which such order is made, as such body, board or officer may determine, not exceeding
Amount. twenty per centum (20%) of the regular annual rate of such usual or regular salary or pay of such persons holding such office, position, or employ-
Proviso. ment; *provided,* that where such annual rate of such usual or regular salary or pay is not in excess of seven hundred dollars ($700.00) per annum, such bonus payments limitation shall be forty per
Proviso. centum (40%) of such regular salary or pay; *and provided,* that where such annual rate of such usual or regular salary or pay is not in excess of twelve hundred dollars ($1,200.00) per annum, such bonus payments limitation shall be thirty per centum
Proviso. (30%) of such regular salary or pay; *and provided,* that where such annual rate of such usual or regular salary or pay is in excess of twelve hundred dollars ($1,200.00), but not more than fifteen hundred dollars ($1,500.00) per annum, such bonus payments limitation shall be twenty-five per centum
Proviso. (25%) of such regular salary or pay; *and provided,* that nothing in this act shall be held or construed to permit such body, board or officer to grant or order paid any such bonus to any member of such board, or body, or to himself, or to grant or pay any such bonus to any person whomsoever after the thirty-first day of December, one thousand nine
Proviso. hundred and forty-seven; *and provided further,* that no grant or payment of any bonus under this act shall be made to any such person if the regular annual rate of the usual or regular salary or pay of such person holding such office, position or employment is more than five thousand dollars
Proviso. ($5,000.00) per annum; *and provided further,* that no person whose regular annual rate of the usual or regular salary or pay in such office, position or employment is more than three thousand dollars ($3,000.00) shall receive any grant or payment of any bonus under this act greater in amount than that to which persons whose regular annual rate of the usual or regular salary or pay is three thousand
Proviso. dollars ($3,000.00) would be entitled; *and provided,*

that the provisions of this act shall extend to State employees whose compensation is paid in full by such county, municipality, school district or other political subdivision of this State; *and provided further*, that no grant or payment of any bonus under this act shall be held or construed as an increase in the salary or pay of any person receiving the same; neither shall the cessation of any such bonus, or any part thereof, be held or construed to amount to a reduction in the salary or pay of any persons holding office, position, or employment, nor shall the amount of any such bonus be taken into consideration or included in any calculation respecting any amount to be paid into or out of any pension, retirement or other similar fund or in any similar connection. Proviso.

Whenever the boards of chosen freeholders having joint control over any bridge over a navigable river between two or more counties are unable to agree upon granting or ordering paid any sums in addition to the regular salary or pay of joint bridge employees, employed on such bridges, by way of bonus, each such board of chosen freeholders shall have the right and power, in its discretion, to grant and order paid, to such of said employees as are residents of the county over which such board of chosen freeholders has jurisdiction, such sums in addition to their salary or pay, by way of bonus, as said board of chosen freeholders shall determine, in accordance with the provisions of the act to which this act is an amendment. For the purposes of computing the twenty per centum (20%) bonus limitation in the act to which this is an amendment, the total joint salary received by each such bridge employee from the two or more counties by which he is employed, shall be used as his regular annual rate of usual or regular salary or pay. In any county where the board of chosen freeholders has reserved from the one thousand nine hundred and forty-three appropriations, a sum sufficient therefor, it shall be lawful for such board to grant and order paid such sums by way of bonus for the fiscal Unable to agree on payment bonus. Amount.

year ending December thirty-first, one thousand nine hundred and forty-three.

2. This act shall take effect immediately.

Approved April 26, 1945.

CHAPTER 246

AN ACT concerning the State Employees' Retirement System of New Jersey, and amending section 43:15–2 of the Revised Statutes.

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

Section amended.

1. Section 43:15–2 of the Revised Statutes is amended to read as follows:

Membership optional.

43:15–2. If this chapter is so adopted, it shall become effective in the county or municipality adopting it, on June thirtieth of the following year. Membership in the State Employees' Retirement System shall be optional with the employees of the county or municipality in the service on the day the chapter so becomes effective. An employee who elects to become a member within one year after this chapter so takes effect shall be entitled to a prior service certificate covering service rendered to the county or municipality prior to the date this chapter so becomes effective. Any person who prior to July first, one thousand nine hundred and forty-five, shall file an application covering service rendered to the county or municipality prior to the date this chapter so becomes effective shall be entitled to prior service certificate covering such service. Membership shall be compulsory for all employees entering the service of the county or municipality after the date this chapter so becomes effective.

Entitled to prior service.

Membership compulsory.

2. This act shall take effect immediately.

Approved April 26, 1945.

CHAPTER 247

AN ACT concerning the qualifications for members of the Department of State Police, and amending section 53:1–9 of the Revised Statutes.

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

1. Section 53:1–9 of the Revised Statutes is amended to read as follows: Section amended.

53:1–9. No person shall be appointed a member of the State Police unless he shall be a citizen of the United States between the ages of twenty-two and thirty-five years, preferably a resident of this State, of good health and good moral character. No one shall be appointed who has not established satisfactory evidence of his qualifications by passing a physical and mental examination based upon the standards provided by the rules and regulations of the United States Army. Qualifications members State Police.

The superintendent shall, with the approval of the Governor, arrange for the examination and enlistment of applicants. Examination.

2. This act shall take effect immediately.

Approved April 26, 1945.

CHAPTER 248

AN ACT concerning the adoption of minors in certain cases, and supplementing chapter three of Title 9 of the Revised Statutes.

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

C. 9:3-12. Adoption permitted in certain cases.

1. Any person in the armed forces of the United States desiring to adopt the minor child of his spouse, as provided in the chapter to which this act is a supplement, who, owing to his absence from the United States and the District of Columbia, is unable to attend the hearing and testify under oath, as provided for in such chapter, may, nevertheless, in the discretion of the court, be permitted to adopt such minor child; *provided,* that the agency ordered to investigate the petition or required to file a written summary of the case, in verifying the allegations of the petition, interviews petitioner personally through its authorized representatives or through the authorized representatives of the American Red Cross and reports fully to the court before whom the hearing is to be had the result of such interview.

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C. 9:3-13. Home of petitioner.

2. For the purposes of this act and to satisfy the requirements of section 9:3–5 of the Revised Statutes the home of the spouse of petitioner shall be construed to be the home of petitioner.

C. 9:3-14. Effective.

3. This act shall take effect immediately and continue in effect for the duration of the present war.

Approved April 27, 1945.

CHAPTER 249

AN ACT to validate and confirm deeds heretofore made by fire commissioners, or those who were fire commissioners, of any township of the State of New Jersey to the municipality wherein said district is or was situate where the fire district has been dissolved or abolished.

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

Validating deeds of fire commissioners.

1. Any deed or deeds of conveyance or confirmatory deeds of conveyance heretofore executed and delivered by the commissioners, or by those persons who were formerly the commissioners, of any fire district of any township in this State to the municipality in which said fire district was situate, for any lands, tenements or hereditaments situate in said fire district and municipality are hereby validated and confirmed, notwithstanding such fire district has been or had theretofore been dissolved or abolished, where such deed has been executed by the persons who were the commissioners at the time of dissolution of said fire district.

2. This act shall take effect immediately.

Approved April 26, 1945.

CHAPTER 250

AN ACT concerning depositions in certain cases, and amending section 2:50–27 of the Revised Statutes.

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

Section amended.

1. Section 2:50–27 of the Revised Statutes is amended to read as follows:

If no answer filed.

2:50–27. If the defendant shall not file an answer within the time limited by this chapter or granted by the court, the court may make an order that the petitioner proceed to take depositions and other evidence and bring on the hearing of the cause ex parte.

Order to take testimony ex parte.

When the defendant has not entered an appearance or made defense to the petition and the cause has been referred to a master, the Chancellor may, upon application of the petitioner and on good cause shown, order such master to take ex parte and without notice the testimony of any witness named in the order in another State or territory, use such deposition and return the same with his report.

Commission to take testimony ex parte.

In any suit now pending or hereafter instituted when the defendant has not entered an appearance or made defense to the petition and the cause has been referred to an advisory master, in the sound discretion of the Chancellor or the advisory master, and subject to any rule of court published by the Chancellor, upon application of the petitioner and on good cause shown, a commission may be issued to a master of the Court of Chancery or any other suitable person to take ex parte and without notice the testimony of any witness named in such commission in another State or territory and to return the same.

2. This act shall take effect immediately.

Approved April 27, 1945.

CHAPTER 251

AN ACT concerning free public schools and making an appropriation therefor.

WHEREAS, the Legislature by pamphlet laws of one thousand nine hundred and thirty-eight, chapter twelve, relieved Atlantic county, Cape May county and Camden county from paying interest due on delinquent State school taxes, and by pamphlet laws of one thousand nine hundred and thirty-nine, chapter seventy-one, relieved Hudson county and Middlesex county from paying interest due on delinquent State school taxes; and Preamble.

WHEREAS, the relief granted by the aforesaid chapters resulted in a deficiency in the amount of interest anticipated on delinquent State school taxes; and Preamble.

WHEREAS, the interest already paid on delinquent State school taxes by the other counties should be distributed to the school districts; therefore, Preamble.

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

1. All amounts of interest on delinquent State school tax now held by the State Treasurer shall be distributed to the school districts, but in making such distribution no school district, coterminous with any municipality which did not pay interest due on State school tax, if any, in full for any year, shall be paid the amount of interest on State school tax apportioned to that district for that year, and the total amount of interest on State school tax now held by the State Treasurer shall be prorated for each year among the remaining school districts so that each of said school districts shall receive an amount equal to the ratio that the amount appor- Payment of interest on delinquent State School tax.

tioned to it bears to the total amount apportioned to all of said remaining school districts who are to share in this money under this act.

Payment.

2. Payment of the money hereby appropriated shall be made by the State Treasurer on the warrant of the Commissioner of Education.

3. This act shall take effect immediately.

Approved April 26, 1945.

CHAPTER 252

AN ACT concerning tuberculous persons, and amending section 30:9–58 of the Revised Statutes.

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

Section amended.

1. Section 30:9–58 of the Revised Statutes is amended to read as follows:

When patient may be isolated.

30:9–58. A person committed to a county tuberculosis hospital, or to any other hospital under the provisions of section 30:9–57, who fails to remain there or refuses or neglects to obey the rules and regulations of the institution shall, when in the judgment of the superintendent it becomes necessary, be isolated or separated from other persons and restrained from leaving the institution; or in lieu thereof the superintendent of the hospital may report such failure, refusal or neglect of said person to the judge of the court of common pleas by whom said person was committed to the hospital and to the local health officer or to the director of health of New Jersey or his authorized representative, who applied to said judge of the court of common pleas for the commitment of said person under the provisions of section 30:9–57, whereupon the judge of the court of common pleas shall reconsider

Commitment for failure to observe rules.

the case and may commit said person to a hospital or institution designated by the State Department of Institutions and Agencies or the commissioner of said department for the care and custody of such person or persons. The court shall make such order for the payment for care and treatment as may be proper. The superintendent or person in charge of said hospital or institution to which such person has been transferred shall detain said person until the person is released therefrom by direction of the judge of the court of common pleas by whom committed. Before such release is granted the judge of the court of common pleas shall be satisfied that the person has recovered to the extent that he will not be a menace to the community or to children in his household or that the person will so conduct himself that he will not constitute such a menace.

Payment for care.

Detained until released by order of judge.

2. This act shall take effect immediately.

Approved April 26, 1945.

CHAPTER 253

AN ACT concerning the contents of death certificates, and amending section 26:6–7 of the Revised Statutes.

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

1. Section 26:6–7 of the Revised Statutes is amended to read as follows:

Section amended.

26:6–7. The certificate of death shall contain the following items:

Contents of death certificate.

(1) Place of death, including State, county and municipality, or industrial camp; name of street and house number; and if no house number can be given, then a brief description of location; if in a hospital or other institution, the name of the same shall be given.

(2) Full name of decedent. If an unnamed child the surname preceded by "Unnamed."

a. If a veteran, name of war.
b. Social Security number.

(3) Name of State and municipality, together with street and number of usual place of abode of deceased. Length of residence in municipality where death occurred.

(4) Sex.

(5) Color or race.

(6) Conjugal condition. Single, married, widowed, or divorced.

(7) If married, the name of spouse; if widowed or divorced, name of last husband or maiden name of last wife. Age of spouse if living.

(8) Date of birth, year, month and day.

(9) Age. Years, months and days. If less than one day, the hours or minutes.

(10) Occupation, if the deceased had any remunerative employment, with a statement of:

a. Trade, profession, or particular kind of work;
b. General nature of industry, business or establishment in which employed (or employer);

(11) Birthplace. Country, State, and municipality, if known.

(12) Name of father.

(13) Birthplace of father and mother. Country, State, and municipality, if known.

(14) Maiden name of mother.

(15) Signature and address of informant. If such signature cannot be obtained, where practicable, the source of the information must be stated.

(16) Fact of death.

(17) Date of death. Year, month, day and hour.

(18) Period of medical attendance.

(19) Time attending physician last saw the deceased alive.

(20) Cause of death. The course of disease or sequence of causes resulting in the death, giving first the name of the disease causing death (primary cause), and the contributory (secondary) cause, if any, and the duration of each, and whether attributed to dangerous or insanitary conditions of employment.

Causes of death which may be the result of either disease or violence shall be carefully defined; and if from violence, the means of injury shall be stated and whether (probably) accidental, suicidal, or homicidal.

Indefinite and unsatisfactory terms, denoting only symptoms of disease or conditions resulting from disease, will not be sufficient for the issuance of a burial or removal permit.

(21) Deaths in hospitals, institutions, or of nonresidents. The physician shall supply the information concerning the length of residence at the place of death and in the State, together with the place where the disease was contracted, if not at place of death, and the former or usual residence of the deceased.

(22) Place where disease was contracted or injury inflicted if not at place of death. If an operation preceded death, then character of operation and date of same. If there was an autopsy, then that fact and what test confirmed diagnosis.

(23) Signature and address of physician or official making the medical certificate.

(24) Date and place of burial, cremation, or removal.

(25) Signature, New Jersey license number and address of undertaker.

(26) Official signature of registrar, registration number and date when certificate was filed.

2. This act shall take effect immediately.

Approved April 26, 1945.

CHAPTER 254

AN ACT concerning pensions of certain members of police and fire departments in municipalities in this State, and supplementing chapter sixteen of Title 43 of the Revised Statutes.

Preamble. WHEREAS, certain members of the armed forces of the United States were appointed to police or fire departments in municipalities in this State before July first, one thousand nine hundred and forty-four, and because of their military duties were unable to appear and qualify as members of such police or fire department; and

Preamble. WHEREAS, doubts have arisen as to whether men so appointed were entitled to the benefits of the chapter hereby supplemented; now, therefore,

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

Appointees unable to qualify prior to July 1, 1944.

1. All members or appointees to police or fire departments in municipalities in this State, including departments having supervision or regulation of traffic on county roads, whose appointment was made prior to July first, one thousand nine hundred and forty-four, but who were unable to qualify as members of any such department because of absence caused by their serving in the armed services of the United States, shall upon qualifying as members of any such department together with their widows, children and dependent parents become entitled to all the benefits provided by the chapter to which this act is a supplement and shall be subjected to all the pay deductions provided therein.

2. This act shall take effect immediately.

Approved April 27, 1945.

CHAPTER 255

AN ACT making an appropriation to the Division of Forestry, Geology, Parks and Historic Sites in the Department of Conservation.

Preamble. WHEREAS, William E. Hoover, Jr., son of William E. Hoover, of Mays Landing, New Jersey, lost his life during the forest fire near Mays Landing early in one thousand nine hundred and forty-three, while engaged in performing fire-fighting services for the New Jersey Forest Fire Service; and

Preamble. WHEREAS, under the workmen's compensation law of this State in force at the time of the death of said William E. Hoover, Jr., his father became entitled to certain compensation payments from the State which, however, in the aggregate, will fall far short of justly compensating the said William E. Hoover, Sr., so far as money can compensate, for the loss of his son; and

Preamble. WHEREAS, additional compensation should, therefore, be given to the said William E. Hoover, Sr., for the death of his son William E. Hoover, Jr.; therefore

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

Appropriation for compensation. 1. There is appropriated to the Division of Forestry, Geology, Parks and Historical Sites the sum of twenty-five hundred dollars ($2,500.00), if and when included in any annual appropriation bill, for the purpose of paying a like sum to William E. Hoover, of Mays Landing, New Jersey, as compensation, in addition to any other compensation paid or payable, by the State, to said William E. Hoover, for the death of his son William E. Hoover, Jr., who lost his life during the forest fire

near Mays Landing, New Jersey, early in one thousand nine hundred and forty-three, while engaged in performing fire-fighting services for the New Jersey Forest Fire Service.

2. This act shall take effect immediately.

Approved April 26, 1945.

CHAPTER 256

AN ACT concerning motor vehicles, and amending section 39:5–30 of the Revised Statutes.

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

Section amended.

1. Section 39:5–30 of the Revised Statutes is amended to read as follows:

License may be suspended for violation.

39:5–30. Every registration certificate and every license certificate to drive motor vehicles may be suspended or revoked, and any person may be prohibited from obtaining a driver's license or a registration certificate, and the reciprocity privilege of any nonresident may be suspended or revoked by the commissioner for a violation of any of the provisions of this Title or on any other reasonable grounds, after due notice in writing of such proposed suspension, revocation or prohibition and the ground thereof.

Summon witnesses.

He may also summon witnesses to appear before him at his office or at any other place he designates, to give testimony in a hearing which he holds looking toward a revocation of a license or registration certificate issued by or under his authority. The summons shall be served at least five days before the return date, either by registered mail or personal service. A person who fails to obey the summons shall be subject to a penalty not exceeding one hundred dollars ($100.00), to be recovered with costs in an action at law, prosecuted by the At-

Service of summons.

Failure to obey summons.

torney-General, and in addition the vehicle registration or driver's license, or both, as the case may be, shall forthwith be revoked. The fee for witnesses required to attend before the commissioner shall be one dollar ($1.00) for each day's attendance and three cents ($0.03) 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. These fees shall be paid when the witness is excused from further attendance, and the disbursements made from payment of the fees shall be audited and paid in the manner provided for expenses of the department. The actual conduct of said hearing may be delegated by the commissioner to such departmental employees as he may designate, in which case the said employees shall recommend to the commissioner in writing, whether the said licenses or certificates shall or shall not be suspended or revoked. Witness fees.

2. This act shall take effect immediately.

Approved April 26, 1945.

CHAPTER 257

AN ACT to provide that certain loan to veterans guaranteed by the Administrator of Veterans' Affairs shall be legal investments for any savings bank, banking institution or trust company of this State, and that any amount so guaranteed may be excluded in applying legal limitations affecting investments or loans in certain cases.

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

1. Any savings bank, banking institution or trust company organized under the laws of this State, notwithstanding any law of this State prescribing C. 17:2-9.2. Investment in veterans' loan notes.

the nature, amount or form of security or requiring security for its loans or investments, may legally invest its funds in bonds or notes evidencing loans to veterans if the full amount of any such loan is guaranteed by the Administrator of Veterans' Affairs, pursuant to the servicemen's readjustment act of one thousand nine hundred and forty-four, approved June twenty-second, one thousand nine hundred and forty-four; and in the case of loans guaranteed for less than the full amount thereof by the Administrator of Veterans' Affairs, the maximum amount which may be loaned or invested by it pursuant to the provisions of any law of this State shall be increased by the amount so guaranteed.

2. This act shall take effect immediately.

Approved April 30, 1945.

CHAPTER 258

AN ACT concerning the satisfaction of judgments, and amending section 2:27–303 of the Revised Statutes.

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

Section amended.

1. Section 2:27–303 of the Revised Statutes is amended to read as follows:

Warrant of satisfaction.

2:27–303. When any judgment is rendered or docketed in the Supreme Court, a circuit court or a court of common pleas, the attorney of record in such judgment proceedings or the holder of said judgment or his guardian, or if he be dead his personal representatives, or anyone entitled by law to receive satisfaction, having received satisfaction thereof shall give to the party making satisfaction, or his attorney, a duly acknowledged o proved

warrant or authority, directed to the clerk of the court in which the judgment was rendered or docketed as the case may be, to enter satisfaction of the judgment on the record thereof. The above shall also include those judgments obtained in favor of infants. The warrant or authority may be substantially as follows:

Form of satisfaction.

To the clerk of the ..... court of .....:

Whereas, I, A. B., heretofore, to wit, in the term of ....., obtained final judgment in the ..... court of ....., in the State of New Jersey, against C. D. for ..... debt, and ..... costs (or for damages and costs, or for costs, as the case may be), as by the record thereof may appear; and whereas, I have received satisfaction for the same, these are therefore to desire and authorize you to enter an acknowledgment of satisfaction upon the record of the said judgment, and for your so doing this shall be your sufficient warrant and discharge in that behalf.

In witness whereof, I have hereunto set my hand and affixed my seal, the ..... day of ....., one thousand nine hundred and .....

A. B. (Seal).

Signed, sealed and delivered in the presence of .....

When the warrant or authority herein specified shall have been acknowledged or proved before one of the officers authorized by section 46:14–6 or section 46:14–7 of the Title Property to take acknowledgments or proofs of deeds of real estate, the clerk, to whom the same is directed, shall, the requirements of section 2:27–304 of this Title having been complied with, forthwith enter satisfaction on the record of such judgment as herein directed, in substantially the following form:

I, E. F., Clerk of the ..... court of ....., by virtue of a special warrant of

attorney (duly acknowledged or proved, as the case may be) from A. D. in the foregoing record named, and to me directed, do hereby acknowledge that said A. D. is satisfied of the debt and costs (or damages and costs, or costs, as the case may be).

Dated this ..... day of ....., nineteen hundred and .....

E. F., Clerk.

Warrant of satisfaction filed.

The clerk shall forthwith, after entering the satisfaction as herein provided, file the warrant or authority, with the pleadings and other papers in the cause in which such judgment has been obtained or docketed, as the case may be.

2. This act shall take effect immediately.

Approved April 30, 1945.

CHAPTER 259

AN ACT concerning alcoholic beverages, and amending section 33:1–47.1 of the Revised Statutes.

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

Section amended.

1. Section 33:1–47.1 of the Revised Statutes is amended to read as follows:

Referendum.

33:1–47.1. Whenever a petition, signed by at least fifteen per centum (15%) of the qualified electors of any municipality as evidenced by the total number of votes cast at the then next preceding election for members of the General Assembly in such municipality, shall be presented to the governing board or body thereof, requesting a referendum on any proposed questions as to whether the hours between which the sale of alcoholic beverages at retail may be made in such municipality on week days, Sundays, either or both, shall be fixed as pro-

vided in such petition, which questions shall be specifically and separately set forth in the petition, such governing board or body shall adopt forthwith a resolution directing the clerk of the county in which such municipality is situated to print such question or questions stated in the petition pursuant to Title 19, Elections, hereinafter referred to as the "general election law," upon the official ballot to be used in such municipality at the next ensuing general election. Thereupon the clerk or secretary of such governing board or body shall forthwith deliver to such county clerk a certified copy of such resolution. If such copy shall be delivered to such county clerk not less than thirty days before such general election, he shall cause such question or questions to be printed in an appropriate place on the ballot to be used in such municipality at the next ensuing general election, pursuant to the general election law, and shall cause to be printed on the ballot immediately below the printed question or questions the following: "EXPLANATORY STATEMENT—A 'Yes' vote is a vote to permit sales only within the hours set forth in the question or questions printed above. A 'No' vote is a vote against changing the hours during which sales of alcoholic beverages are now permitted in this municipality," and thereupon all proceedings with respect to the referendum on such question or questions shall be subject to and governed by the general election law as in other cases of the submission of public questions to the electorate.

Certified copy sent to county clerk.

Explanatory statement.

If a majority of the legal voters shall vote affirmatively on the question of whether the hours of sale shall be fixed in the manner set forth in such question or questions, the clerk of the governing board or body of such municipality shall forthwith in writing notify the commissioner and municipal board, if any, of the action taken by the legal voters of such municipality and thereafter the retail sale of alcoholic beverages may be made only within the hours fixed by such referendum. Such sale at any

Canvass.

other time within such municipality shall be unlawful and constitute a violation of this chapter.

Determining result of referendum.

If a majority of legal voters voting upon such question or questions shall vote in the negative on the question of whether the hours of sale shall be fixed in the manner set forth in such question or questions, the clerk of the governing board or body of such municipality shall forthwith in writing notify the commissioner and municipal board, if any, of the action taken by the legal voters of such municipality and thereafter the hours between which the sale of alcoholic beverages at retail may be made may be regulated as theretofore in such municipality.

No petition covering same subject matter received.

No petition under this section shall be received by the governing board or body while any other petition covering the same subject matter which has theretofore been presented hereunder has not been voted upon.

No further referendum.

Whenever a referendum shall have been had in any municipality pursuant to this section, no further referendum on the same question shall be held therein prior to the general election to be held in such municipality in the third year thereafter and so long as such referendum remains effective, all ordinances, resolutions or regulations inconsistent with the result of such referendum shall have no effect within such municipality.

2. This act shall take effect immediately.

Approved April 30, 1945.

CHAPTER 260

AN ACT concerning taxation, supplementing chapter four of Title 54, and amending section 54:4–36 of the Revised Statutes.

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

C. 54:4-35.1.

1. When any parcel of real property contains any building or other structure which has been destroyed, consumed by fire, demolished, or altered in such a way that its value has materially depreciated, either intentionally or by the action of storm, fire, cyclone, tornado, or earthquake, or other casualty, which depreciation of value occurred after October first in any year and before January first of the following year, the assessor shall, upon notice thereof being given to him by the property owner prior to January tenth of said year, and after examination and inquiry, determine the value of such parcel of real property as of said January first, and assess the same according to such value.

Section amended.

2. Section 54:4–36 of the Revised Statutes is amended to read as follows:

Affidavit of assessor annexed to list.

54:4–36. The assessor shall annex to his assessment list and duplicate so filed, his affidavit in substantially the following form:

"I, ..., assessor of the ..... of ....., do swear (or affirm) that the foregoing list contains the valuations made by me to the best of my ability, of all the property liable to taxation in the taxing district in which I am the assessor, and that I have valued it, without favor or partiality, at its full and fair value, at such price as in my judgment it would sell for at a fair and bona fide sale by private contract on October first last, except as otherwise provided

by law, and have made such deduction only for debts and exemptions as are prescribed by law."

3. This act shall take effect immediately.
Approved April 30, 1945.

CHAPTER 261

AN ACT concerning schools, and supplementing article seven of chapter fourteen of Title 18 of the Revised Statutes.

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

C. 18:14-25.1. 2-year course in United States history.

1. The superintendent of schools in each school district having a superintendent of schools and the supervising principal of schools in each other school district shall prepare and recommend to the board of education of the district, and the board of education shall adopt, when approved by the State Board of Education on the recommendation of the Commissioner of Education, a suitable two-year course of study in the history of the United States to be given to each student during the last four years of high school.

C. 18:14-85.2. Course to include principles and ideals of American form of government.

2. Such course of study shall include instruction in the principles and ideals of the American form of representative government as expressed by the framers of the Declaration of Independence and of the Constitution of the United States, in said documents and particularly in the Bill of Rights, and in the history of the origin and growth of the social, economic and cultural development of the United States, of American family life, and of the high standard of living and other privileges enjoyed by the citizens of the United States, and in such other

events in the history of the United States as will tend to instill, into every girl and boy, a determination to preserve these principles and ideals as the principles and ideals of citizens of the United States, and an appreciation of their solemn duty and obligation to exercise the privilege of the ballot, upon their reaching voting age, to the end that such principles and ideals may be so preserved.

Approved April 30, 1945.

CHAPTER 262

AN ACT concerning the practice of architecture, and amending sections 45:3–6 and 45:3–10 of the Revised Statutes.

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

1. Section 45:3–6 of the Revised Statutes is amended to read as follows: Section amended.

45:3–6. If the examination of an applicant for registration shall be satisfactory to the majority of the board, a certificate shall be issued to said applicant, upon the payment of an additional fee of fifteen dollars ($15.00) to the board, authorizing him to practice the profession of architecture. Any person who shall present to the board a certificate from a similarly constituted board of another State, with such other satisfactory evidence of competency as the board in its discretion may require, where the qualifications required in such State are substantially equal to those required in this State, shall be entitled to receive such certificate upon the payment to the board of such fee of fifteen dollars ($15.00). Each person licensed shall cause such license to be recorded in the office of the Secretary of State. At the time of the issuance of the cer- Certificate issued. License recorded in office Secretary of State.

tificate, the board shall furnish to the applicant a seal to be used by him in the conduct of his practice, to be impressed upon plans and other papers prepared by him where necessary; where a seal has been lost by a duly licensed architect, a new one shall be issued by the board upon application therefor, accompanied by the prescribed fee, and proof to the satisfaction of the board of such loss or other good cause. The board shall require the payment of a reasonable fee for the issuance of the seal to cover the cost of the same. Any person who shall use a seal which has not been furnished to him by the board, or who shall impress the same upon plans or other papers, or who shall come into possession of a seal not issued to him and fail to turn same over to the board after a demand is made therefor, or who, after the revocation or suspension of his license, shall fail to return a seal to the board shall be guilty of a violation of this chapter and upon conviction thereof shall pay a fine of one hundred dollars ($100.00), or upon failure to forthwith pay said fine, shall be imprisoned in the county jail for a period not exceeding thirty days.

Seal.

Cost of seal.

Section amended.

2. Section 45:3–10 of the Revised Statutes is amended to read as follows:

Illegal practice of architecture.

45:3–10. Any person who shall pursue the practice of architecture in this State, or shall engage in this State in the business of preparing plans, specifications and preliminary data for the erection or alteration of any building, except buildings designed by licensed professional engineers incidental or supplemental to engineering projects, or use the title architect or registered architect, or shall advertise or use any title, sign, card or device to indicate that such person is an architect, without a certificate thereof or while his certificate is suspended, in accordance with the provisions of this chapter, or any person aiding or assisting such person not having a certificate to practice architecture or while his certificate to practice architecture is suspended, shall be liable to a penalty of not less than fifty dollars ($50.00), nor more than two

Penalty.

hundred dollars ($200.00) for the first offense, and a penalty of not less than two hundred dollars ($200.00) nor more than five hundred dollars ($500.00) for a second or each subsequent offense, which penalty shall be sued for, and recovered by and in the name of the board. The payment to the board of an amount at least equal to the minimum penalty prescribed in this act, prior or subsequent to the commencement of proceedings for the recovery of a penalty shall be deemed and construed to be a conviction, and any subsequent violation shall be considered an additional offense.

What constitutes violation.

Any single act or transaction shall constitute engaging in business or the practice of architecture within the meaning of this chapter.

Exceptions.

Nothing herein contained shall prohibit students or employees of licensed architects from acting upon the authority of such licensed architects, whose certificates have not been suspended, where said students or employees are under the immediate supervision of such licensed architect, or to prohibit any person in this State from acting as designer of any building that is to be constructed by himself for his own use, but no licensed architect shall permit his name to be used in connection with the name of any other person not licensed to practice architecture in this State in any advertisement, sign, card or device in such a manner as to indicate that such other person is a licensed architect.

3. This act shall take effect immediately.

Approved April 30, 1945.

CHAPTER 263

AN ACT concerning elections, and amending section 19:13–20 of the Revised Statutes.

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

Section amended.

1. Section 19:13–20 of the Revised Statutes is amended to read as follows:

Selecting candidates.

19:13–20. In the event of a vacancy, howsoever caused, among candidates nominated at primaries, which vacancy shall occur not later than thirty-seven days before the general election, or in the event of inability to select a candidate because of a tie vote at such primary, a candidate shall be selected in the following manner: In case of an office to be filled by the voters of the entire State or a portion thereof involving more than one county, the candidate shall be selected by the State committee of the political party wherein such vacancy has occurred; in case of an office to be filled by the voters of an entire county or a portion thereof involving more than one municipality, the candidate shall be selected by the county committee of such political party within the county. When a vacancy occurs in a congressional district lying wholly within a county, the county committee of the political party of such county shall select a candidate to fill such vacancy and shall certify the name of the candidate to the chairman of the State committee, who shall certify such name to the Secretary of State, and in case of an office to be filled by the voters of less than a county (excepting in the case of a congressional district), such vacancy shall be filled by the members of the county committee representing the territory affected by the vacancy; and except that in case of a tie vote the selection shall be made from among those who have thus received the same number of votes at the primary. The selection shall be made within three

Vacancy in congressional district.

Selection filed.

days after the vacancy shall occur and a statement of the selection filed as follows: The State committee with the Secretary of State, the county committee or subdivision thereof with the county clerk. Such statement shall not be filed later than thirty-four days prior to the general election. It shall state the residence and post-office address of the person so selected, and shall certify that the person so selected is qualified under the laws of this State to be a candidate for such office, and is a member of the political party filling the vacancy. Accompanying the statement the person endorsed therein shall file a certificate stating that he is qualified under the laws of this State to be a candidate for the office mentioned in the statement, that he consents to stand as a candidate at the ensuing general election and that he is a member of the political party named in said statement, and further that he is not a member of, or identified with, any other political party or any political organization espousing the cause of candidates of any other political party, that he has not voted in a primary election of any other political party in the last two primary elections, or contributed to the campaign funds of any other political party within one year prior to the last primary election. The person so selected shall be the candidate of the party for such office at the ensuing general election.

Contents of statement.

2. This act shall take effect immediately.

Approved April 30, 1945.

CHAPTER 264

AN ACT concerning grants of home life assistance by the State Board of Children's Guardians, and amending section 30:5–33 of the Revised Statutes.

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

Section amended.

1. Section 30:5–33 of the Revised Statutes is amended so that the same shall read as follows:

Petition of assistance.

30:5–33. Any mother of a dependent child under the age of sixteen years, or under the age of eighteen years and regularly attending school, may, if there are no relatives of such mother or child who are legally liable and financially able to support such mother or child, file a petition of assistance to the State Board of Children's Guardians in the following cases:

When mother without means.

a. Any such mother who has insufficient means and is unable to support such child and maintain her home, the father of such child being deceased; or

Mother poor and father imprisoned.

b. Any such mother who has insufficient means and is unable to support such child and maintain her home, the father of such child being confined in a jail, prison or penitentiary; or

Mother poor and father indicted.

c. Any such mother who has insufficient means and is unable to support such child and maintain her home, the father of such child being under indictment for desertion of his wife and child or either; or

Mother poor and father ill.

d. Any such mother who has insufficient means and is unable to support such child and maintain her home, the father of such child being an inmate of an institution for mental or physical illness requiring a prolonged treatment; or

Mother poor and father under treatment.

e. Any such mother who has insufficient means and is unable to support such child and maintain

her home the father of such child being physically or mentally ill and being unable to support his child or children, who are dependent, and being under proper and reasonable treatment for the possible removal of such defect; or

Mother poor and father deported.

f. Any such mother who has insufficient means and is unable to support such child and maintain her home, the father of such child having been deported as an alien pursuant to the laws of the United States; or

Child deprived of parental care.

g. Any such mother who has insufficient means and is unable to support such child and maintain her home, the child having been deprived of parental support by reason of physical or mental incapacity of a parent or continued absence of a parent from the home.

2. This act shall take effect immediately.

Approved April 30, 1945.

CHAPTER 265

AN ACT concerning motor vehicles, and amending section 39:3–26 of the Revised Statutes.

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

Section amended.

1. Section 39:3–26 of the Revised Statutes is amended to read as follows:

License for tractor well-drill machines.

39:3–26. In addition to the motor vehicle licenses authorized to be issued pursuant to the provisions of this chapter, the commissioner is authorized and empowered to license traction or tractor well-drill machines or well-drilling equipment, however mounted, whether or not such vehicles be equipped with rubber tires, and to license any truck equipped with rubber tires which has permanently affixed thereto a powered feed impregnating machine,

which license shall permit such vehicles to travel upon the public highways of this State in accordance with the provisions of this chapter. The fee for such license shall be three dollars ($3.00) per annum, whether such license shall be issued for the yearly period or only for portion thereof.

Fee.

2. This act shall take effect immediately.

Approved April 30, 1945.

CHAPTER 266

AN ACT concerning municipalities, and supplementing chapter forty-eight of Title 40 of the Revised Statutes.

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

C. 40:48-2.15. Joint veterans' service bureau.

1. Any municipality of this State may establish a veterans' service bureau in such municipality and any municipality may by contract join with any other municipality or municipalities, in this State, in the formation of a joint veterans' service bureau. A municipality may appropriate moneys for the maintenance and administration of a veterans' service bureau established by it and may appropriate moneys for the maintenance and administration of any joint veterans' service bureau created under authority of this act.

2. This act shall take effect immediately.

Approved April 30, 1945.

CHAPTER 267

AN ACT to annex to and consolidate with the township of Lower, in the county of Cape May, the borough of South Cape May and the borough of North Cape May in said county.

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

South Cape May and North Cape May consolidated with Lower township.

1. The borough of South Cape May and the borough of North Cape May, in Cape May county, and the territory embraced within the boundaries of said boroughs, and each of them, shall be and are annexed to and consolidated with the township of Lower, in the county of Cape May.

2. This act shall take effect immediately.

Approved April 30, 1945.

CHAPTER 268

AN ACT providing that whenever any borough is functioning under the jurisdiction of the Local Government Board in the Division of Local Government in the State Department of Taxation and Finance, acting in place of the Municipal Finance Commission, and is annexed to and consolidated with a township not so functioning, certain action may be taken in respect thereto by the said Local Government Board and by the board of chosen freeholders of the county wherein such municipalities are located, and for the operation and effect of such annexation, consolidation and action.

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

C. 40:43-64.1. Local Government Board may release.

1. Whenever any borough is functioning under the jurisdiction of the Local Government Board in the Division of Local Government in the State Department of Taxation and Finance, acting in place of the Municipal Finance Commission, and is annexed to and consolidated with a township not so functioning, the said Local Government Board may impose such conditions as it may deem reasonable and proper in releasing such borough from its said jurisdiction and control.

C. 40:43-64.2. Freeholders may release consolidated borough.

2. In any such case of annexation and consolidation, the board of chosen freeholders of the county wherein said municipalities are located may, by resolution, release and discharge said borough from any and all liability of said borough to said county for delinquent taxes and unpaid interest thereon due said county for county and State purposes whether the same shall have been assessed or not, and shall certify any such resolution to the said

Division of Local Government and to said township and any such resolution shall be ineffective unless approved by the said Local Government Board.

3. In any such case of annexation and consolidation: C. 40:43-64.3.

(a) all of the property, tangible and intangible, and all of the rights of any kind of the borough shall be transferred to and become the property and rights of the township; Property transferred.

(b) all books, papers, records and evidence of title in the possession or custody of any officer or employee of the borough shall be turned over to the officers or employees of the township holding offices or positions in the township similar to those of the borough having such possession or custody; Books and papers.

(c) all liabilities, except as are released, as provided in this act, of the borough shall be assumed by and shall become the liabilities of the township; Liabilities.

(d) all offices and positions in the borough shall cease upon the final release of the borough from the jurisdiction and control of said Local Government Board in accordance with the provisions of this act; Officers and positions.

(e) the governing body of the said township, by resolution, shall provide for any and all necessary adjustments and apportionments to equitably impose the burden of taxation upon the taxpayers of the township until such time as all of the liabilities of the borough shall have been liquidated. Adjustments.

4. This act shall take effect immediately.

Approved April 30, 1945.

CHAPTER 269

AN ACT concerning the probate of wills of persons honestly believed to have died residents of this State.

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

Will offered for probate.

1. Where any will has heretofore been offered to the ordinary, an orphans' court or surrogate for probate as the will of a resident of this State, and such offer for probate was made by the proponent honestly and reasonably believing that the testator died a resident of this State, and such will shall have been admitted to probate as the will of a resident of this State, and it shall thereafter appear that the testator's residence at the date of his death, although colorably in this State, was truly elsewhere than in this State, neither the probate nor any subsequent proceeding shall for that reason be invalid insofar as the same affect personalty owned by the testator at the date of his death; *provided,* he shall have left personalty in this State at that time; *and provided,* the will shall be valid under the laws of the State where he died domiciled; nor shall the probate nor any subsequent proceeding for that reason be invalid insofar as the same affect real property owned by him at the date of his death and situated in this State. In every such case jurisdiction to grant probate is confirmed in and granted to each of the aforesaid courts.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved April 30, 1945.

CHAPTER 270

AN ACT concerning elections, and amending section 19:33–1 of the Revised Statutes.

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

1. Section 19:33–1 of the Revised Statutes is amended to read as follows: Section amended.

19:33–1. The justice of the Supreme Court holding the circuit in the respective counties, the judge of the circuit court or the judge of the common pleas court shall order stricken from any register the name of any person who shall be shown to his satisfaction not to be entitled to vote at any election in the election district wherein he is registered, and the commissioner shall, upon such order, cause the name of such person to be stricken from the register. Name stricken from register.

Such justice or judge shall hear an application to strike off in a summary manner at the time and day specified in the notice hereafter provided; but 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 justice or judge by affidavit of the commissioner of registration or his deputy or assistant that notice by mail has been given such person, either personally or by leaving the same at his registered place of residence, or present actual residence, if known to the commissioner, at least five entire days before the day and time of hearing before such justice or judge, that at such hearing application would be made to have the name of such registered person stricken from the register, and of the grounds on which such application would be based. Such justice or judge shall not order any name stricken subsequent to the sixth Tuesday preceding any election. The commissioner shall notify the justice

Application to strike name from register.

Notice.

or judge, five days before the day and time specified, when the application will be made, and the justice or judge shall hear the application at the time and day specified in the notice.

Publication of notice.

In addition to the notice by mail, the commissioner shall also publish in one or more newspapers within the county at least five entire days before the day and time of hearing before such justice or judge, the names and registered addresses of such persons as shall be affected by this proceeding, giving notice through such publication of the time and place where the application is to be made for the removal of said names from the registry lists.

Record of proceedings.

The justice or judge shall cause a full record of the proceedings of such application, including the appearances and a statement of his findings of fact and law and of the order made pursuant thereto, to be taken stenographically, transcribed and filed in the office of the county clerk, which record shall be public. All costs and expenses of such proceedings shall be paid by the county. The commissioner of registration, after the hearing before the court, shall transfer to the inactive file the permanent registration and record of voting forms of such persons as the justice of the Supreme Court, the judge of the Circuit Court, or the judge of the common pleas court shall have ordered stricken from the signature copy register pursuant to this section.

Costs.

Transfer to inactive file.

Registrant notified.

The registrant shall be immediately notified by the commissioner by mail of any transfer made pursuant to this section. In counties other than counties of the first class this notice by mail shall be sent in addition to the notice by publication.

2. This act shall take effect immediately.

Approved May 1, 1945.

CHAPTER 271

AN ACT to amend "An act authorizing the payment of pensions to certain assessors of taxes in townships," approved April thirteenth, one thousand nine hundred and forty (P. L. 1940, c. 36).

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 is amended to read as follows: Section amended.

C. 43:12-56. Assessor retired on pension having reached age of 80 years.

1. Any person, who shall have held the office of assessor of taxes in any township continuously for a period of twenty-five years and who shall have reached the age of eighty years while holding such office, may be retired upon pension by the township committee, on his application or on motion of the township committee, during his term of office, or may be paid a pension by said township after the expiration of his term of office, during his natural life, in such amount not exceeding six hundred dollars ($600.00) per annum as the township committee may by resolution determine, which pension shall be paid in twelve equal monthly installments.

2. This act shall take effect immediately.

Approved May 1, 1945.

CHAPTER 272

AN ACT concerning the State Employees' Retirement System of New Jersey, and amending section 43:14–1 of the Revised Statutes.

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

Section amended.

1. Section 43:14–1 of the Revised Statutes is amended to read as follows:

43:14–1. As used in this chapter:

Accumulated deductions.

a. "Accumulated deductions" means 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 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 or for payment of the death benefit under section 43:14–29. When such total or part thereof is used for any other purpose regular interest shall be computed and allowed for any period prior to July first, one thousand nine hundred and forty-four, and one-half of the interest determined at the regular rate shall be allowed for any period on and after such date.

Annuity.

b. "Annuity" means payments for life derived from contributions made by a member as provided in this chapter.

Annuity reserve.

c. "Annuity reserve" means the present value of all payments to be made on account of any annuity or benefit in lieu of an annuity, granted under the provisions of this chapter, computed on the basis of such mortality tables as the board of trustees adopts, with regular interest.

Beneficiary.

d. "Beneficiary" means any person receiving a retirement allowance or other benefit as provided in this chapter.

e. "Final compensation" means the average annual compensation, not exceeding seven thousand two hundred dollars ($7,200.00) per annum, earnable by a member for the five years immediately preceding his retirement, or, at the option of such member, it shall mean the average annual compensation, not exceeding seven thousand two hundred dollars ($7,200.00) per annum, earned by a member during any five consecutive years of his or her membership, within which period of five consecutive years he was entitled to retirement for service, said five years to be selected by the applicant prior to the date of retirement. Final compensation.

f. "Fiscal year" means any year commencing with July first and ending with June thirtieth next following. Fiscal year.

g. "Pension" means payments for life derived from appropriations made by the State as provided in this chapter, or by any participating county or municipality as provided in chapter fifteen of Title 43 of the Revised Statutes. Pension.

h. "Pension reserve" means the present value of all payments to be made on account of any pension or benefit in lieu of a pension, granted under the provisions of this chapter or chapter fifteen of Title 43 of the Revised Statutes, computed on the basis of such mortality tables as the board of trustees adopts, with regular interest. Pension reserve.

i. "Regular interest" means interest at four per centum (4%) per annum, compounded annually. Regular interest.

j. "Retirement allowance" means the pension plus the annuity. Retirement allowance.

k. "State Employees' Retirement System of New Jersey," hereinafter referred to as the "retirement system," is the corporate name of the arrangement for the payment of retirement allowances and other benefits under the provisions of this chapter 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, its funds invested, warrants for money drawn and payments made and State Employees' Retirement System of New Jersey.

all of its cash and securities and other property held.

2. This act shall take effect immediately.

Approved May 1, 1945.

CHAPTER 273

AN ACT concerning grants of old age assistance, and amending sections 44:7–14 and 44:7–15 of the Revised Statutes.

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

Section amended.

1. Section 44:7–14 of the Revised Statutes is amended to read as follows:

Condition for granting assistance.

44:7–14. (a). Every county welfare board shall require, as a condition to granting assistance in any case, that all or any part of the property, either real or personal, of a person applying for old age assistance, be pledged to said county welfare board as a guaranty for the reimbursement of the funds so granted as old age assistance pursuant to the provisions of this chapter. The county welfare board shall take from each applicant a properly acknowledged agreement to reimburse for all advances granted, and pursuant to such agreement, said applicant shall assign to the welfare board, as collateral security for such advances, all or any part of his personal property as the board shall specify.

Agreement to reimburse.

Contents of agreement.

The agreement to reimburse shall provide that the filing of notice thereof as hereinafter provided, is to have the same force and effect as a judgment at law; it shall contain therein a release of dower or curtesy, as the case may be, of the spouse of the recipient of old age assistance, and the spouse shall agree to reimburse the county welfare board for all

advances made to the recipient, and such release and joinder shall be as valid and effectual as if the spouse had joined the recipient in a conveyance of the property to a third person; the grant of old age assistance being contingent upon such joinder by the spouse, shall be good and valuable consideration therefor. Old age assistance shall not be granted to any applicant without joinder by the spouse in the agreement to reimburse except upon the showing of good and sufficient cause as the State division shall by regulation define.

Filing notice.

(b). Upon making a grant of old age assistance the county welfare board shall file with the clerk of the court of common pleas or register of deeds and mortgages, in any county, a notice of the above mentioned agreement to reimburse, which notice as of the date of such filing, shall have the same effect as a lien by judgment, and any real estate or lands in which the recipient or spouse has a title or interest, shall thereupon become charged and encumbered with a lien for old age assistance granted the recipient and said notice shall have priority over all unrecorded encumbrances. No fees or costs shall be paid for filing such notices.

Section amended.

2. Section 44:7–15 of the Revised Statutes is amended to read as follows:

Certificate filed to secure claim.

44:7–15. At any time the county welfare board may execute and file with the clerk of the court of common pleas or register of deeds and mortgages, a certificate, in form to be prescribed by the State division, showing the amount of assistance advanced to said person, and when so filed each certificate shall be a legal claim against both the recipient and his spouse with the same force and effect as a judgment at law, with priority over all unsecured claims except funeral expenses not to exceed one hundred fifty dollars ($150.00).

Practice.

Where the above mentioned certificates are filed with the clerk of the court of common pleas, subsequent proceedings for the collection and satisfaction of the judgment, including issuance of execution, shall conform to the practice prevailing

Certified copies of certificate filed.

in the court. In counties where the above mentioned certificates are filed with the register of deeds and mortgages, the register, upon request of the county welfare board, shall execute and file with the clerk of the court of common pleas certified copies of the certificates herein described, which shall be filed in the judgment records of the court, and shall have the same force and effect as a judgment at law in that court, and may subsequently be docketed in the Supreme Court of New Jersey where lands are situate in several counties.

No levy.

No levy shall be made upon the real estate while it is occupied by the widow or widower, as the case may be. If the proceeds of the sale of any personalty or real estate, under the terms of this chapter, exceed the total amount paid as assistance under this chapter, such excess shall be returned to said person, and in the event of his death such excess shall be considered as the property of the deceased for proper administration proceedings. All funds reclaimed under these provisions shall be reimbursed to the county, State and Federal Government, in the same proportion as it was contributed.

Voluntary conveyance of property.

The county welfare board shall be empowered to accept voluntary conveyance of real or personal property in lieu of issuance of execution. All real property acquired by execution sale or voluntary conveyance may be disposed of at public or private sale, in the discretion of the county welfare board;

Proviso.

provided, however, that the terms, conditions and consideration for such sale shall be first approved by the State Division of Old Age Assistance. The county welfare board is hereby authorized and empowered to execute and deliver any and all documents necessary to convey title to a purchaser of such real or personal property, in exactly the same manner as any other corporate entity.

3. This act shall take effect immediately.

Approved May 1, 1945.

CHAPTER 274

AN ACT relating to the cancellation of conditional sale contracts, and amending section 46:32–17 of the Revised Statutes.

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

1. Section 46:32–17 of the Revised Statutes is amended to read as follows: Section amended.

46:32–17. After the performance of the condition, upon written demand delivered personally or by registered mail by the buyer or any other person having an interest in the goods, the seller shall execute, acknowledge and deliver to the demandant a statement that the condition in the contract has been performed. If for ten days after such demand the seller fails to mail or deliver such a statement of satisfaction, he shall forfeit to the demandant five dollars ($5.00) and be liable for all damages suffered. Upon presentation of such statement of satisfaction, the county recording officer in whose office is filed the contract to which such statement of satisfaction relates shall file such statement of satisfaction and note the cancellation of the contract and the date thereof on the margin of the page where the contract has been entered. For filing and entering the statement of satisfaction, such officer shall be entitled to the fee prescribed by section 22:4–4 of the Title, Fees and Costs. Statement of contract performed. Cancellation of contract.

Any such statement of satisfaction executed on behalf of a corporation, whether or not under its corporate seal, by an attorney in fact, and acknowledged by him, shall be received and filed by the county recording officer in whose office is filed the contract to which such statement of satisfaction relates, and the cancellation of the contract shall be noted by such officer in the manner hereinabove prescribed; *provided,* such statement of satisfaction Statement of satisfaction filed. Proviso.

is executed by such attorney in fact pursuant to a letter or power of attorney authorizing the execution and delivery of statements of satisfaction of conditional sale contracts, and said letter or power of attorney is executed by said corporation, sealed with its corporate seal, and acknowledged or proved and recorded in the office of the said county recording officer; *and provided further,* that such letter or power of attorney has not been revoked by a written revocation thereof executed by said corporation, sealed with its corporate seal, and acknowledged or proved and recorded in the office of the said county recording officer.

Proviso.

2. This act shall take effect immediately.

Approved April 30, 1945.

CHAPTER 275

AN ACT relating to the recording of letters or powers of attorney authorizing the execution and delivery of statements of satisfaction of conditional sale contracts and of revocations of such letters or powers of attorney, and amending sections 46:16–1 and 46:19–1 of the Revised Statutes.

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

Section amended.

1. Section 46:16–1 of the Revised Statutes is amended to read as follows:

All instruments may be proven and recorded.

46:16–1. All deeds or instruments of the nature or description hereinafter in this section enumerated, of or affecting the title to real estate in this State, may be acknowledged or proved and then recorded in the office of the county recording officer of the county wherein the real estate is situate:

Enumeration.

a. Conveyances, releases, declaration of trust; letters of attorney for any sale, conveyance, assurance, acquittance or release; leases for life or any term not less than two years, or any assignment thereof absolute, or by way of mortgage or security; agreements for the sale of real estate; written consents of any person to the execution by an executor, administrator with the will annexed or trustee of a power to sell, convey, acquit or release; writings which declare or direct any use or trust of real estate, or which, though made for some other purpose, are yet, by the terms of any recordable deed or will which refers to such writing, made to operate as such declaration or direction;

b. Mortgages, defeasible deeds or other conveyances in the nature of a mortgage;

c. Releases or deeds, in which the intention to operate as releases from the lien and effect of any mortgage or judgment is plainly manifested; deeds, releases or postponements in which the intention to operate as a postponement or waiver of priority of the lien of a judgment or judgments, mechanics' lien or liens or recorded mortgage or mortgages to the lien and operation of a mortgage or mortgages recorded, or to be recorded, subsequent thereto, is plainly manifested;

d. Assignments of mortgages;

e. Discharges or satisfaction pieces of mortgages;

f. All other instruments that may have been or may be directed by any statute to be acknowledged or proved and recorded.

Deeds and instruments, not of or affecting the title to real estate, but of or affecting goods, chattels and personal property in this State, hereinafter enumerated, may, when acknowledged or proved, be recorded in the office of the county recording officer of the county in which the goods, chattels and

personal property lie, unless otherwise directed by this Title or any other law:

a. Chattel mortgages, which shall be recorded as prescribed by sections 46:28–4 to 46:28–12 of this Title;

b. Assignments, releases and discharges of chattel mortgages;

c. Deeds of personal property to literary, benevolent, religious or charitable institutions upon particular trusts therein specified or otherwise;

d. Letters or powers of attorney authorizing the execution and delivery of statements of satisfaction of conditional sale contracts and revocations of such letters or powers of attorney.

Section amended.

2. Section 46:19–1 of the Revised Statutes is amended to read as follows:

County clerk to provide books with titles for recording.

46:19–1. The county recording officer of each of the several counties of this State shall record, when delivered to him for that purpose, and duly acknowledged or proved or certified, when acknowledgment, proof or certification is required, in large, well-bound books of good paper to be provided for that purpose and carefully preserved, and to be called by and backed with the different names and intended to contain the different types of conveyances and instruments authorized by this Title or any other law to be recorded, which books shall include, among others, the following:

a. "Deeds"—for the various instruments set forth in section 46:16–1 of this Title, and therein described as conveyances, releases, declarations of trust, letters of attorney for sales, conveyances, assurances, acquittances or releases, leases for life or any term not less than two years, or assignments thereof absolute, agreements for sales, consents to the execution of powers to sell, convey, acquit or

release, writings to declare or direct uses or trusts, and also all other instruments heretofore or hereafter directed by law to be acknowledged or proved and recorded, and not by such law expressly directed to be recorded in some other class of books;

b. "Ancient deeds"—for all ancient deeds of the description set forth in section 46:16–7 of this Title;

c. "Releases"—for all releases or deeds in which the intention to operate as releases from the lien and effect of any mortgage or judgment is plainly manifested, and all deeds, releases or postponements in which the intention to operate as a postponement or waiver of priority of the lien of a judgment or judgments, mechanics' lien or liens or recorded mortgage or mortgages to the lien and operation of a mortgage or mortgages, recorded, or to be recorded, subsequent thereto, is plainly manifested;

d. "Mortgages"—for all mortgages, defeasible deeds or other conveyances in the nature of a mortgage and assignments of such leases by way of mortgage or security;

e. "Assignment of mortgages"—for all assignments of mortgages, whether absolute or by way of mortgage or security;

f. "Discharge of mortgages"—for all discharges or satisfaction pieces of mortgages;

g. Such other books, not herein enumerated, but which may be required by the provisions of this Title or by some other law for the recording of such deeds or other instruments as are not expressly directed by law to be recorded in some specifically named book.

In like books the county recording officer shall record such deeds or other instruments of or affecting goods and chattels and personal property, to be called and backed as follows:

a. "Chattel mortgages"—for all chattel mortgages, and assignments, releases and discharges thereof;

b. "Conditional sales contracts"—for the entries required by section 46:32–15 of this Title;

c. "Conditional sales contracts affecting goods attached to realty"—for the entries required by section 46:32–14 of this Title;

d. "Deeds of trust of personalty"—for all deeds of personal property to literary, benevolent, religious and charitable institutions;

e. "Letters or powers of attorney—conditional sale contracts"—for all letters or powers of attorney authorizing the execution and delivery of statements of satisfaction of conditional sale contracts and all revocations of such letters or powers of attorney.

Transcripts.

To the various books herein enumerated every person shall have access, at proper seasons, and be entitled to transcripts therefrom on paying the fees allowed by law.

3. This act shall take effect immediately.

Approved April 30, 1945.

CHAPTER 276

AN ACT concerning the providing for the payment of fees and costs in the Court of Chancery, and amending section 22:2–17 of the Revised Statutes.

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

Section amended.

1. Section 22:2–17 of the Revised Statutes is amended to read as follows:

Fees paid on filing first paper.

22:2–17. Upon the filing of the first paper in any action or proceeding in the Court of Chancery there

shall be paid to the clerk of the court, for the use of the State, the following fees, which, except as hereinafter provided, shall constitute the entire fees to be collected by the clerk for the use of the State, including enrollment fees:

Schedule of fees.

Receivership and partition, thirty-five dollars ($35.00);

For withdrawal of surplus and other moneys deposited with the court where the sum to be withdrawn is less than ten dollars ($10.00), no fee; where the sum to be withdrawn is ten dollars ($10.00) or more but less than one hundred dollars ($100.00), a fee of one dollar ($1.00); sums of one hundred dollars ($100.00) or more, a fee of fifteen dollars ($15.00);

Application for permanent alimony; for withdrawal of mortgages and other sundry applications, fifteen dollars ($15.00);

All other causes, twenty-five dollars ($25.00).

Should any cause or proceeding in this section mentioned be commenced but not finally determined, the complainant, upon filing an order of discontinuance, shall be entitled to a refund as follows:

Receivership and partition, fifteen dollars ($15.00);

All other causes, ten dollars ($10.00).

2. This act shall take effect immediately.

Approved May 2, 1945.

CHAPTER 277

AN ACT concerning salaries of persons holding municipal office, position of employment in certain municipalities.

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

C. 40:46-28.1. Power to increase salary.

1. The governing body of any municipality in counties of the second class having a population of not less than one hundred and ten thousand in this State shall have power by ordinance to increase the salary of any person holding municipal office, position or employment notwithstanding the same has been fixed heretofore by referendum vote. If such governing body should deem it advisable at any time it shall have power by ordinance to revoke in whole or in part any increase granted under this act.

2. This act shall take effect immediately.

Approved May 2, 1945.

CHAPTER 278

AN ACT concerning district courts, and supplementing chapter eight of Title 2 of the Revised Statutes.

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

1. When any judicial district hereafter created and established by the Legislature shall include all of the territory lying within the boundaries of any county of the first class, there shall be a district court therein which shall be known as the district court of the ..... county judicial district. C. 2:8-48.1. Title.

2. Said court shall consist of four judges, one of whom shall be designated in his appointment as president judge. C. 2:8-48.2. President judge.

They shall be appointed by the Governor with the advice and consent of the Senate for terms of five years and shall serve until their successors are appointed and shall qualify, except that the first appointments of such judges shall be made from among the judges of the district courts of the municipalities and of the judicial districts existing in said county immediately prior to the establishment of such judicial district for the county and shall be made for terms equal to the remainder of the respective terms for which they were appointed as judges of such district courts. Vacancies shall be filled in like manner for the unexpired terms only and in case of vacancy in the office of the president judge, the senior judge in years of service shall act as president judge until the new president judge shall be appointed. Appointed by Governor. Term.

3. So as to constitute such courts bipartisan in character, all appointments to such judgeships shall be made in such manner that the appointments shall be, as nearly as possible, in equal numbers, C. 2:8-48.3. Appointments bipartisan.

members of different political parties, that is to say, such political parties as shall have cast the largest or next to the largest number of votes for members of the General Assembly elected at the last preceding general election held prior to the making of such appointments.

C. 2:8-48.4. Salary.

4. The president judge shall receive an annual salary of eight thousand five hundred dollars ($8,500.00) and each of the other judges shall receive an annual salary of eight thousand dollars ($8,000.00), but none of said judges shall receive any additional salary for acting as judge of the division of small claims of such district court, which division shall be conducted by such judges personally and without references, and said judges shall devote their entire time to their duties and shall not engage in the practice of law.

C. 2:8-48.5. Clerks.

5. The president judge shall appoint one clerk and not more than five deputy clerks of said court, except in the case of the first appointments of the clerk and deputy clerks of said court, in which cases the clerk shall be appointed from among the clerks of the district courts of the municipalities and the judicial districts existing in said county immediately prior to the establishment of such judicial district for the county, and the remainder of said clerks of such district courts of said municipalities and said judicial districts shall be appointed as deputy clerks. After the appointment of the said clerk and deputy clerks so first appointed they shall enjoy, in such offices, such civil service privileges as they enjoyed as clerks of said respective district courts of the municipalities and the judicial districts of the county. Subsequent appointments shall be made in accordance with Title 11, Civil Service, of the Revised Statutes.

C. 2:8-48.6. Devote entire time to duties.

6. The clerk and deputy clerks of said court shall daily, during business hours, devote their entire time and attention to the duties of their respective offices and the deputy clerks shall be subject to the control of the clerk.

C. 2:8-48.7. Salary.

7. The clerk shall receive an annual salary of five thousand dollars ($5,000.00), with yearly increments of increase of two hundred dollars ($200.00) until an annual salary of six thousand dollars ($6,000.00) is reached, and thereafter shall receive an annual salary of six thousand dollars ($6,000.00) and each deputy clerk shall receive an annual salary of four thousand dollars ($4,000.00), with yearly increments of increase of two hundred dollars ($200.00) until an annual salary of five thousand dollars ($5,000.00) is reached, and thereafter shall receive an annual salary of five thousand dollars ($5,000.00), except that any deputy clerk so appointed who, on March first, one thousand nine hundred and forty-five, received an annual salary of more than four thousand dollars ($4,000.00) and less than five thousand dollars ($5,000.00) as clerk of a district court of a municipality or a judicial district existing in said county immediately prior to the establishment of such judicial district for the county shall receive the same annual salary as such deputy clerk as he received as clerk of such district court, but shall not receive any yearly increment of increase of such salary until the salary of another deputy clerk shall reach a like amount.

C. 2:8-48.8. Sergeants-at-arms.

8. The president judge shall appoint not more than eight sergeants-at-arms who shall be entitled to receive salaries for attendance upon the sessions of the court, as provided by law, and the first appointments shall include the salaried sergeants-at-arms and one of the nonsalaried sergeants-at-arms of the district courts of the municipalities and of the judicial districts existing in said county immediately prior to the establishment of such judicial district for the county. After the appointment of the sergeants-at-arms so first appointed, they shall enjoy in their positions such civil service privileges as shall attach thereto. The other persons who were then sergeants-at-arms of such district courts, but who are not so appointed, shall be carried on a special civil service list and as future appointments of sergeants-at-arms of such district court of the

judicial district of said county are made, such appointments shall be made from among such persons in the order of their seniority of service, when of equal rank, before any other persons are appointed.

C. 2:8-48.9. Assistants.

9. The president judge shall appoint such number of assistants to the clerk, clerical assistants and employees as the business of the court shall require and as shall be approved by the board of chosen freeholders of the county, who shall receive such salaries as shall be fixed by the board of chosen freeholders of the county. The first appointments shall be made from among the deputy clerks, assistant clerks, assistant clerks in the small claims division and the persons holding positions or employments under the provisions of Title 11, Civil Service, of the Revised Statutes in the district courts of the municipalities, and of the judicial districts, existing in said county immediately prior to the establishment of such judicial district for the county and the other persons who were then deputy clerks, assistant clerks, assistant clerks in the small claims division, and who then held such positions, or employments in such district courts, but who are not so appointed, shall be carried on a special civil service list and as future appointments to such positions or employments of such court are made, such appointments shall be made from among such persons in the order of their seniority of service when of equal rank, before any other persons are appointed.

C. 2:8-48.10. Place of holding court.

10. Said court shall sit in such places as shall be designated by the board of chosen freeholders of the county and in such parts as shall be designated by the president judge and at least one part of said court shall be held in each place so designated by the board of chosen freeholders for the sitting of said court, but all of the records of said court shall be kept by the clerk at a central place to be designated by the board of chosen freeholders of the county.

C. 2:8-48.11. Rules.

11. The president judge of said court shall have power to make rules controlling calendar practice, to classify actions and proceedings by character or amount or in such other manner as, in his opinion, will tend to the prompt and efficient administration of justice, to establish the parts in which the court shall sit and to designate what parts shall be held in each place so fixed for the sitting of the court and on what days and at what hours such parts shall be held and what actions and proceedings shall be heard in the said parts.

C. 2:8-48.12. Assignment of judges.

12. The president judge shall, immediately after he is qualified, assign one judge of said court to preside over and hold each part of such court which assignments shall be effective until December first following and, thereafter, said president judge shall annually make such assignments on or before December first in each year. Emergency assignments may be made at any time. In making assignments of judges, the president judge shall assign them so that no judge shall sit in any part for more than two successive months, except in case of emergency, under a system of complete rotation of said judges within said district during each year.

C. 2:8-48.13. Annual report.

13. The president judge shall, on or before the fifteenth day of December of each year, make report of the business of said court for the preceding twelve months to the board of chosen freeholders of the county, which report shall include a financial statement and a report of the number of actions instituted in said court and the number of actions disposed of by entry of judgment or otherwise and shall include also any recommendations as to changes in the clerical force of said court which, in the opinion of said president judge, may be needed. Such recommendations and any other recommendation, which in the opinion of the president judge will improve the organization of said court and contribute to the more effective administration of justice in the court, may be made by said president judge to the board of chosen freeholders at any time.

C. 2:8-48.14. Expenses paid by freeholders.

14. All salaries and other expenses of said court shall be paid by the board of chosen freeholders of the county, which board shall also provide suitable quarters, furnishings and equipment for said court in each of the places designated for the sitting of the court.

C. 2:8-48.15. Appointments.

15. When the Legislature shall enact any law creating and establishing any judicial district including all of the territory lying within the boundaries of any county of the first class, any officer or employee of the district court to be created under this act may be appointed or appointed and confirmed, as provided in this act, after the enactment of said law and prior to the date upon which such law shall become operative with the same force and effect as though such officer or employee were appointed or appointed and confirmed after the date upon which such law shall become operative.

16. This act shall take effect immediately.

Approved May 2, 1945.

CHAPTER 279

AN ACT creating and establishing the judicial district of the county of Essex; abolishing the district courts established in the municipalities and judicial districts in said county and the judicial districts established in said county, and all offices, positions and employments of, or incident to, said courts; providing for the transfer of all causes pending and undisposed of in the courts so abolished; and providing for the maintenance of the district court for the district so created and established.

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

C. 2:8-4.11. Essex county judicial district.

1. All of the territory lying within the boundaries of the county of Essex be and the same hereby is created and established to be the Essex county judicial district and the provisions of law concerning district courts, so far as the same may be applicable, shall apply to the district hereby created and established.

C. 2:8-4.12. Courts abolished.

2. The first district court of the city of Newark, the second district court of the city of Newark, the district court of the city of Orange, the district court of the city of East Orange, the district court of the first judicial district of the county of Essex and the district court of the second judicial district of the county of Essex, and all offices, positions and employments of, or incident to, said courts, and the first judicial district of the county of Essex and the second judicial district of the county of Essex, hereby are abolished.

C. 2:8-4.13. Records transferred.

3. All judgments and causes pending and undisposed of in any of said courts at the time this act becomes operative, together with all books, documents, books of account and all other data apper-

taining thereto, shall be transferred to, and taken over by, the district court of the district hereby created and established, there to be proceeded with in accordance with law.

C. 2:8-14.14. Maintenance.

4. The board of chosen freeholders of the county of Essex shall provide for the maintenance of said district court for the district in this act created and established.

C. 2:8-14.15. Effective.

5. This act shall take effect immediately but shall remain inoperative until the first day of July succeeding the date of its enactment.

Approved May 2, 1945.

CHAPTER 280

AN ACT to authorize the board of chosen freeholders of any county of the first class to make provision for the payment of the salaries and expenses of a district court for a judicial district including all of the territory lying within the boundaries of the county upon, and after, the establishment of such a judicial district within the county.

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

C. 2:8-48.16. Appropriation for courts.

1. In any county of the first class in which there shall be established a judicial district, which shall include all of the territory lying within the boundaries of the county, the board of chosen freeholders of the county shall appropriate annually, in their annual budget, such moneys as in their judgment are necessary to provide for the salaries and other expenses of the district court of such judicial district.

2. If upon the establishment of such judicial districts, the board of chosen freeholders shall have made no provision in its annual budget for that fiscal year for payment of such salaries and expenses, for the remainder of such fiscal year, said board may appropriate and use any county funds not otherwise appropriated or dedicated, or may appropriate and raise such funds as may be necessary for such purposes for the remainder of such fiscal year, and may borrow the same, or any part thereof, on the credit of the county and may issue obligations therefor in the same manner as other similar obligations are issued under the provisions of Title 40 of the Revised Statutes.

C. 2:8-48.17. May appropriate funds not otherwise appropriated.

3. This act shall take effect immediately.

Approved May 2, 1945.

CHAPTER 281

AN ACT providing for the retirement of certain clerks and deputy clerks of district courts of any judicial district which includes all of the territory within the boundaries of a county of the first class, and supplementing subtitle three of Title 3 of the Revised Statutes.

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

1. When the clerk or deputy clerk of any district court of a judicial district, which includes all of the territory within the boundaries of a county of the first class, shall have been for thirty years continuously in such public office or position and in the public office or position of clerk of a district court of a city of the first class within such county and shall have reached the age of sixty-five years, the board of chosen freeholders of said county shall

C. 43:9A-1. Retirement of clerk.

allow his retirement from service upon his own request; *provided,* such clerk or deputy clerk has complied with the provisions of this act.

Proviso.

C. 43:9A-2. Retirement of clerk because of disability.

2. Any clerk or deputy clerk of a judicial district which includes all of the territory within the boundaries of a county of the first class who shall have been for twenty-five years continuously in such office or position and in the office or position of clerk of a district court of a city of the first or second class within said county, who shall have reached the age of sixty years and become incapacitated for service in such office or position, which physical or other disability shall have developed during his term of service in either office or position, may be retired from service for these reasons upon informing the president judge of the court wherein he is serving or upon such information being given in his behalf of his desire to do so and of his disability; *provided,* such clerk or deputy clerk has complied with the provisions of this act. If the judge finds that disability exists, he shall appoint a physician of skill and repute in his profession, and resident in this State, who shall examine the person proposed for retirement and report on his physical condition or other disability and as to whether, in all probability, if he finds the disability existent, it will continue permanently and does and will prevent the applicant from properly performing his duties. Upon receipt of the physician's report, the judge shall certify and send it to the finance officer of the county, there to remain of record. Thereupon the applicant may file his resignation in such office and shall be entitled to the benefit of this act.

Proviso.

Examination by physician.

Resignation.

C. 43:9A-3. Pension.

3. A person so retired shall be entitled to receive, for and during his natural life, a pension of such sum as the board of chosen freeholders determines by resolution, but not less than one-half of the salary then being received by him for the service. The pension shall be paid in the same manner and in the same installments as his salary was theretofore payable.

C. 43:9A-4. Determining years of service.

4. In determining the years of service of any such clerk or deputy clerk for the purposes of this act, the years of service of such person as clerk of a district court of a city of the first class or a city of the second class, as the case may be, within such county, prior to the date when this act becomes operative, shall be counted.

C. 93:9A-5. Provision for pensions.

5. Provision for all pensions arising under this act shall be made in the appropriation or tax levy of the county in which such person is employed at the time of retirement; *provided, however,* that the county so paying such pension shall be entitled to reimbursement by the municipality in which such person was previously employed in proportion to the years of service for which prior service credit has been allowed. The treasurer of the county shall annually ascertain the proportionate share due on account of such pension from each municipality in which such person was previously employed, and shall submit to such municipality a statement of the amount necessary to be appropriated by the municipality for payment of such proportionate share. Upon receipt of the statement from the county treasurer disclosing the proportionate share of the cost of any such pension to which the county is entitled to reimbursement by reason of payment of such pension, the governing body of such municipality shall make provision in the annual appropriation or tax levy of such municipality and forward its proportionate share as disclosed by the statement to the county treasurer.

Proviso.

C. 43:9A-6. Deduction for pension.

6. Any person who desires to take advantage of the benefits of this act shall file with the county treasurer, upon his appointment as clerk or deputy clerk of any district court of the judicial district which includes all of the territory within the boundaries of the county of the first class, an authorization, in writing, to such county treasurer for the deduction of three per centum (3%) of the amount of his salary during his continuance as clerk or deputy clerk of such district court, and thereafter there shall be deducted from every payment of sal-

Amount.

ary to such person three per centum (3%) of the amount thereof, so long as he shall remain in such public office or position or until his retirement under this act, for the use of the county.

C. 43:9A-7. Pension not to cease.

7. No pension shall cease or become invalid by reason of the abolition of the office in which such person had previously served or any change in title.

C. 43:9A-8. Effective.

8. This act shall take effect immediately, but shall remain inoperative until the first day of July succeeding the date of its enactment.

Approved May 2, 1945.

CHAPTER 282

AN ACT authorizing the municipalities of New Jersey to acquire land for use as a public golf course and other recreational facilities, and to improve, maintain, and operate the same.

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

C. 40:61-22.6. Public golf course.

1. The governing body of any municipality may lease, or may acquire, in fee or less estate, by gift, devise, grant or purchase any land or real estate and rights therein, improved or unimproved, within or without the municipality, for use as a public golf course, and for such other recreational, playground, or public entertainment purposes and activities as it may determine to provide in connection therewith.

C. 40:61-22.7. May construct golf course.

2. The governing body of any municipality may preserve, care for, lay out, construct, maintain, improve, and operate any land or real estate it may acquire for use as a public golf course and for such other recreational, playground, or entertainment purposes and activities as it may determine to pro-

vide in connection therewith. It may construct, reconstruct, alter, provide, renew, and maintain such buildings or other structures and equipment as it may determine, and provide for the care, custody, and control thereof.

C. 40:61-22.8. Money raised by taxation.

3. The money necessary to pay for the lands, rights, or interest therein acquired for a public golf course and for such other recreational, playground, or public entertainment purposes and activities as the governing body of the municipality may determine, and for improving and equipping the same may be raised by taxation or by the issuance of permanent or temporary loan bonds, or by both taxation and the issuance of bonds. Such bonds shall be issued in accordance with the provisions of article one of chapter one of Title 40 of the Revised Statutes (§§40:1–1 et seq.). Such bonds may be regarded as having been authorized for a self-liquidating purpose, and the provisions of sections 40:1–77, 40:1–78 and 40:1–79 of the Revised Statutes shall apply to such bonds, except that the Local Government Board shall make the determinations therein required of the Board of Public Utility Commissioners.

C. 40:61-22.9. Board of commissioners.

4. The governing body of any municipality may provide by ordinance for the appointment of a board of commissioners to consist of not more than five residents of the municipality who shall have general supervision and control over the maintenance, operation, and regulation of any such public golf course, and of all forms of recreation, playground, and public entertainment activities carried on in connection therewith. The members of such commission shall serve without compensation but their necessary expenses shall be allowed and paid by the municipality.

C. 40:61-22.10. Annually appropriate money.

5. The governing body of any municipality may annually appropriate money to be raised by taxation to develop, maintain, and operate a public golf course and all forms of recreation, playground, and public entertainment activities carried on in connection therewith.

C. 40:61-22.11. Fees.

6. The governing body of any municipality may establish, charge, and collect reasonable fees, rents or other charges for admission to, use or enjoyment of any property developed or used in whole or in part for a public golf course. And it may establish, charge, and collect reasonable fees, rents or other charges for any recreational privilege, entertainment, or other activity conducted on said premises or any part thereof.

C. 40:61-22.12. Make rules.

7. The governing body of any municipality may by ordinance make, alter, amend, and repeal rules and regulations for the supervision, regulation and control of all activities carried on, conducted, sponsored, arranged, or provided for in connection with a public golf course, and for the protection of property, and may prescribe and enforce fines and penalties for the violation of any such rule or regulation.

C. 40:61-22.13. Violation of rules.

8. The magistrate having jurisdiction over actions for the violation of other municipal ordinances shall have jurisdiction in actions for the violation of any such rule or regulation. The rules and regulations shall be enforced by the same proceedings and processes, and the practice for the enforcement thereof shall be the same as that provided by law for the enforcement of other ordinances of the municipality.

C. 40:61-22.14. Fines.

9. All moneys collected either as fines or penalties for violation of a rule or regulation shall become part of the funds of the municipality.

10. This act shall take effect immediately.

Approved May 2, 1945.

CHAPTER 283

AN ACT concerning change of names, and supplementing chapter sixty-seven of Title 2 of the Revised Statutes.

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

C. 2:67-8. Correction of birth record.

1. Upon the receipt of a certified copy of an order permitting a change of name, and a request for correction of an existing record of the birth or marriage of the individual, the State Registrar of Vital Statistics or local registrar of vital statistics shall adjust the record or records to show the new name and the date and manner by which obtained. When the request and such copy are received by a local registrar, he shall forward them to the State registrar after having adjusted his local record. The fee to be paid a local registrar or the State registrar for such service shall be one dollar ($1.00). Any certified copy of a record changed as provided for in this act shall show the name at birth or marriage and the new name and date and manner by which obtained.

Fee.

2. This act shall take effect immediately.

Approved May 2, 1945.

CHAPTER 284

AN ACT concerning motor vehicles and traffic regulations of certain semipublic or private roads, streets, driveways, trails, terraces, bridle-paths, parkways or other roadways owned by public or semipublic corporations not for pecuniary profit and open to or used by the public for purposes of vehicular travel, and supplementing subtitle one, Title 39, of the Revised Statutes.

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

C. 39:5A-1. Filing request.

1. Upon the filing of a written request by the board of trustees of any corporation or other institution of a public or semipublic character not for pecuniary profit, incorporated under Title 15 of the Revised Statutes, with the clerk of any municipality of this State within which the property of such institution is situate, that the provisions of subtitle one, Title 39, of the Revised Statutes shall be made applicable to the semipublic or private roads, streets, driveways, trails, terraces, bridle-paths, parkways or other roadways open to or used by the public and the members of such institutions for purposes of vehicular travel by permission of such institutions and not as matter of right, the provisions of subtitle one, Title 39, of the Revised Statutes, shall, in the discretion of the municipal authorities vested with the police powers in the locality within which the property of such institutions is situate, and with the approval of the Commissioner of Motor Vehicles of this State, be made applicable thereto. Such written request shall contain the name and post-office address of the institution and shall designate with reasonable accuracy the semipublic or private roads, streets, driveways, trails, terraces, bridle-paths, parkways or other

Approval by commissioner of motor vehicles.

roadway open to or used by vehicular traffic, to be affected thereby.

C. 39:5A-2. Institution may rescind request.

2. Any such institution may rescind any request filed by it in conformity with the provisions of the foregoing section, by filing with the clerk of the municipality in which the original request was filed, a written rescission of such request, and thereupon the provisions of subtitle one, Title 39, of the Revised Statutes shall cease to be applicable to the road, street, driveway, trail, terrace, bridle-path, parkway or other roadway, used by vehicular traffic, set forth in such written rescission, effective as of the first day of January in the year next ensuing the filing of the said rescission; *provided, however,* that no rescission may be filed in the same year in which a request has been filed pursuant to section one of this act.

Proviso.

C. 39:5A-3. Filing request not to constitute dedication.

3. The filing of a written request, in pursuance of section one of this act, shall not be deemed to constitute a dedication to public use, of any such roads, streets, driveways, trails, terraces, bridle-paths, parkways or other roadways open to or used by vehicular traffic, nor shall it be construed to prevent such institutions, as owners of such property open to or used by the public for purposes of vehicular travel by permission of such institutions and not as a matter of right, from prohibiting such use or from requiring other or different or additional conditions than those specified in subtitle one, Title 39, of the Revised Statutes, or otherwise regulating such use as may seem best to such institutions.

4. This act shall take effect immediately.

Approved May 2, 1945.

CHAPTER 285

AN ACT to regulate elections, and amending section 19:23–8 of the Revised Statutes.

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

Section amended.

1. Section 19:23–8 of the Revised Statutes is amended to read as follows:

Number of signers to petition.

19:23–8. The petitions for candidates to be voted for by the voters of a political party throughout the entire State shall in the aggregate be signed by at least one thousand such voters; in the case of candidates to be voted for by the voters of a political party throughout a congressional district by at least two hundred of such voters; in the case of candidates to be voted for by the voters of a political party throughout a county by at least one hundred of such voters; in the case of candidates to be voted for by the voters of a political party throughout a municipality having a population in excess of fourteen thousand as ascertained by the last Federal census by at least fifty of such voters; in the case of candidates to be voted for by the voters of a political party throughout all other municipalities or any ward of any municipality by at least twenty-five of such voters; in the case of a candidate to be voted for by the voters of a political party within a single election district by at least ten of such voters.

In municipalities containing but one election district the petitions in the aggregate need not be signed by more than ten of such voters, and the number of signers to any such petition in any case need not exceed five per centum (5%) in number of the total vote cast at the last preceding election for members of the General Assembly in such municipality, ward or election district, as the case may be.

2. This act shall take effect immediately.

Approved May 2, 1945.

CHAPTER 286

AN ACT concerning hospital records and the right of examination thereof in certain cases.

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

C. 2:101A-1. Examination of records.

1. Any person against whom a claim is asserted for compensation or damages for personal injuries or death resulting from personal injuries, either under the Workmen's Compensation Act of the State of New Jersey, chapter fifteen of Title 34 of the Revised Statutes, or at law, or his insurance carrier, shall be permitted to examine the records of a hospital in reference to such injured or deceased person.

C. 2:101A-2. Permitted to examine hospital records.

2. Any person who has been injured, or his legal representative, who has asserted, or who is about to assert a claim for compensation or damages for personal injuries or death resulting therefrom, shall be permitted to examine the records of any hospital pertaining to the claim of such injured or deceased person.

C. 2:101A-3. Subject to rules and regulations.

3. The provisions of sections one and two hereof shall apply not only to such claimant, or person against whom such claim has been asserted and his insurance carrier, but also to their respective attorneys and duly authorized agents, subject to reasonable rules and regulations promulgated by any such hospital.

C. 2:101A-4. Employee not liable.

4. No hospital, and no officer or employee of any hospital shall be liable in any suit for damages in any court of law or in equity by reason of permitting the examination of such hospital's records under the provisions of this act.

C. 2:101A-5. Hospital defined.

5. For the purpose of this act, a hospital shall be defined as any association, corporation or other institution maintaining a hospital for public use in this State, supported in whole or in part by private

charity, or owned, operated and maintained by any individual, firm, corporation, municipal or county board or body, or the State of New Jersey.

6. This act shall take effect immediately.

Approved May 2, 1945.

CHAPTER 287

AN ACT to authorize the local board of health of any township, in its discretion, to order the retirement from the service, on a pension, of any health officer serving under appointment or employment by such local board and who has or shall have held public office or position under appointment or employment by such local board for twenty years continuously and has or shall have reached the age of eighty years; and supplementing chapter twelve of Title 43 of the Revised Statutes.

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

C. 43:12-57.1. Retirement on pension.

1. The local board of health of any township is authorized and empowered, in its discretion, to order the retirement from the service (on a pension as hereinafter provided) of any health officer serving under appointment or employment by such local board and who has or shall have held public office or position under appointment or employment by such local board for twenty years continuously and has or shall have reached the age of eighty years, notwithstanding any rights of tenure of office or position or protection from reduction in pay or position which such health officer may have acquired under any law of this State.

C. 43:12-57.2. Pension.

2. Any health officer who shall be retired from the service by the local board of health of any township under the provisions of this act shall receive from such local board for and during the remainder

of his natural life a pension of such sum as the local board may by resolution determine, not exceeding one-half of the regular salary then being received by him from the local board for his service as health officer. Such pension shall be paid in the same way and in the same installments as his regular salary was theretofore payable.

C. 43:12-57.3. Included in tax levy.

3. Provision for the payment of all pensions that may be authorized by the local board of health of any township under the provisions of this act shall be made in the appropriation or tax levy for such local board of health.

4. This act shall take effect immediately.

Approved May 2, 1945.

CHAPTER 288

AN ACT concerning the State Employees' Retirement System, and amending section 43:14–29 of the Revised Statutes.

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

Section amended.

1. Section 43:14–29 of the Revised Statutes is amended to read as follows:

Withdrawal; amount received.

43:14–29. 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 demands, 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 exceeds one-half of the accumulated deductions. 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

Amount withheld.

to redeposit that amount to the credit of his individual account in the fund.

Payment at death.

If a contributor dies 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. Such person as he shall have nominated may elect to receive the amount payable in one sum or in equal installments as an annuity certain over a period of years or as a life annuity, with interest computed at the rate of two per centum (2%) per annum.

2. This act shall take effect immediately.

Approved May 2, 1945.

CHAPTER 289

AN ACT to amend "An act concerning county detectives, and supplementing section 2:181–10 of the Revised Statutes," approved January twenty-fifth, one thousand nine hundred and thirty-nine (P. L. 1939, c. 5).

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

Section amended.

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

C. 2:181-13. Salary.

2. Such officer, when so appointed, shall receive a salary of not less than seventeen hundred dollars ($1,700.00) nor more than three thousand five hundred dollars ($3,500.00) per annum, payable in semimonthly installments by the county treasurer upon the certification of the prosecutor of the pleas and judge of the court of common pleas. Such officer shall be subject to removal by the prosecutor of the pleas with the consent of the judge of the quarter sessions of any such county.

Removal.

2. This act shall take effect immediately.

Approved May 2, 1945.

CHAPTER 290

AN ACT to amend "An act concerning elections, and supplementing Title 19 of the Revised Statutes," approved March thirty-first, one thousand nine hundred and forty-five (P. L. 1945, c. 68).

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 is amended to read as follows: Section amended.

2. In counties of the second class having a population of four hundred thousand or more where voting machines are used, the county clerk shall cause to be printed a sufficient number of official primary ballots and official primary sample ballots of each political party, and sufficient stamped envelopes for the mailing of such sample ballots in each election district at the times and in the manner and number as required by the provisions of Title 19 of the Revised Statutes, and shall furnish such official primary sample ballots and envelopes to the municipal clerks on the earliest possible date preceding the primary election. C. 19:23-22.2. Printing primary ballots.

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

3. In counties of the second class having a population of four hundred thousand or more where voting machines are used, the cost of printing of the official primary election ballots and primary election sample ballots and stamped envelopes shall be paid by the county but the county shall be reimbursed by the municipalities, each municipality paying such amount as shall be apportioned to it by the county clerk based on the proportion of the number of such official primary election ballots and primary election sample ballots and stamped envelopes required for use in such municipality. C. 19:23-22.3. Costs of printing primary ballots.

3. This act shall take effect immediately.

Approved May 2, 1945.

CHAPTER 291

AN ACT concerning juvenile and domestic relations courts, and amending section 9:18–5 of the Revised Statutes.

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

Section amended.

1. Section 9:18–5 of the Revised Statutes is amended to read as follows:

Appointment of judges.

9:18–5. The Governor, with the advice and consent of the Senate, shall appoint in each county of the first class, and in each county having a population of not less than three hundred five thousand nor more than three hundred seventy thousand may appoint a counsellor-at-law to be the judge of the juvenile and domestic relations court of the county.

Term.

The judge shall hold office for a term of five years and until his successor is appointed and confirmed. His salary shall be paid by the board of chosen freeholders in such amount as such board shall determine.

Not to engage in practice of law.

The judges in counties of more than eight hundred thousand inhabitants shall devote their entire time to their judicial duties and shall not engage in the practice of law.

Effective.

2. This act shall take effect May first, one thousand nine hundred and forty-five.

Approved May 3, 1945.

CHAPTER 292

AN ACT concerning the procedure for adoption of certain municipal ordinances, and amending section 40:49–6 of the Revised Statutes.

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

1. Section 40:49–6 of the Revised Statutes is amended to read as follows: Section amended.

40:49–6. Every ordinance providing for local improvements authorized by articles one and two of chapter fifty-six of this Title (§40:56–1 et seq.), or providing that all or a part of the cost of any work, acquisition of property, or improvement shall be assessed upon abutting land or lands specially benefited thereby (except sidewalks); or providing for the establishment or change of grade, or the vacation of any street, highway, lane or alley or portion thereof, or the vacation, as hereinafter defined, of any square, place or park, or any portion thereof, dedicated to the public, but which has not been accepted or opened by the municipality, shall be published in the manner required by section 40:49–2 of article two of this chapter, except that every such ordinance after being introduced and having passed a first reading shall be published at least once not less than ten days instead of one week prior to the time fixed for further consideration for final passage. Ordinance providing for improvements published.

At least one week prior to such time fixed for further consideration for final passage of such ordinance, a copy thereof, together with a notice of the introduction thereof, and the time and place when and where the ordinance will be further considered for final passage, shall be mailed to every person whose lands may be affected by the ordinance or any assessment which may be made in pursuance thereof, so far as the same may be Copy of notice mailed.

ascertained, directed to his last known post-office address.

Owner to file list of lands.

The owner of any lands may file with the clerk of the municipality, or other official designated by the governing body by resolution or ordinance, a list of lands owned by him with a post-office address to which notice shall be directed.

Failure to mail notice.

Failure to mail the notice herein provided for shall not invalidate any ordinance, proceeding or assessment.

2. This act shall take effect immediately.

Approved May 3, 1945.

CHAPTER 293

AN ACT to amend "An act to provide for the appointment of a conservator under certain circumstances for property of a person serving in or with the armed forces of the United States," approved April twenty-fourth, one thousand nine hundred and forty-four (P. L. 1944, c. 242).

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

Section amended.

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

C. 3:42A-1. Officially reported missing.

1. Whenever a person (hereinafter referred to as absentee), has been officially reported or listed as missing, as a result of the present war, or missing in action, or interned in a neutral country, or beleaguered, besieged or captured by an enemy, has an interest in any form of property in this State or is a legal resident of this State and has not provided an adequate power of attorney authorizing another to act in his behalf in regard to such property or interest, then, the orphans' court of the

county of such absentee's legal domicile or of the county where such property is situated, upon petition alleging the foregoing facts and showing the necessity for providing care of the property of such absentee, made by any person who would have an interest in the property of the absentee were such absentee deceased, upon an order to show cause directed to the next of kin of the absentee as provided by law for the administration of an estate and, in the case of real estate, to such other persons as would be the heirs at law of the absentee were the absentee deceased, or after notice to, or on receipt of proper waivers from, said next of kin and such other persons, may, after finding the facts to be as aforesaid, appoint a conservator to take charge of the absentee's estate, under the supervision and subject to the further orders of the court.

Appoint a conservator.

2. This act shall take effect immediately.

Approved May 3, 1945.

CHAPTER 294

AN ACT to prohibit the delivery of milk or cream within certain specified hours, and prescribing penalties for violation thereof.

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

1. No person, unincorporated firm, or corporation shall deliver, or cause to be delivered, by vehicle or otherwise any fluid milk or cream to the residence of any consumer, or to any store or other place of business of any purchaser where such fluid milk or cream is not intended for use and consumption on the premises to which the same shall be delivered, but is intended to be resold for use and consumption off the premises of said store or other

C. 24:10-22.1. Hours of delivery of milk.

place of business, except between the hours of 6:30 ante meridian and 6:00 post meridian of any day; Proviso. *provided, however,* that deliveries made prior to 6:30 ante meridian and after 6:00 post meridian as a result of conditions, circumstances or emergencies over which the said person, unincorporated firm or corporation has no control shall not be Proviso. deemed in violation of this act; *and provided further,* that deliveries made or caused to be made on Sundays and legal holidays not more than two hours prior to 6:30 ante meridian shall not be deemed in violation of this act. This act shall not apply to or affect the delivery of milk or cream to a pasteurization or receiving plant, nor shall this act apply to or affect any sales or deliveries made between any persons, unincorporated firms, or corporations, whose principal business is the buying and selling of fluid milk and cream.

C. 24:10-22.2. Penalty for violation. 2. A violation of this act shall render the violator subject to a penalty not exceeding a fine of twenty-five dollars ($25.00) or not exceeding thirty days imprisonment, or both, for the first offense, and not exceeding a fine of ($50.00) or not exceeding sixty days imprisonment, or both, for any subsequent offense. Violation of the provisions hereof by any employee of any person, unincorporated firm or corporation shall be prima facie proof of guilt of violation of this act by said person, unincorporated firm or corporation.

C. 24:10-22.3. Jurisdiction. 3. Any justice of the peace, any magistrate or recorder or any judge of the court of common pleas shall have jurisdiction to hear and determine any complaint for a violation of this act which may occur within the territorial limits of their jurisdiction and to assess the fines and levy the penalties described herein.

4. This act shall take effect October first, one thousand nine hundred and forty-five.

Approved May 3, 1945.

CHAPTER 295

AN ACT concerning the licensing and bond of dealers in milk and cream, and amending sections 4:12–1 and 4:12–19 of the Revised Statutes.

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

1. Section 4:12–1 of the Revised Statutes is amended to read as follows: Section amended.

4:12–1. As used in this article:

"Secretary" means the Secretary of Agriculture. Secretary.

"Station" or "milk gathering station" includes any established office where the business of buying milk or cream as provided for in this article, is carried on either with or without a place or premises in connection therewith for the physical handling of milk or cream, if such station or office is a suitable place for keeping such records and accounts and posting such notices and statements as are required or may be ordered under the provisions of this article, and for keeping for inspection, as hereinafter provided, a copy of the license under which the business is conducted. Station.

"Producers," "Creditors," "Persons who have sold milk or cream," shall include any agricultural co-operative association which deals only with its members and is organized pursuant to the provisions of chapter thirteen of this Title. Producers, creditors.

2. Section 4:12–19 of the Revised Statutes is amended to read as follows: Section amended.

4:12–19. A person who shall conduct the business of buying milk or cream for the purposes set forth in section 4:12–2 of this Title, without being licensed so to do, shall be liable to a penalty of twenty-five dollars ($25.00) for the first offense and fifty dollars ($50.00) for the second and each subsequent offense, each day's receipts of milk to con- Conducting business without license.

stitute a separate violation, to be sued for and recovered in an action at law by and in the name of the Secretary of Agriculture.

3. This act shall take effect immediately.

Approved May 3, 1945.

CHAPTER 296

AN ACT to amend "An act concerning criminal procedure, and supplementing subtitle fourteen of Title 2 of the Revised Statutes," approved April twenty-eighth, one thousand nine hundred and forty-one (P. L. 1941, c. 70).

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

Section amended.

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

C. 2:178-7.4. Acquittal money returned.

4. If the trial or other ultimate disposition of such charge or charges, indictment or indictments, result in an acquittal or other final termination of such proceedings in favor of the person or persons so arrested, as aforesaid, in connection with which arrest the said money, currency or cash was seized or captured, as aforesaid, then, the person or persons claiming to own the said money, currency, or cash, may within six months from the date of such acquittal or other final termination, in addition to any other remedy now provided by law, make application, on giving ten days' prior notice thereof to said county treasurer, to a judge of the court of oyer and terminer or quarter sessions of said county, for an order declaring such money, currency, or cash to be the property of such person or persons, and ordering the same to be returned by the said county treasurer. At any time after the

Notice.

expiration of said period of six months from the date of acquittal or other final determination, the county treasurer may make application without prior notice to a judge of the court of oyer and terminer or quarter sessions of said county, for an order declaring and ordering that such money, currency or cash, in the custody of the county treasurer, be forfeited to the sole use and gain of the county; *provided, however,* that proof, to the satisfaction of the court, shall first be established that no suit or proceeding then pending and undetermined, has been filed in any court of competent jurisdiction, seeking recovery. Proviso.

2. This act shall take effect immediately.

Approved May 3, 1945.

CHAPTER 297

AN ACT concerning townships, and amending section 40:146–14 of the Revised Statutes.

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

1. Section 40:146–14 of the Revised Statutes is amended to read as follows: Section amended.

40:146–14. In townships where the members of the township committee are not paid annual salaries each committeeman shall be allowed and paid five dollars ($5.00) for each day he shall be actually necessarily employed in discharging the duties of his office, but the aggregate annual compensation of each member shall not exceed six hundred dollars ($600.00). Compensation.

2. This act shall take effect immediately.

Approved May 3, 1945.

CHAPTER 298

AN ACT to validate certain deeds heretofore made to and accepted by cemetery associations.

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

Validating conveyances.

1. No deed or conveyance heretofore made to or accepted by any cemetery association, where such deed was taken in satisfaction of an indebtedness due to such association, and no title in such association under such deed or conveyance shall be invalid because of the fact that the certificate of incorporation of said association, or the statute under which said association was formed, does not confer upon such association the power to hold real estate outside the county in which it is incorporated, or adjoining counties or for purposes other than cemetery purposes.

2. This act shall take effect immediately.

Approved May 3, 1945.

CHAPTER 299

AN ACT relating to the Teachers' Pension and Annuity Fund, and amending sections 18:13–52 and 18:13–77 of the Revised Statutes.

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

Section amended.

1. Section 18:13–52 of the Revised Statutes is amended to read as follows:

Retirement age.

18:13–52. Any present-entrant, irrespective of his age, who so desires and who has had thirty-five years of service as a teacher to his credit, the last twenty-five years of which service shall have been performed in this State, shall be retired from active

service and shall receive all the benefits of this article as now provided for members over the age of sixty-two years as if such member were over the age of sixty-two years; excepting that such retirement allowances, other than the additional pension provided by paragraph "d" of section 18:13–54 of this Title shall not exceed one-seventieth the average of the salary of such member, for the last five years, for each year of service.

Section amended.

2. Section 18:13–77 of the Revised Statutes is amended to read as follows:

Deduction from compensation.

18:13–77. In lieu of any part of the deduction from compensation hereinbefore required, any new-entrant may deposit in the annuity savings fund by a single payment such an amount as will be sufficient to permit him to contribute the rate of contributions applicable to an earlier entrance age.

Payment of lump sums.

In lieu of any part of the deduction from compensation hereinbefore required, any present-entrant who became a member of the retirement system on or before July first, one thousand nine hundred and twenty-two, may pay into the fund in a lump sum all of the contributions which had he been a member from September first, one thousand nine hundred and nineteen, he would have been required to pay from September first, one thousand nine hundred and nineteen, to the date of the commencement of his membership.

Single payment.

In addition to the deductions from compensation hereinbefore required any contributor may redeposit in a single payment an amount equal to the total amount which he withdrew therefrom as provided in this article, or he may deposit therein by a single payment an amount computed to be sufficient together with the retirement allowance otherwise provided, to provide for him a total retirement allowance of one-half of his final salary at the age of sixty-two.

Accumulated deductions.

Such additional amounts so deposited shall become a part of his accumulated deductions.

3. This act shall take effect immediately.

Approved May 3, 1945.

CHAPTER 300

AN ACT creating the Bergen-Hackensack sanitary sewer district, creating an authority to manage the same, and prescribing the powers and duties thereof and of other public bodies in connection with the construction and operation of sewers and sewage disposal facilities in said district, and providing ways and means for paying the costs of construction and operation thereof, and to repeal chapter fifteen of Title 58 of the Revised Statutes.

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

ARTICLE I

CREATION OF THE BERGEN-HACKENSACK SANITARY SEWER DISTRICT

C. 58:15A-1. Creation of sewer district.

1. All those municipalities now or hereafter existing, all or parts of which are situated and lie within the natural drainage area of the Hackensack river and its tributaries between the boundary line of Hudson county and Bergen county and the boundary line between the State of New Jersey and the State of New York, of which those now existing are as follows: the city of Englewood, the city of Hackensack, the borough of Fairview, the borough of Cliffside Park, the borough of Fort Lee, the borough of Englewood Cliffs, the borough of Tenafly, the borough of Alpine, the borough of Norwood, the borough of Rockleigh, the borough of Northvale, the borough of Ridgefield, the borough of Palisades Park, the borough of Leonia, the borough of Bogota, the borough of Bergenfield, the borough of New Milford, the borough of Dumont, the borough

of Cresskill, the borough of Haworth, the borough of Demarest, the borough of Closter, the borough of Harrington Park, the borough of Old Tappan, the borough of Montvale, the borough of Woodcliff Lake, the borough of Park Ridge, the borough of Hillsdale, the borough of Westwood, the borough of Emerson, the borough of Oradell, the borough of Paramus, the borough of River Edge, the borough of Maywood, the borough of Hasbrouck Heights, the borough of Teterboro, the borough of Wood-Ridge, the borough of Carlstadt, the borough of Little Ferry, the borough of Lodi, the borough of Moonachie, the borough of East Rutherford, the borough of Rutherford, the borough of North Arlington, the township of Teaneck, the township of River-Vale, the township of Washington, the township of South Hackensack, the township of Lyndhurst, and the village of Ridgefield Park, in the county of Bergen, shall be and hereby are constituted a sewerage district under the name and title of Bergen-Hackensack Sanitary Sewer District (hereinafter referred to as the "sewer district").

C. 58:15A-2. Bergen-Hackensack sanitary sewer district authority.

2. There is created hereby the Bergen-Hackensack Sanitary Sewer District Authority (hereinafter referred to as "authority") which shall consist of five members (hereinafter sometimes referred to as "commissioners") who shall be appointed by the board of chosen freeholders of the county of Bergen. The commissioners first appointed shall hold office, one for one year, one for two years, one for three years, one for four years and one for five years. Upon the expiration of the term of office of any commissioner, his successor shall be appointed by the board of chosen freeholders of the county of Bergen for the term of three years. Any vacancy occurring by death, resignation or otherwise, shall be filled for the unexpired term only, in the same manner in which the original appointment was made.

Commissioners term.

C. 58:15A-3. Resident voters within district.

3. The members of the authority shall be resident voters within the sewer district, and shall each take an oath of office, which shall be filed with the clerk

of the board of chosen freeholders of the county of Bergen, and may each receive an annual salary, fixed as provided in this section, payable in equal monthly installments, and they shall receive no other compensation than that herein provided. Until the beginning of the second fiscal year of the authority, as determined by section forty-four, the salaries, if any, of the members of the authority shall be fixed annually for a period of not more than one year by the board of chosen freeholders of said county. In January of such second fiscal year, said board shall fix such salaries, if any, for the unexpired term of office of such members, and thereafter the salary if any of each member, for his term of office, shall be fixed by said board at the time of his appointment. Such salaries, if any, shall be paid by the authority.

Salaries.

C. 58:15A-4. Removal of member.

4. Any member of the authority may be removed for cause by the board of chosen freeholders of said county, after notice and hearing, and no member shall continue to serve as a member unless he continues to be a resident voter within the sewer district.

C. 58:58A-5. Member not interested in any contract.

5. No member of the authority shall be directly or indirectly interested in any contract made under the provisions of this act, nor in the furnishing of materials or supplies therefor to any person or corporation, nor in the furnishing of security for the performance of any such contract. If at any time it shall appear to the satisfaction of the board of chosen freeholders of the county of Bergen, that any member of the authority is violating or has violated the provisions of this section, either directly or indirectly or by reason of ownership of stock in any corporation, or that he is the owner of any lands or rights and interests in lands taken or to be taken and used in or for any construction under the provisions of this act, or is a stockholder in any corporation owning or leasing such lands, or rights and interests in lands, it shall be the duty of said board of chosen freeholders to remove such member of the authority forthwith, and all contracts made by the

authority wherein any such member shall have been interested, directly or indirectly, as aforesaid, shall thereupon be voidable at the option of the authority, and payments on account thereof may be stopped by the authority; *provided, however,* that the residence of any member of the authority in, or his capacity as any official or officer in the government of, or his liability to pay taxes, assessments or other charges to, the State, or any political subdivision thereof, or any like facts or circumstances, shall not be deemed to make him interested within the meaning, terms and provisions of this section.

C. 58:15A-6. Election of chairman.

6. The authority shall, at the earliest practicable time after the appointment of its first members, and annually thereafter, meet and organize by the election of a chairman and a vice-chairman who shall be members of the authority and shall serve for the current year and until their respective successors are appointed.

C. 58:15A-7. Quorum.

7. Three members shall constitute a quorum for the transaction of business at any meeting of the authority, and the affirmative vote of three members shall be necessary for the taking of any action. The meetings of the authority shall be public. The authority may adopt by-laws and rules and regulations for the conduct of its business and meetings, and shall cause full records to be kept of its proceedings, which shall be open to public inspection on reasonable notice, and at reasonable times.

C. 58:15A-8. Secretary and treasurer.

8. The authority shall appoint a secretary and a treasurer and may appoint such assistant officers as may be necessary, none of whom shall be a member of the authority. Each of said officers shall give bond to the authority, conditioned for the faithful performance of the duties of his office, in such sum and with such surety as the authority may approve, and shall perform such duties as the authority may prescribe.

C. 58:15A-9. Term of secretary.

9. The term of office of the secretary shall be three years. He shall keep a record of all the proceedings and transactions of the authority and shall have charge of the seal of the authority and shall

affix it to such instruments as shall be designated by the authority. He shall prepare the annual report of the authority and perform such other duties as the authority may from time to time require. He shall receive an annual salary to be fixed and determined by the authority.

C. 58:15A-10. Term of treasurer.

10. The term of office of the treasurer shall be three years. He shall have charge and custody of all moneys and securities received, owned or held by the authority. He shall keep an accurate record and account of the receipts, disbursements and deposits of all such moneys and securities and shall invest, deposit, dispose of, disburse and pay out the same at such times and in such manner as the authority may direct by written resolution and under such rules and regulations as it may from time to time establish. He shall receive an annual salary to be fixed and determined by the authority.

C. 58:15A-11. Secretary and treasurer.

11. The authority may appoint one person to act as both secretary and treasurer, who shall receive such compensation as may be fixed and determined by the authority.

C. 58:15A-12. Duties of chairman.

12. The chairman shall preside at all meetings of the authority, and shall, with the treasurer, sign all checks, drafts, notes, requisitions of funds, contracts and other agreements and obligations of the authority. In the absence or incapacity of the chairman, the vice-chairman shall for the time being have all the powers and perform all the duties of the chairman. Any moneys of the authority may be deposited with the State Treasurer, as agent of the authority, who shall receive such moneys and shall not commingle such moneys with any other moneys whatsoever, and shall pay the same out on requisition of the authority. No disbursements shall be made, except upon the affirmative vote of three members of the authority. All disbursements by the authority shall be by check, signed by both the chairman and treasurer. In the absence or incapacity of the secretary or treasurer, and at such other times as the authority may prescribe or approve, some other person shall be designated by the

authority to act as such secretary or treasurer who shall have all the powers and perform all the duties of the secretary or treasurer.

Investment of funds.

The authority may invest any of its moneys in securities of the United States Government having a maturity of less than five years from the date of purchase of such securities.

C. 58:15A-13. Depository.

13. The authority may select, as depository or depositories wherein all public moneys and other funds of the authority shall be deposited, any bank organized under the laws of the United States, having its place of business in this State, or any bank or trust company organized under the laws of this State. The designation of such depository or depositories shall be by resolution of the authority. The authority or any of its employees charged with custody of such public funds shall thereafter, in accordance with the resolution provided aforesaid, deposit such funds or other moneys belonging to the authority, only in the depository or depositories so named, and upon so depositing in good faith such funds or moneys such employee shall be relieved of any liability for loss of such funds or moneys which may be due to the insolvency or closing of such depository or depositories.

C. 58:15A-14. Receipts and expenditures.

14. The authority shall at all times keep or cause to be kept full and accurate accounts of its receipts and expenditures, and of its resources and liabilities, and shall prepare or cause to be prepared detailed annual statements thereof, and shall employ the services of the Division of Local Government of the State Department of Taxation and Finance or of a competent registered municipal accountant, who is also a certified public accountant of New Jersey, to audit, annually, the books, accounts and statements of the authority, and shall cause copies of said annual audits, when completed, to be preserved as part of its permanent records and shall transmit certified copies of such audits to the board of chosen freeholders of said county.

C. 58:15A-15. Liability of bonds.

15. The members of the authority, the secretary and treasurer and the sureties on their bonds, shall

be liable to any interested person or body in the same manner and to the same extent as are the members and officers of any public body, and the sureties on their bonds.

C. 58:15A-16. Counsel.

16. The authority may employ counsel to serve at its pleasure and may fix a reasonable compensation for his services.

C. 58:15A-17. Employees.

17. The authority shall have power to hire and furnish with suitable equipment, the necessary office facilities for the transaction of its business; to employ all necessary clerical assistance and the services of such agents, employees, workmen and servants as it may deem necessary or proper; to fix and determine the duties and compensation of persons employed by it, and to remove or discharge such persons, or any of them, at pleasure.

C. 58:15A-18. Engineers.

18. The authority shall have power, in its discretion, to engage, or to contract for, the services of competent engineers or engineering firms, and to do all other acts and things as may in the judgment of the authority be necessary or proper to effectuate and carry out the plan and purposes of this act, but such contract and employment shall not be for a longer period of time than five years; *provided, however,* that this provision shall not preclude the authority from extending any such contract and employment for a period of not exceeding five years from the date of such extension.

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C. 58:15A-19. Authority body politic.

19. Said authority shall be and is hereby constituted a body politic and corporate, with perpetual succession as a governmental instrumentality for the purpose, among others, of the protection of the public safety, health and welfare, with power to sue and be sued, to adopt and use a corporate seal, to borrow money or contract debt, to issue negotiable bonds, and to provide for the rights of the holders thereof, and with the right, power and authority to acquire, use, hold and dispose of all property, real and personal, and to make and to perform all contracts and do all acts and things and with all other powers proper or necessary to design, finance, construct, acquire and operate as hereinafter provided,

such a system of trunk, intercepting and outlet sewers, pumping and ventilating stations, treatment plants and other plants and structures (hereinafter sometimes referred to as the "district sewer system") as in its judgment will provide the most effectual and advantageous plan or method for relieving the Hackensack river, and its tributaries and other rivers and streams, whether navigable or otherwise, within the sewer district, from pollution and for preventing pollution of the same, and for carrying out and effectuating the purposes and plan herein provided for. The word "sewage" when used in this act shall be deemed to include industrial wastes and other matter having a tendency to pollute streams and watercourses when discharged therein.

C. 58:15A-20. Separate corporate entity.

20. The authority shall be a separate corporate entity, and the bonds and other obligations of the authority shall not be in any way a debt of the State or of any county or municipality, and shall not create any indebtedness or obligation, either legal, moral or otherwise, of the State or of any county or municipality, nor shall the State or any county or municipality be liable thereon, nor shall such bonds or other obligations be payable out of any funds other than those of the authority, and nothing in this act contained shall be construed to authorize the authority to incur any indebtedness on behalf of or in any way to obligate the State or any county or municipality, except to the extent, if any, provided in any contract entered into by any municipality, pursuant to the provisions of this act.

C. 58:15A-21. Pledge of State.

21. The State of New Jersey does pledge to and agree with the holders of any bonds authorized to be issued pursuant to this act, that the State will not authorize the construction or maintenance of any system of trunk, intercepting and outlet sewers, pumping and filtering stations, works or other plants, or structures, which will be competitive with the district sewer system, nor will it limit or alter the rights hereby vested in the authority or in any municipality to make, perform and enforce con-

tracts entered into pursuant to this act, so as to produce sufficient revenue to meet the expense of maintenance and operation of the district sewer system and to fulfill the terms of any agreements made with the holders of such bonds, or in any way impair the rights and remedies of such holders until the bonds, together with interest thereon, and with interest on any unpaid installment of interest, and all costs and expenses in connection with any actions, suits or proceedings by or on behalf of such holders, are fully met and discharged. Nothing in this section or act, or done pursuant thereto, shall, however, affect or limit in any way the rights or powers of the Passaic Valley Sewerage Commissioners or the rights or powers of any municipality, any part of which is situated and lies within the natural drainage area of the Passaic river or its tributaries, to enter into and perform contracts with such commissioners, or be deemed to prohibit any municipality or municipalities, which shall not have entered into a contract for sewage disposal with the authority, as herein set forth, from constructing its or their own sewage disposal plant, plants or joint plants in accordance with the provisions of section twenty-eight.

C. 58:15A-22. Contracts of authority.

22. The authority may enter into contract with adjacent authorities, commissions, counties or other similar bodies, to convey to a point of treatment and to treat the sewage of said bodies or to have said bodies convey to a point and to treat the sewage of said authority, whenever a plan of joint action is found to be necessary and proper by the authority.

C. 58:15A-23. Construction and financing.

23. The authority shall have full power, authority and responsibility to do or to cause to be done, all acts and things necessary or proper in the designing, financing, construction, acquisition, maintenance and operation of the district sewer system, as authorized by this act, including but in no way limited to the negotiation and execution of all the various contracts hereinafter mentioned, the preparation of estimates, designs, working drawings

and forms of contracts for construction work and permanent record drawings of completed construction work and property acquired, the supervision of all engineering and construction work, and the management and direction of the forces engaged in the construction or operation of said sewer system.

C. 58:15A-24. Reasonable use of lands.

24. In the performance of the duties imposed upon it by law, the authority may, by its experts, engineers, officers, agents, employees, workmen and servants, enter at all times upon any lands or waters public or private, and make such reasonable use thereof as the authority may deem necessary or proper.

C. 58:15A-25. Notice of purchase of supplies.

25. Whenever any work or labor to be done or materials or supplies to be purchased for the construction or operation of said district sewer system or any part thereof shall involve the expenditure of a sum of money exceeding one thousand dollars ($1,000.00), the authority shall prepare and file in its office particular and detailed specifications of and a form of contract for such work, labor, materials or supplies, and shall cause notice thereof and of the time when the authority will meet at its office or designated place of business to receive and consider proposals in writing to enter into a contract with the authority for the performance of such work and labor or the furnishing of such materials and supplies, to be given by advertisement inserted and published at least ten days before the time of such meeting in at least two newspapers, one of which shall be published and printed in the county seat of said county. All proposals so received shall be publicly opened by the authority at the time and place designated in such notice, and the contract shall be awarded to the lowest responsible bidder. All persons or corporations entering into a contract with the authority, as provided in this section, may, in the discretion of the authority, be required to give bond to the authority for the full and faithful performance of such contracts, in such penal sum and with such

good and sufficient surety or sureties as the authority may approve.

C. 58:15A-26. Plans submitted to State board.

26. Before construction of any kind whatsoever is commenced under any contract or otherwise, the plans and specifications for such construction shall be submitted to the State Board of Health for approval as a sanitary measure, and a permit shall be obtained from said department to proceed with the work. A reasonable portion of the contract price for the construction of any work shall be retained by the authority until such work has been completed, and the final payment to the contractor shall not be made until such construction shall receive the approval of the State Board of Health as to its condition and prospective sanitary operation.

C. 58:15A-27. Contractors to conform to regulations.

27. The authority may require any and all contractors to conform to such regulations as it may impose with regard to the kind and quality of materials to be furnished, the kind of labor to be employed, and the hours of such employment, and other similar matters, including any and all such requirements which may be imposed by any agency of the Federal or State Government or any other individual, corporation or institution in connection with the purchase of any bonds or other obligations issued pursuant to this act, or any grant made by such agency to the authority.

C. 58:15A-28. Consent of authority.

28. After the appointment of the members of the authority no municipality in the sewer district shall enter into a contract or other agreement for the construction or operation of a sewage disposal plant or any other sewerage facilities for the use of more than one municipality, except with the prior written consent and approval of the authority; *provided, however,* that the foregoing provision may be changed by law and shall not prohibit contracts with the Passaic Valley Sewerage Commissioners.

Proviso.

Article II

Duties of the Authority

C. 58:15A-29. Project report.

29. The authority shall with all practicable speed prepare or cause to be prepared a project report together with maps, designs and costs and other estimates, which shall show a proposed plan or method of construction of the district sewer system. In its discretion, the authority may defer consideration of and action regarding parts of the district sewer system. In such event, it may proceed under this act with action regarding and consideration and completion and operation of the remaining part or parts, and, as used in this and following sections of this act, the term "district sewer system" shall mean such remaining part or parts.

C. 58:15A-30. Contents of project.

30. The project report, maps, designs and estimates provided for in the preceding section shall also show:

(a) The location and route of the proposed district sewer system, including trunk, intercepting and outlet sewers, treatment plants, pumping stations and other plants and structures.

(b) The location and route of existing sewer systems, treatment plants and like plants and structures, within the said sewer district, and proposed points of connection thereof, with the proposed district sewer system.

(c) Records or estimates, in millions of gallons per annum, of the amount of sewage which could advantageously be discharged into the proposed district sewer system by each and every existing municipal or private sewer system within the said district.

(d) An estimate of a specified minimum percentage part or parts of the millions of gallons of sewage estimated pursuant to subdivision (c) of this section, the annual discharge of which into the proposed district sewer system in the judgment of the authority must be assured, in order to make possible and advisable the advantageous and economical

construction and operation of the proposed district sewer system and the financing of the same, according to the plan and purpose of this act.

(e) Detailed estimates of the cost of the construction of the proposed district sewer system which said cost shall include: (1) All sums estimated by the authority be required for the payment of interest accruing prior to the first fiscal year as hereinafter defined, on indebtedness incurred for or in connection with such construction; (2) The cost of the issuance and sale of bonds authorized to be issued pursuant to this act; (3) All expenses incurred or to be incurred by the authority in preparing such project report; (4) The cost of all construction of the proposed district sewer system, the acquisition of all rights-of-way, all costs and expenses for operating and maintaining the authority and sewer system from the date of its inception to the beginning of its first fiscal year as set forth in section forty-four hereof.

(f) Estimates and schedules of the sums of money deemed by the authority to be required in each and every year during the first forty years from the estimated time for the commencement of operation of the district sewer system, for the payment of principal and interest of the bonds authorized to be issued pursuant to this act, and for the cost and expense of the operation, maintenance, depreciation and repair of the district sewer system.

(g) Estimates and schedules calculated as hereinafter provided, of such rates to be charged in each year, in dollars per million gallons of sewage discharged into the district sewer system, and to be paid to the authority as shall be amply sufficient, together with the sums previously so paid to or otherwise received for the same purpose by, and remaining unexpended in the hands of the authority, to raise the sums of money required by the authority for at least the first ten fiscal years, as defined herein, as shown by the estimates and schedules prepared in pursuance of subdivision (f) of this section. Said estimated rates shall be calculated by

dividing into the sums of money estimated as required by the said authority for each of such years, as shown by the estimates and schedules prepared in accordance with subdivision "f" of this section, the number of millions of gallons of sewage estimated in accordance with subdivision (d) of this section, the resulting quotient being the estimated annual rate in dollars per million gallons.

(h) Such other information as the authority shall deem necessary.

C. 58:15A-31. Copy of project to Bergen freeholders.

31. The authority shall supply copies of said project report to the board of chosen freeholders of the county of Bergen.

C. 58:15A-32. Copy of project submitted to State board of health.

32. The authority shall submit a copy of such project report to the State Board of Health for approval of the proposed district sewer system as therein described as a sanitary measure.

C. 58:15A-33. Contracts.

33. The authority may negotiate and enter into contracts, in the form and with the force and effect provided in sections fifty, fifty-one, fifty-two, fifty-three and fifty-four of this act, with municipalities within the sewer district and with private sewer companies operating therein and may negotiate and enter into like contracts with any other municipality or any private sewer company which may be discharging sewage directly or indirectly into the Hackensack river or its tributaries and which might advantageously use the facilities of the proposed district sewer system, and may negotiate and enter into like contracts with persons or corporations engaged in public or private industry (herein called "industry" or "industries") within the sewer district who or which shall be discharging into the Hackensack river or its tributaries any sewage which cannot conveniently be disposed of through the sewer system of any municipality or private sewer company. Nothing in this act shall be construed to prohibit any municipality which has not entered into a contract with the authority, as herein provided, from constructing its own sewerage disposal plant for its own sole use.

C. 58:15A-34. Proceed with construction of system.

34. When and if the authority shall have entered into contracts with municipalities and private sewer companies pursuant to the next preceding section and section fifty of this act which in its judgment will assure the annual delivery and discharge into the district sewer system of an amount of sewage equal to or in excess of the amount of sewage estimated in the project report in accordance with subdivision (d) of section thirty of this act, the authority shall with all practicable speed commence and proceed with the construction and acquisition of the district sewer system.

C. 58:15A-35. Location of sewers.

35. The authority shall have full discretion in the determination of the size, capacity, route and location of all trunk, intercepting and outlet sewers, pumping and filtering stations, treatment plants or works or other plants and structures, and is hereby empowered to proceed with the construction or acquisition or both, of the district sewer system, and to commence the operation thereof, in such sections or parts of the whole and at such time or times as the authority may deem proper or expedient and consistent with the plan or purpose of this act.

C. 58:15A-36. Acquire lands.

36. The authority shall have full power and authority in its name to acquire, by purchase, gift, grant, or devise, lands and rights or interest in lands, within the sewer district, which may be deemed by the authority necessary for the construction of any sewers, pumping or filtering stations, treatment plants or works or other plants and structures and the necessary appurtenances thereto, authorized by this act. The authority shall have full power and authority to acquire such lands or rights and interests in lands by condemnation, in the manner provided by chapter one of the Title, Eminent Domain of the Revised Statutes (R. S. 20:1–1 et seq.); *provided,* if in case the payment of compensation upon the award of commissioners for property taken for the purposes of this act shall have been made or tendered to the owner or owners of such property or, in lieu thereof, shall have been made to the clerk of the county in which the lands

Proviso.

affected are located, for the use of the person or persons entitled to receive the same, the authority may forthwith take possession of the property so condemned notwithstanding the taking of any appeal, and the acceptance by the owner or owners of the property so condemned of any award of commissioners shall not prevent the taking of any appeal provided by law.

C. 58:15A-37. Construction of district sewer system.

37. The authority shall have full power and authority in its discretion, at any time, and from time to time, after it has become authorized under this act, to proceed with the construction of the district sewer system, or any part or unit thereof.

C. 58:15A-38. Title to property.

38. The title to all property, real and personal, acquired to effectuate the purposes of this act shall be vested in the authority. All property acquired by the authority for the purposes of this act shall be exempt from municipal, county and State taxes.

C. 58:15A-39. Meters.

39. The authority shall provide and install meters or other approved devices for measuring the flow of all sewage which shall be delivered and discharged into the district sewer system and shall install such meters or other devices at the points of such delivery and discharge.

C. 58:15A-40. Connection of district system.

40. Each municipality, private sewer company or industry which shall enter into a contract with the authority as provided in section fifty of this act shall, upon notice from the authority, permit its sewer or drainage system or the outfall thereof to be connected with the district sewer system at such point or points as the authority may designate, the said connection to be so made or constructed as to deliver and discharge into the district sewer system the sewage arising within or collected or caused by such municipality, private sewer company or industry, as the case may be.

C. 58:15A-41. Acquisition of sewer system.

41. Upon the acquisition or completion and acceptance of any sections or parts of the district sewer system the authority shall, as soon as may be practicable, cause the same to be put into operation, and shall operate, repair and maintain the district sewer system and any additions thereto and

extensions thereof so as to effectuate and carry out the plan and purposes of this act.

C. 58:15A-42. Records of sewage discharged.

42. The authority shall make and keep permanent records of the amounts of sewage delivered and discharged into the district sewer system by each municipality, private sewer company and industry, during the period beginning at the commencement of operation of the said system and ending on the last day of the next ensuing month of December, and, during every yearly period thereafter, beginning on the first day of January and ending on the last day of the following December.

C. 58:15A-43. May change rates.

43. After the commencement of operation of the district sewer system, the authority may prescribe and change from time to time rates to be charged for the discharge and disposal of sewage through the said district sewer system. Said rates shall be prescribed and from time to time revised as hereinafter provided, so that the authority and district sewer system shall be and always remain self-supporting with earnings sufficient to provide for all expenses of operation, maintenance, depreciation and repair and the payment of the principal and interest of any bonds issued or to be issued pursuant to this act, so as to prevent the accrual of any deficit.

C. 58:15A-44. Fiscal year.

44. The first fiscal year of the authority shall begin on the day estimated by the authority as the day upon which the district sewer system or any part or unit thereof will be completed and put into operation and end on the last day of December following. Each fiscal year thereafter shall begin on the first day of January.

C. 58:15A-45. Schedule of rates.

45. On or before the fifteenth day of January immediately preceding the beginning of the first fiscal year, and on or before the fifteenth day of January in every year thereafter, the authority shall calculate the rate in dollars per million gallons, upon which are to be based the payments to be made to it during the current fiscal year under any contracts made pursuant to section fifty of this act. Said rate shall be calculated by dividing the number of dol-

lars which the authority reasonably estimates will be required (in addition to any funds on hand applicable to such purposes) during such fiscal year for security or payments of principal and interest of any of the bonds or other obligations authorized by this act and for the cost of the operation, maintenance, depreciation and repair of the district sewer system, including establishment and maintenance of working capital and reserves, by the number of millions of gallons of sewage delivered and discharged into the district sewer system during the yearly period ending on the last day of December next preceding such fifteenth day of January, the resulting quotient being the rate in dollars per million gallons. In any year in which the district sewer system shall not have been completed and in operation for a full year prior to such last day of December, the number of millions of gallons of sewage to be used in calculating said rate shall be the number of millions of gallons of sewage which the authority at such time estimates will be delivered and discharged during the first full year of operation of the district sewer system. The provisions of this section and of section forty-three and of section forty-seven shall be deemed a contract between the authority and the holders of all bonds or other obligations authorized by this act, and shall be enforceable by appropriate proceedings at law or in equity.

C. 58:15A-46. Records.

46. The authority shall make and keep permanent records of the rate in dollars per million gallons calculated by it in every year pursuant to the next preceding section.

C. 58:15A-47. Authority to certify to municipalities sum of money required.

47. On or before the seventeenth day of January in any year in which the authority shall calculate any rate in dollars per million gallons pursuant to section forty-five, the authority shall calculate and certify to each municipality, private sewer company and industry, which shall have entered into a contract pursuant to section fifty of this act, the amount of money which it shall be required to pay to the authority during that year, under the terms

and provisions of the contract so entered into by it. Such amount shall be calculated by the authority by multiplying the number of millions of gallons of sewage delivered and discharged into the district sewer system by the municipality, private sewer company or industry, during the yearly period ending on the last day of the preceding December, as shown by the records of the authority, by the rate in dollars per million gallons most recently calculated by the authority pursuant to section forty-five. If the terms and provisions of the contract so entered into by the municipality, private sewer company or industry require payments to the authority, calculated at any higher rate previously calculated by the authority, then the rate to be used by the authority in calculating such amount to be paid to it shall be such higher rate. If the terms and provisions of the contract so entered into by the municipality, private sewer company or industry require payment of any other or different amount to the authority, then such other or different amount shall be fixed and determined by the authority pursuant to the contract and shall be certified to such municipality, private sewer company or industry as hereinabove provided. If the terms and provisions of the contract so entered into by any industry require payments to the authority of a further amount in addition to the amount of money calculated as hereinabove provided, then such further and additional amount shall be fixed and determined by the authority and added to the amount calculated by it as hereinabove provided and the sum of such amounts shall be certified to such industry as hereinabove provided. In any year in which any municipality, private sewer company or industry shall not have used the district sewer system for a full year prior to such last day of December, the number of millions of gallons of sewage to be used in calculating the amount which such municipality, private sewer company or industry shall pay to the authority shall be the number of millions of gallons which the authority at such time esti-

mates will be delivered and discharged by such municipality, private sewer company, or industry during the first full year of operation of the district sewer system. In the event that any part or parts of the district sewer system shall be put into operation prior to the beginning of the first fiscal year the authority shall certify from time to time to the municipalities, private sewer companies or industries which may discharge sewage into said part or parts prior to the first fiscal year an amount or amounts which in the case of each such municipality, private sewer company and industry shall be sufficient to pay its share of the cost of operation and maintenance of said part or parts during the period of operation prior to said fiscal year and of the amortization of the cost of construction thereof based upon its proportion of the total number of millions of gallons of sewage so discharged into said part or parts of the district sewer system.

Article III

FISCAL

C. 58:15A-48. Bergen county authorized to contract.

48. For the purpose of assuring to the authority money to pay its costs and expenses in preparing the project report mentioned and described in sections twenty-nine and thirty of this act, and of doing all other acts and things authorized by this act or which the authority shall deem necessary and proper to carry out its terms, up to the time of the commencement of, but not including, the construction or acquisition or both, of the district sewer system, the county of Bergen and the authority shall be and hereby are authorized and empowered to enter into and carry out and perform a contract one with the other as hereinafter provided.

C. 58:15A-49. Provision of contract.

49. The contract authorized by the preceding section of this act shall provide that the board of chosen freeholders of said county shall pay such amounts as may be agreed upon on the order or orders of the authority at such time or times, in such installments as the authority may by resolu-

tion request and as shall be agreed upon between the contracting parties. The said contract authorized by the two preceding sections of this act shall further provide that any moneys advanced and paid by the board of chosen freeholders of Bergen county to the authority shall be repaid by the authority to the said board of chosen freeholders out of the proceeds of the sale of any bonds which may be issued by the authority next subsequent to the advance and payment of any moneys advanced and paid to the authority by the said board of chosen freeholders, or that the said moneys so advanced and paid shall be repaid out of any other available moneys of the authority.

C. 58:15A-50. Municipality authorized to contract.

50. Any municipality with which the authority is authorized to contract under the terms and provisions of section thirty-three of this act shall have power, by ordinance of the body or board, by whatsoever name it may be known, having charge of the finances of said municipality (hereinafter called "governing body"), to authorize its proper officials to enter into and execute for it a perpetual contract, as hereinafter provided, with the authority, for the disposal of all or any specified part of the sewage arising or collected in or by such municipality, and such contract shall be valid and binding upon the municipality notwithstanding that no appropriation was made or provided to cover the estimated cost of such contract, and the governing body of the municipality shall have full power and authority to do and perform all acts and things on the part of the municipality to be done and performed under the terms and provisions of such contract. Any private sewer company or industry shall likewise have power to enter into a contract with the authority for the disposal of its sewage or the sewage collected or discharged by it.

C. 58:15A-51. Form of contracts.

51. The contracts of the authority with municipalities, private sewer companies and industries authorized by the next preceding section shall be in form to be prescribed by the authority, shall upon execution be filed with the authority and shall pro-

vide in substance that the contracting municipality, private sewer company or industry shall, in the manner and at the time and place within the sewer district to be designated by the authority, permit the authority to connect the sewer or drainage system of such municipality, private sewer company or industry or the outfall thereof with, and thereafter deliver and discharge all sewage arising within it or collected by it into, any trunk or other sewer system or treatment plants or other plants or structures that the authority may specify and shall pay quarterly as defined in such contract to the authority, for the services thus rendered or to be rendered to it in the disposal of such sewage, the sum of money which shall theretofore have been calculated and certified to it by the authority as provided in section forty-seven of this act and shall contain such other provisions as to the rights and powers of the authority and the duties and liabilities of the contracting municipality, private sewer company or industry in the event that such sums of money are not paid as provided in such contract or in the event of other default under such contract on the part of such municipality, private sewer company or industry as may be prescribed by the authority, including without limitation provisions empowering the authority to refuse to permit such contracting municipality, private sewer company or industry to discharge into the district sewer system the sewage arising or collected in or by such contracting municipality, private sewer company or industry. If any such contract is made between any municipality, private sewer company or industry and the authority, at a date subsequent to the time of the commencement of the operation of the section or part of the district sewer system into which, in the event that said contract had been entered into at or prior to the time of the commencement of such operation, the contracting municipality, private sewer company or industry could have been required by the authority to deliver and discharge the sewage arising within or collected by it, then the

contract shall further provide in substance that the authority shall compare past rates in dollars per million gallons as fixed by the authority pursuant to section forty-seven with current rates fixed pursuant to said section as follows: The past rate fixed pursuant to section forty-seven for the first fiscal year of operation of such section or part of the district sewer system with the current rate fixed pursuant to section forty-seven for the first fiscal year for which such municipality, private sewer company or industry shall be required to make payments to the authority, under its contract, and the past rate for the second and each subsequent fiscal year of operation of such section or part with the current rate for the second and each corresponding subsequent fiscal year for which such municipality, private sewer company or industry shall be required to make payments under its contract; and shall further provide in substance that the municipality, private sewer company or industry shall be required to pay the higher of the two rates so compared for such first, second, or subsequent year for which such municipality, private sewer company or industry shall be required to make payments under its contract.

C. 58:15A-52. Segregate sewerage.

52. The contracts authorized by section fifty of this act shall, if one of the parties thereto is an industry, provide further in substance that, if the sewage arising within or caused or collected by such industry is or shall thereafter become of a nature, composition or type injurious or deleterious to the district sewer system or not safely or conveniently to be disposed of through the ordinary facilities of the district sewer system, then the industry shall, if possible, and when and in the manner requested by the authority, segregate off the objectionable matter or shall pay annually to the authority, in addition to the sums of money to be calculated as hereinabove provided, a sum of money calculated by the authority as amply sufficient to reimburse it for the annual cost of operation, maintenance, depreciation and repair, and,

within ten years, for the cost, together with interest thereon, of the construction or acquisition, of any special or extraordinary equipment, sewers, treatment plants or other plants and structures, constructed or acquired by the authority in order so to treat the objectionable matter as to render it not injurious or deleterious to the district sewer system and to make it safe and convenient to dispose of the same through the district sewer system or to discharge it into the Hackensack river or its tributaries.

C. 58:15A-53. Contract to contain provision for payment.

53. Each contract authorized by section fifty shall, if one of the parties thereto is a municipality, further provide in substance that the municipality shall in each year make provision for all payments to become due from it to the authority, and said municipality shall pay the same as provided in said contract.

C. 58:15A-54. Contents of contract.

54. The contracts authorized by section fifty of this act shall provide in substance that such contracts shall become null and void and have no further force and effect on and after the first day of January, one thousand nine hundred and forty-eight unless the authority shall have sooner commenced the construction and acquisition of the district sewer system, or some part thereof, and may contain any other or further provisions which in the discretion of the parties to such contract may be necessary, proper or advisable for the purpose of obtaining or securing grants, loans or financial assistance of any kind or sort to or for the authority under any act of the Congress of the United States of America.

C. 58:15A-55. Authority to issue notes and bonds.

55. The authority shall have power and is hereby authorized, from time to time, to issue its negotiable bonds and, in anticipation thereof, its notes, to provide for the cost of the construction of the district sewer system as defined by subdivision (e) of section thirty and for the purposes herein provided. Such bonds or notes shall be authorized by resolution of the authority adopted only after public hearing thereon by the authority held not less

than ten days after notice of such hearing advertised in a newspaper published at the county seat of said county and shall be sold by the authority in the manner or mode of procedure prescribed for the sale of bonds or notes, respectively, of a county by article one of chapter one of the Title, Municipalities and Counties, of the Revised Statutes (R. S. 40:1–1 et seq.). Such bonds may be issued in one or more series, and shall bear such date or dates, mature at such time or times in accordance with this section not exceeding forty years from their date, bear interest at such rate or rates not exceeding six per centum (6%) per annum payable at such time or times, be in such denominations and in such form either coupon or registered, carry such registration privileges, be executed in such manner, be payable at such place or places and be subject to such terms of redemption with or without premium, as may be determined in said resolution of the authority. The maturities of the bonds of each such series shall be so arranged that the total amount payable in any year on account of principal and interest thereof shall not exceed by more than one-half the total amount payable on account of such principal and interest in any prior year other than the first four years next ensuing after their issuance. Notes issued hereunder may be renewed, but all such notes, including renewals thereof, shall mature and be paid not more than five years from the date of the original notes. The bond issues authorized and issued by the authority may provide for the total cost of the district sewer system to be constructed as defined by subdivision (e) of section thirty, or an estimate thereof, including any deficits, salaries, working capital, reserves, repayment of moneys advanced for administrative expenses, and temporary borrowing, up to the beginning of the first fiscal year of the authority as set forth in section forty-four. After the beginning of the first fiscal year, all administrative expenses, operating and maintenance expenses shall be paid out of revenue received by the authority under contracts for

sewage disposal and services as herein provided. Should the authority authorize or issue any bonds for the purposes herein provided and after using the proceeds of said bonds for the purposes provided in the resolution authorizing said bond issue, there remain an unexpended balance of the proceeds of said bond issue, then such unexpended balance shall be used to retire the last due bonds. After the beginning of the first fiscal year as provided in section forty-four of this act, no bond issue shall be authorized or issued to pay for the maintenance, operating or other current expenses of the authority. The validity and regularity of the proceedings taken by the authority pursuant to this section for the issuance of such bonds or notes and the obligation of the authority to pay such bonds or notes and interest thereon, and to perform the covenants contained in such bonds or notes or such proceedings, shall not be dependent on or affected by the validity or regularity of any other proceedings taken, contracts entered into, acts performed, or things done by the authority, or by any municipality, private sewer company or industry. No resolution authorizing the issuance of any bonds pursuant to this section shall be finally passed if it appears that the aggregate of all bonds of the authority then outstanding, including those authorized by such resolution, exceeds five per centum (5%) of the average assessed valuation of real property (including improvements) in the municipalities which have signed contracts with the authority pursuant to section fifty hereof as shown on the annual debt statements last filed in or by such municipalities pursuant to sections 40:1–75 et seq. of the Revised Statutes.

C. 58:15A-56. Resolutions may contain provisions.

56. Any resolution or resolutions authorizing any bonds of the authority may contain provisions which shall be a part of the contract with the holders of the bonds as to: pledging the contracts of the authority entered into pursuant to section thirty-three, or the sums of money to be received by the authority pursuant to said contracts or any

other revenues of the authority; the setting aside of reserves and sinking funds and the amount, regulation and disposition thereof; limitations on the right of the authority to restrict and regulate the use of the district sewer system; limitations on the purpose to which the proceeds of the sale of any issue of bonds then or thereafter to be issued by the authority may be applied; limitations on the issuance of additional bonds by the authority; the procedure, if any, by which the terms of any contract of the authority with such holders may be amended or abrogated, the amount of bonds the holders of which must consent thereto, and the manner in which such consent may be given. Neither the members of the authority nor any person executing said bonds shall be liable personally on said bonds or be subject to any personal liability or accountability by reason of the issuance thereof. The authority shall have power to purchase, out of any funds available therefor, on public tenders upon sealed proposals after at least seven days' notice published at least once in a publication carrying municipal bond notices and devoted primarily to financial news or the subject of State and municipal bonds, published in New York City, and at least seven days' notice published at least once in a newspaper published at the county seat, any bonds issued by it at a price not more than the principal amount thereof, and accrued interest and all bonds so purchased shall be canceled.

C. 58:15A-57. Bonds legal for trust funds.

57. The bonds authorized by this act are hereby made securities in which all public officers and bodies of this State and all municipalities, and municipal subdivisions, all insurance companies and associations, all savings banks and savings institutions, including savings and loan associations, administrators, guardians, executors, trustees and other fiduciaries in the State may properly and legally invest funds in their control. The bonds shall be exempt from taxation except for transfer inheritance taxes.

C. 58:15A-58. Payments made quarterly.

58. The chief fiscal officer of each municipality which shall have entered into a contract pursuant to section fifty of this act, shall cause to be paid to the authority, in quarterly payments, the amount of money certified to the municipality by the authority pursuant to section forty-seven of this act. The power and obligation of such municipality to provide for and make all such payments shall be unlimited. If any part of the amount certified to the municipality by the authority, pursuant to section forty-seven of this act, shall remain unpaid for thirty days following the date fixed for payment by the contract, the municipality thus in default shall be charged with and liable for, and the chief fiscal officer thereof shall pay to the authority interest upon the amount unpaid at the rate of eight per centum (8%) per annum. The provisions of this section shall be deemed a contract between each and every municipality which shall have entered into a contract pursuant to section fifty of this act, and the holders of all bonds authorized by this act, and shall be enforceable by appropriate action at law or suit in equity.

C. 58:15A-59. Obligations enforceable.

59. Every obligation imposed upon any municipality, private sewer company or industry, by this act, and every obligation assumed by any municipality, private sewer company or industry, under any contract authorized hereby, shall be enforceable by mandamus or other appropriate action, suit or proceeding at law or in equity instituted by the authority.

C. 58:15A-60. Payments quarterly.

60. Each private sewer company or industry which shall have entered into a contract with the authority pursuant to section fifty of this act, shall pay quarterly as provided in such contract to the authority, the sum of money certified to it by the authority pursuant to section forty-seven of this act, on or before the date provided for such payment in such contract, and the amount unpaid on said date shall bear interest thereafter until paid at the rate of eight per centum (8%) per annum. Any such sum of money so certified by the author-

ity shall be a lien in favor of the authority on and against the property of such private sewer company or industry. If such sum of money or any part thereof is not paid to the authority on or before such contract payment date, the authority shall make and record, in the same manner as conveyances of interest in real property are recorded, a certificate setting forth the facts and giving notice of the existence and amount of such lien remaining unsatisfied. So far as permitted by law, such lien shall have priority over all other liens theretofore or thereafter attaching except those for Federal, State and local taxes.

C. 58:15A-61. Authority to receive grants.

61. Authority and all necessary powers are hereby given to do and perform all things and acts necessary and power is hereby granted to and conferred upon the authority to apply for and receive grants or loans to fulfill the purposes of this act from the Federal Government or any agency thereof and to enter into any agreement, contract or other undertaking with the Federal Government, or any agency of the Federal Government for the purpose of obtaining grants, loans, or financial assistance of any kind or sort and under such conditions and such terms as may be determined to be advisable or necessary for the purpose of fulfilling the purposes of this act.

Article IV

MISCELLANEOUS

C. 58:15A-62. Act controlling.

62. In so far as the provisions of this act are inconsistent with the provisions of any act, general or special, the provisions of this act shall be controlling.

C. 58:15A-63. Object of act.

63. The object and design of this act being the protection and preservation of public health, safety and welfare, this act shall be liberally construed and the powers granted and the duties imposed by this act shall be construed to be independent and severable. If any one or more sections, clauses, sentences or parts of this act shall for any reason be

questioned in any court, and shall be adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remaining provisions thereof, but shall be confined in its operation to the specific provisions so held unconstitutional or invalid.

C. 58:15A-64. Repealer.

64. Chapter fifteen of Title 58 of the Revised Statutes is repealed.

C. 58:15A-65. Passaic valley sewerage commissioners not effected.

65. Nothing herein contained shall in any way affect or limit the jurisdiction or rights of Passaic Valley Sewerage Commissioners.

66. This act shall take effect immediately.

Approved May 3, 1945.

CHAPTER 301

AN ACT in relation to a program for the collection, storage and distribution of human blood.

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

C. 26:2A-1. Store and distribute human blood.

1. The Department of Health is hereby authorized to establish, equip, maintain and conduct a suitable program to collect, process, store and distribute human blood, and the various human blood derivatives including special therapeutic and diagnostic serums, which are deemed of value in the treatment of sick and injured persons, and the prevention of certain diseases; to carry out such educational and research activities as it may deem necessary in connection with said program; and to establish necessary rules and regulations to effect the purpose of this act.

Program State activity.

The Department of Health may conduct such program solely as a State activity, or in co-operation with such private institutions, hospitals or municipal or county corporations as the department may select, on such terms as may be agreed upon.

2. This act shall take effect immediately.

Approved May 3, 1945.

CHAPTER 302

AN ACT concerning burial of deceased soldiers, sailors, marines and nurses, and amending section 38:17–1 of the Revised Statutes.

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

Section amended.

1. Section 38:17–1 of the Revised Statutes is amended to read as follows:

Interment of discharged soldiers.

38:17–1. The board of chosen freeholders in each of the counties shall designate a proper authority, other than that designated by law for the care of paupers and the custody of criminals, who shall cause to be interred the bodies of all honorably discharged soldiers, sailors, marines or nurses who served, or shall have served, in the Army or Navy of the United States during any war in which the United States has been engaged, is engaged or shall be engaged, who shall die without leaving means sufficient to defray funeral expenses. The expense of such funeral shall not exceed in any case the sum of two hundred dollars ($200.00).

Expense.

2. This act shall take effect immediately.

Approved May 3, 1945.

CHAPTER 303

AN ACT concerning superintendents of elections.

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

Insufficient funds.

1. If the superintendent of elections of any county determines that the money which will be available for expenditure by him, as such superintendent, in the year one thousand nine hundred and forty-five will be insufficient to enable him to prop-

erly carry out the duties imposed upon him, as such superintendent, by law, he shall then determine the amount of additional money which will be needed by him for such purpose and file a certificate of both determinations with the clerk of the board of chosen freeholders of such county. Certificate filed.

2. Immediately after the filing of such certificate with the clerk of the board of chosen freeholders, the board of chosen freeholders shall make such additional money, as set forth in said certificate, available to such superintendent for expenditure and if necessary such board of chosen freeholders shall issue its negotiable notes for such purpose. Additional funds available.

3. Such additional money shall be added to all other moneys made available to such superintendent for the year one thousand nine hundred and forty-five and shall be as available to such superintendent for expenditure during the year one thousand nine hundred and forty-five as if it had been included in his budget appropriation for the year one thousand nine hundred and forty-five; but such additional money shall be expended by such superintendent only for expenses arising out of his duties in connection with the use of voting machines. Funds available for 1945.

4. The total expenses of every nature in the office of the superintendent of elections in any county for the year one thousand nine hundred and forty-five shall not exceed three hundred twenty thousand dollars ($320,000.00), and if the amount of additional money set forth in any certificate filed pursuant to this act will, when added to all other moneys made available to such superintendent, as such superintendent, for the year one thousand nine hundred and forty-five, exceed three hundred twenty thousand dollars ($320,000.00), the board of chosen freeholders shall not be required under this act to make available to such superintendent, as such superintendent, any money in excess of said total of three hundred twenty thousand dollars ($320,000.00). Amount.

5. This act shall take effect immediately.

Approved May 4, 1945.

CHAPTER 304

AN ACT concerning elections; and amending section 19:32–2 of the Revised Statutes.

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

Section amended.

1. Section 19:32–2 of the Revised Statutes is amended to read as follows:

Appointment of assistants.

19:32–2. Each superintendent may appoint a chief deputy, a clerk, a secretary, such personnel as is authorized under section 19:48–6 of this Title, and any other assistants he considers necessary to carry out the provisions of this Title, and may remove the same whenever he deems it necessary. Those so appointed shall not be subject to any of the provisions of Title 11, Civil Service, but shall be in the unclassified service. Each superintendent shall fix the salaries of the persons so appointed and such salaries certified to and approved under his hand shall be paid semimonthly by the county treasurer of the county in which such persons are so engaged. All other necessary expenses incurred in carrying out the provisions of this Title when certified to and approved by the superintendent shall be paid by the county treasurer of the county in which the superintendent shall maintain his office; *provided, however,* that all expenses of every nature in the office of the superintendent of elections shall not exceed the sum of three hundred twenty thousand dollars ($320,000.00) per annum commencing with the year one thousand nine hundred and forty-six and annually thereafter, of which the sum of one hundred twenty thousand dollars ($120,000.00) per annum shall be used exclusively for expenses arising out of his duties in connection with the use of voting machines; and the unexpended balance which remains of the amount or amounts appropriated to the county board of elections in each county of the first class by the

Salaries.

Proviso.

board of chosen freeholders thereof for the year one thousand nine hundred and forty-five for the purpose of paying all salaries in connection with and defraying the cost of storing, delivering to and from polling places, repairing, servicing, and maintaining voting machines, shall be transferred forthwith to the account of the superintendent of elections and shall be used by him solely for such purpose, and no other.

2. This act shall take effect immediately.

Approved May 4, 1945.

CHAPTER 305

AN ACT relating to maximum age limits for pension or retirement privileges of certain persons in time of war.

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

C. 43:1-1.1. Maximum age limit if in service.

1. When the qualifications for eligibility for membership in any existing pension fund or retirement system of this State or of any county, municipality, school district or other political subdivision of this State, or of any board, body, agency or commission of this State, or of any county, municipality or school district, includes a maximum age limit, any person who, heretofore and subsequent to July first, one thousand nine hundred and forty, entered or hereafter, in time of war, shall enter the active military or naval service of the United States or the active service of the Women's Army Corps, the Women's Reserve of the Naval Reserve or any similar organization authorized by the United States to serve with the Army or Navy, shall be deemed to be below such maximum age limit if his actual age, less the period of such service, would be below such maximum age limit.

2. This act shall take effect immediately.

Approved May 4, 1945.

CHAPTER 306

AN ACT to amend the State tax uniform procedure law, and amending section 54:49–13 of the Revised Statutes.

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

Section amended.

1. Section 54:49–13 of the Revised Statutes is amended to read as follows:

May release property.

54:49–13. The commissioner, upon application made to him and upon the payment of a fee of one dollar ($1.00), may release any property from the lien of any certificate, judgment or levy, procured by him; *provided,* payment be made to the commissioner of such sum as he shall deem adequate consideration for such release or provided a deposit shall be made with the commissioner of such security as he shall deem adequate to secure the payment of any debt evidenced by any such certificate, judgment or levy, the lien of which is sought to be released. Such release shall be given under the seal of the commissioner, and may be recorded in any office in which conveyances of real estate may be recorded.

Proviso.

May reassess tax.

When any lien or claim for past-due corporate franchise taxes, which may have been assessed upon a corporation's total authorized capital stock because of the corporation's failure to file a franchise tax return, shall be brought into question, the Director of the Division of Taxation of the State Department of Taxation and Finance may, upon application of any party having an interest in the property against which such lien is claimed or asserted, and upon the receipt of satisfactory proof, redetermine and reassess the tax in an amount based upon the capital stock issued and outstanding as of January one of the year in question.

2. This act shall take effect immediately.

Approved May 4, 1945.

CHAPTER 307

AN ACT concerning unemployment compensation, and amending section 43:21–14 of the Revised Statutes.

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

1. Section 43:21–14 of the Revised Statutes is amended to read as follows: Section amended.

43:21–14. (a) In addition to such reports as the executive director may require under the provisions of subsection (g) of section 43:21–11 of this Title, every employer shall file with the commission periodical contribution reports on such forms and at such times as the executive director, with the approval of the commission, shall prescribe, to disclose the employer's liability for contributions under the provisions of this chapter, and at the time of filing each contribution report shall pay the contributions required by this chapter for the period covered by such report. The commission may require that such reports shall be under oath of the employer. Any employer who shall fail to file any report, required by the commission or the executive director, on or before the last day for the filing thereof shall pay a penalty of one dollar ($1.00) for each day of delinquency until and including the tenth day following such last day and, for any period of delinquency after such tenth day, a penalty of one dollar ($1.00) a day or twenty per centum (20%) of the amount of the contributions due and payable by the employer for the period covered by the report, whichever is the lesser. If there be no liability for contributions for the period covered by any contribution report or in the case of any report other than a contribution report, the employer or employing unit shall pay a penalty of one dollar ($1.00) a day for each day of delinquency

Information from employer.

Reported contributions paid.

Penalty for not filing report.

Further penalty.

Penalty for not making contributions.

in filing or fifteen dollars ($15.00), whichever is the lesser. Any employer who shall fail to pay the contributions due for any period on or before the date they are required by the commission to be paid, shall pay interest at the rate of one per centum (1%) a month on the amount thereof from such date until the date of payment thereof. Upon the written request of any employer or employing unit, filed with the commission on or before the due date of any report or contribution payment, the commission, for good cause shown, may grant, in writing, an extension of time for the filing of such report or the paying of such contribution with interest at the rate of one per centum (1%) a month on the amount thereof; *provided,* no such extension shall exceed thirty days and that no such extension shall postpone payment of any contribution for any period beyond the day preceding the last day for filing tax returns under Title IX of the Federal Social Security Act for the year in which period occurs.

Extension of time.

Proviso.

Obligations to personal debt of employer.

(b) The contributions, penalties, and interest due from any employer under the provisions of this chapter, from the time they shall be due, shall be a personal debt of the employer to the State of New Jersey, recoverable in any court of competent jurisdiction in an action at law in the name of the State of New Jersey.

Employer not acting State to assess.

(c) If any employer shall fail to make any report as required by the rules and regulations of the commission pursuant to the provisions of this chapter, the commission may make an estimate of the liability of such employer from any information it may obtain and, according to such estimate so made, assess such employer for the contributions, penalties, and interest due the State from him, give notice of such assessment to the employer, and make demand upon him for payment.

In case of deficiency.

(d) After a report is filed under the provisions of this chapter and the rules and regulations of the commission, the commission shall cause the report to be examined and shall make such further audit and investigation as it may deem necessary, and if

therefrom there shall be determined that there is a deficiency with respect to the payment of the contributions due from such employer, the commission shall assess the additional contributions, penalties, and interest due the State from such employer, give notice of such assessment to the employer, and make demand upon him for payment.

Legal proceedure to enforce payment.

(e) As an additional remedy, the commission may issue to the clerk of the Supreme Court of New Jersey a certificate stating the amount of the employer's indebtedness under this chapter and describing the liability, and thereupon the clerk shall immediately enter upon his record of docketed judgments such certificates or an abstract thereof and duly index the same. Such certificate or abstract from the time of such docketing shall have the same force and effect as a judgment obtained in the Supreme Court of New Jersey, and the commission shall have all the remedies and may take all the proceedings for the collection thereof which may be had or taken upon the recovery of such a judgment in an action at law upon contract in said court. Such debt, from the time of the docketing thereof, shall be a lien on and bind the lands, tenements, and hereditaments of the debtor.

Judgment docketed.

Fees.

The clerk of the Supreme Court shall be entitled to receive for docketing such certificate fifty cents ($0.50), and for a certified transcript of such docket fifty cents ($0.50). If the amount set forth in said certificate as a debt shall be modified or reversed by any court, the clerk of the Supreme Court shall, when an order of modification or reversal is filed, enter in the margin of the docket opposite the entry of the judgment the word "modified" or "reversed," as the case may be, and the date of such modification or reversal.

Deposit of security.

The employer, or any other person having an interest in the property upon which the debt is a lien, may deposit the amount claimed in the certificate with the clerk of the Supreme Court of New Jersey, together with fifty dollars ($50.00) to cover interest and the costs of court, or in lieu of depositing the

amount in cash, may give a bond to the State of New Jersey in double the amount claimed in the certificate, and file the same with the clerk of the Supreme Court. Said bond shall have such surety and shall be approved in the manner now required by section 2:27–369 of the Revised Statutes.

Review of legality of indebtedness.

After the deposit of said money or the filing of said bond, the employer or any other person having an interest in the said property, may review the legality or validity of the indebtedness or the amount thereof by certiorari, and the said deposit of cash shall be as security for and the bond shall be conditioned to prosecute the certiorari with effect and to pay and satisfy, if the debt be sustained, the amount adjudged by the court and all interest and costs.

Proceedings stayed.

Upon the deposit of said money or the filing of the said bond with the clerk of the Supreme Court, all proceedings on such judgment shall be stayed until the final determination of the cause, and moneys so deposited shall be subject to the lien of the indebtedness and costs and interest thereon, and the lands, tenements, and hereditaments of said debtor shall forthwith be discharged from the lien of the State of New Jersey and no execution shall issue against the same by virtue of said judgment.

Refunds in adjustment.

(f) If not later than two years after the calendar year in which any moneys were erroneously paid to, or collected by the commission, whether such payments were voluntarily or involuntarily made or made under mistake of law or of fact, an employer or an employee who has paid such moneys shall make application for an adjustment of his own contribution in connection with subsequent contribution payments, or for a refund of his own contribution because such adjustment cannot be made, and the commission or executive director shall determine that such moneys or any portion thereof was so erroneously paid or collected, such employer or employee shall be allowed to make an adjustment thereof, without interest, in connection with subsequent contribution payments, or if such

adjustment cannot be made the said amount shall be refunded, without interest, from the fund. For like cause and within the same period, adjustment or refund may be so made on the initiative of the commission through the executive director.

(g) All interest and penalties collected pursuant to this section shall be paid into the unemployment compensation fund. Penalties paid into fund.

2. This act shall take effect immediately.

Approved May 7, 1945.

CHAPTER 308

AN ACT concerning unemployment compensation, and amending sections 43:21–5, 43:21–6, 43:21–10, 43:21–16 and 43:21–21 and repealing section 43:21–20 of the Revised Statutes.

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

1. Section 43:21–5 of the Revised Statutes is amended to read as follows: Section amended.

43:21–5. An individual shall be disqualified for benefits: Disqualified for benefits.

(a) For the week in which he has left work voluntarily without good cause, and for the three weeks which immediately follow such week (in addition to the waiting period), as determined in each case.

(b) For the week in which he has been discharged for misconduct connected with his work, and for the three weeks which immediately follow such week (in addition to the waiting period), as determined in each case.

(c) If it is found that he has failed, without good cause, either to apply for available, suitable work when so directed by the employment office or the executive director or to accept suitable work when offered him, or to return to his customary

self-employment (if any) when so directed by the executive director. Such disqualification shall continue for the week in which such failure occurred and for the three weeks which immediately follow such week (in addition to the waiting period), as determined:

(1) In determining whether or not any work is suitable for an individual, consideration shall be given to the degree of risk involved to his health, safety and morals, his physical fitness and prior training, his experience and prior earnings, his length of unemployment and prospects for securing local work in his customary occupation, and the distance of the available work from his residence.

(2) Notwithstanding any other provisions of this chapter, no work shall be deemed suitable and benefits shall not be denied under this chapter to any otherwise eligible individual for refusing to accept new work under any of the following conditions: (a) If the position offered is vacant due directly to a strike, lockout, or other labor dispute; (b) if the remuneration, hours, or other conditions of the work offered are substantially less favorable to the individual than those prevailing for similar work in the locality; (c) if as a condition of being employed the individual would be required to join a company union or to resign from or refrain from joining any bona fide labor organization.

(d) For any week with respect to which it is found that his unemployment is due to a stoppage of work which exists because of a labor dispute at the factory, establishment, or other premises at which he is or was last employed; *provided,* that this subsection shall not apply if it is shown that:

(1) He is not participating in or financing or directly interested in the labor dispute which caused the stoppage of work; and

(2) He does not belong to a grade or class of workers of which, immediately before the commencement of the stoppage, there were members employed at the premises at which the stoppage occurs, any of whom are participating in or financing or directly interested in the dispute; *provided,* that if in any case in which (1) or (2) above applies separate branches of work which are commonly conducted as separate businesses in separate premises are conducted in separate departments of the same premises, each such department shall, for the purposes of this subsection, be deemed to be a separate factory, establishment, or other premises.

(e) For any week with respect to which he is receiving or has received remuneration in lieu of notice.

(f) For any week with respect to which or a part of which he has received or is seeking unemployment benefits under an unemployment compensation law of any other State or of the United States; *provided,* that if the appropriate agency of such other State or of the United States finally determines that he is not entitled to such unemployment benefits, this disqualification shall not apply.

(g) For the two weeks immediately following detachment from any maritime services performed under shipping articles.

2. Section 43:21–6 of the Revised Statutes is amended to read as follows: Section amended.

43:21–6. (a) Filing. Claims for benefits shall be made in accordance with such regulations as the commission may approve. Each employer shall post and maintain printed statements of such regulations in places readily accessible to individuals in his service and shall make available to each such individual at the time he becomes unemployed, a printed statement of such regulations. Such printed statements shall be supplied by the commission to each employer without cost to him. Filing claim.

Initial determination.

(b) (1) Initial determination. A representative designated by the executive director, and hereinafter referred to as a "deputy," shall promptly examine the claim and, on the basis of the facts found by him, shall either determine whether or not such claim is valid, and if valid, the week with respect to which benefits shall commence, the weekly benefit amount payable and the maximum duration thereof, or shall refer such claim or any question involved therein to an appeal tribunal or to the board of review, which shall make its determinations with respect thereto in accordance with the procedure described in subsection (c) of this section. The deputy shall promptly notify the claimant, the most recent employing unit and all employers in the base year of the decision and the reasons therefor. Unless the claimant or any such interested party, within five calendar days after the delivery of such notification, or within seven calendar days after such notification was mailed to his and their last-known address and addresses, files an appeal from such decision, such decision shall be final and benefits shall be paid or denied in accordance therewith. If an appeal is duly filed, benefits with respect to the period prior to the final determination of the board of review, shall be paid only after such determination; *provided,* that if an appeal tribunal affirms a decision of a deputy, or the board of review affirms a decision of an appeal tribunal, allowing benefits, such benefits shall be paid regardless of any appeal which may thereafter be taken, but if such decision is finally reversed, no employer's account shall be charged with benefits so paid.

Subsequent determinations.

(2) Subsequent determinations. The deputy shall make determinations with respect to claims for benefits thereafter in the course of the benefit year in accordance with any initial determination allowing benefits; *provided,* the claimant is eligible and not disqualified; the allowance of benefits by the deputy on any such claim (if disputed), or the denial of benefits by the deputy on any such claim,

shall be appealable within seven calendar days after the date of notification thereof.

(c) Appeals. Unless such appeal is withdrawn, an appeal tribunal, after affording the parties reasonable opportunity for fair hearing, shall affirm or modify the findings of fact and decision of the deputy. The parties shall be duly notified of such tribunal's decision, together with its reasons therefor, which shall be deemed to be the final decision of the board of review, unless within ten days after the date of notification or mailing of such decision, further appeal is initiated pursuant to subsection (e) of this section. Appeals.

(d) Appeal tribunals. To hear and decide disputed benefit claims, including appeals from determinations with respect to demands by the deputy for refunds of benefits under section 43:21–16 (d) of this chapter, the executive director with the approval of the commission shall establish one or more impartial appeal tribunals consisting in each case of either a salaried examiner or a body consisting of three members, one of whom shall be a salaried examiner, who shall serve as chairman, one of whom shall be a representative of employers and the other of whom shall be a representative of employees; each of the latter two members shall serve at the pleasure of the commission and be paid a fee of not more than twenty dollars ($20.00) per day of active service on such tribunal plus necessary expenses. No person shall participate on behalf of the commission in any case in which he is an interested party. The executive director may designate alternates to serve in the absence or disqualification of any member of an appeal tribunal. The chairman shall act alone in the absence or disqualification of any other member and his alternates. In no case shall the hearings proceed unless the chairman of the appeal tribunal is present. Appeal tribunals.

(e) Board of review. The board of review may on its own motion affirm, modify, or set aside any decision of an appeal tribunal on the basis of the evidence previously submitted in such case, or di- Board of review.

rect the taking of additional evidence, or may permit any of the parties to such decision to initiate further appeals before it. The board of review shall permit such further appeal by any of the parties interested in a decision of an appeal tribunal which is not unanimous and by the deputy whose decision has been overruled or modified by an appeal tribunal. The board of review may remove to itself or transfer to another appeal tribunal the proceedings on any claim pending before an appeal tribunal. Any proceeding so removed to the board of review shall be heard by a quorum thereof in accordance with the requirements in subsection (c) of this section. The board of review shall promptly notify the interested parties of its findings and decision.

Procedure.

(f) Procedure. The manner in which disputed benefit claims, and appeals from determinations with respect to (1) claims for benefits and (2) demands by the deputy for refunds of benefits under section 43:21–16 (d) of this chapter shall be presented, the reports thereon required from the claimant and from employers, and the conduct of hearings and appeals shall be in accordance with rules prescribed by the board of review for determining the rights of the parties, whether or not such rules conform to common law or statutory rules of evidence and other technical rules of procedure. A full and complete record shall be kept of all proceedings in connection with a disputed claim. All testimony at any hearing upon a disputed claim shall be recorded, but need not be transcribed unless the disputed claim is further appealed.

Witness fees.

(g) Witness fees. Witnesses subpœnaed pursuant to this section shall be allowed fees at a rate fixed by the commission. Such fees and all expenses of proceedings involving disputed claims shall be deemed a part of the expense of administering this chapter.

Appeal to courts.

(h) Appeal to courts. Any decision of the board of review in the absence of an appeal therefrom as

herein provided shall become final ten days after the date of notification or mailing thereof, and judicial review thereof shall be permitted only after any party claiming to be aggrieved thereby has exhausted his remedies before the board of review as provided by this chapter. The board of review shall be deemed to be a party to any judicial action involving any such decision, and may be represented in any such judicial action by any qualified attorney who may be a regular salaried employee of the board of review or has been designated by it for that purpose, or at the board of review's request, by the Attorney-General.

Court review.

(i) Court review. Within ten days after the decision of the board of review has become final, any party aggrieved thereby may secure judicial review thereof by writ of certiorari directed to the board of review, in which action any other party to the proceeding before the board of review shall be made a defendant.

Section amended.

3. Section 43:21–10 of the Revised Statutes is amended to read as follows:

Organization.

43:21–10. (a) Organization. There is hereby created a commission to be known as the Unemployment Compensation Commission of New Jersey. It shall consist of seven members who shall be appointed by the Governor, with confirmation by the Senate, not more than four of whom shall be of the same political affiliation. They shall serve without salary; *provided, however,* that their necessary expenses shall be paid. No person may be appointed who is an officer or committee member of any political party organization. First appointees to the commission shall serve as designated by the Governor at the time of appointment, as follows: one for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years, one for a term of five years, one for a term of six years, and one for a term of seven years. At the expiration of initial terms, appointments shall be made for a term of seven years in each case. Any vacancies created by death, resignation or removal

shall be filled by appointment for the unexpired portion of the term so vacated.

Governor may remove member.

The Governor may, at any time after a fair public hearing, remove any member of the commission for gross inefficiency, neglect of duty, malfeasance, misfeasance or nonfeasance in office.

Executive director.

(b) Executive director. The commission shall appoint an executive director who shall be the chief executive and approval officer of the commission and its official agent for all purposes, and who shall hold office at its pleasure. He shall give his full time to the duties of this office, shall be paid a suitable salary to be fixed by the commission and shall have general charge and supervision of the work of all departments of the commission as well as any subdivisions thereof.

Duties of director.

It shall be the duty of the executive director to administer this chapter with the advice of the commission; and to that end, the executive director shall have the following duties and powers:

(1) To formulate necessary rules and regulations, subject to approval by the commission.

(2) To appoint and fix the compensation of members of the staff, subject to approval by the commission and subject to the provisions of subsection (d) of section eleven of this chapter.

(3) To make such expenditures as are necessary in the discharge of his functions hereunder as provided for in the budget to be approved annually by the commission, to make requisitions for any funds provided by the Federal Government for administration of this chapter, and he is hereby authorized to draw vouchers on the administration fund for the purpose of administering this chapter.

(4) To draw vouchers upon the unemployment compensation fund and the appropriate accounts therein for the payment of benefits.

(5) To delegate to other persons any of the powers conferred upon him by this chapter, so far as is reasonably necessary.

(c) Divisions. The executive director shall establish such administrative divisions as may be necessary to carry out the purposes of this chapter, subject to approval of the commission. Among such divisions shall be New Jersey State Employment Service Division, established pursuant to section 43:21–12 of this Title. The New Jersey State Employment Service shall be a separate administrative unit with respect to personnel, budget, and duties, except insofar as the commission may find such separation to be impracticable. Divisions.

(d) Board of review. The executive director shall appoint, subject to the provisions of Title 11, Civil Service, from civil service eligible lists, subject to approval of the commission, a board of review, consisting of three members whose duties shall be to act as a final appeals board in cases of benefit disputes, including appeals from determinations with respect to demands by the deputy for refunds of benefits under section 43:21–16 (d) of this chapter and to whom shall be delegated the duty of supervising the work of local appeal tribunals to be organized as provided for elsewhere in this chapter. No member of the board of review shall participate in any case in which he is an interested party. Board of review.

(e) Powers and duties. The commission shall have the following specific powers and duties: Powers and duties.

(1) To designate its chairman.

(2) To study the operation of this chapter and from time to time prepare recommendations to the Governor and Legislature with respect to any improvements which might be desirable.

(3) To make rules and regulations governing its own procedure.

(4) To advise the executive director and other members of the commission staff with particular respect to policies and procedures.

Quorum.

(f) Quorum. Any four commissioners shall constitute a quorum. No vacancies shall impair the right of the remaining commissioners to exercise all of the powers of the commission.

Section amended.

4. Section 43:21–16 of the Revised Statutes is amended to read as follows:

False statement.

43:21–16 (a) Whoever makes a false statement or representation knowing it to be false or knowingly fails to disclose a material fact, to obtain or increase any benefit or other payment under this chapter, either for himself or for any other person,

Fine.

shall be liable to a fine of not less than twenty dollars ($20.00) nor more than fifty dollars ($50.00), to be recovered in an action at law in the name of the commission, said fine when recovered to be paid to the unemployment compensation fund for the use of said fund; and each such false statement or representation or failure to disclose a material fact shall constitute a separate offense.

(b) Any employing unit or any officer or agent of an employing unit or any other person who makes a false statement or representation knowing it to be false, or who knowingly fails to disclose a material fact, to prevent or reduce the payment of benefits to any individual entitled thereto, or to avoid becoming or remaining subject hereto or to avoid or reduce any contribution or other payment required from an employing unit under this chapter, or who willfully fails or refuses to make any such contributions or other payment or to furnish any reports required hereunder or to produce or permit the inspection or copying of records as re-

Fine.

quired hereunder, shall be liable to a fine of not less than twenty dollars ($20.00) nor more than two hundred dollars ($200.00), to be recovered in an action at law in the name of the commission. Said fine when recovered to be paid to the unemployment compensation fund for the use of said funds; and each such false statement or representation or failure to disclose a material fact, and each day of such failure or refusal shall constitute a separate offense.

(c) Any person who shall willfully violate any provision of this chapter or any rule or regulation thereunder, the violation of which is made unlawful or the observance of which is required under the terms of this chapter, and for which a penalty is neither prescribed herein nor provided by any other applicable statute, shall be liable to a fine of not less than twenty dollars ($20.00) nor more than two hundred dollars ($200.00), to be recovered in an action at law in the name of the commission, said fine when recovered to be paid to the unemployment compensation fund for the use of said fund; and each day such violation continues shall be deemed to be a separate offense. Violation. Fine.

(d) When it is determined by the deputy that any person, by reason of the nondisclosure or misrepresentation by him or by another, of a material fact (irrespective of whether such nondisclosure or misrepresentation was known or fraudulent) has received any sum as benefits under this chapter while any conditions for the receipt of benefits imposed by this chapter were not fulfilled in his case, or while he was disqualified from receiving benefits, such person shall, in the discretion of the commission, either be liable to have such sum deducted from any future benefits payable to him under this chapter or shall be liable to repay to the commission for the unemployment compensation fund, a sum equal to the amount so received by him, and such sum shall be collectible in the manner provided in subsection (e) of section 43:21–14 of this Title for the collection of past-due contributions. The deputy shall promptly notify such person of the determination and the reasons therefor. Unless such person, within five calendar days after the delivery of such determination, or within seven calendar days after such notification was mailed to his or her last-known address, files an appeal from such determination, such determination shall be final. Deduction of future benefits.

Section repealed.

5. Section 43:21–20 of the Revised Statutes is repealed.

Section amended.

6. Section 43:21–21 of the Revised Statutes is amended to read as follows:

Arrangements with federal government.

43:21–21. (a) The commission is hereby authorized to enter into arrangements with the appropriate agencies of other States or the Federal Government, whereby potential rights to benefits accumulated under the unemployment compensation laws of several States or under such a law of the Federal Government, or both, may constitute the basis for the payment of benefits through a single appropriate agency under terms which the commission finds will be fair and reasonable as to all affected interests and will not result in any substantial loss to the fund.

Arrangements with agencies of other states.

(b) The commission is also authorized to enter into arrangements with the appropriate agencies of other States or of the Federal Government (1) whereby wages or services, upon the basis of which an individual may become entitled to benefits under the unemployment compensation law of another State or of the Federal Government, shall be deemed to be wages for employment by employers for the purposes of this chapter; *provided,* such other State agency or agency of the Federal Government has agreed to reimburse the fund for such portion of benefits paid under this chapter, upon the basis of such wages or services as the commission finds will be fair and reasonable as to all affected interests; and (2) whereby the commission will reimburse other State or Federal agencies charged with the administration of unemployment compensation laws with such reasonable portion of benefits, paid under the law of any such other States or of the Federal Government upon the basis of employment or wages for employment by employers, as the commission finds will be fair and reasonable as to all affected interests. Reimbursements so payable shall be deemed to be benefits for the purposes of this chapter, but no reimbursement so payable shall be charged against any employer's

account for the purposes of section 43:21–7 of this chapter. The commission is hereby authorized to make to other State or Federal agencies and receive from such other State or Federal agencies reimbursements from or to the fund, in accordance with arrangements pursuant to this section.

(c) The commission is also authorized to enter into reciprocal agreements with the appropriate agencies of other States covering services on vessels engaged in interstate or foreign commerce whereby such services performed for a single employer, under any contract of hire, partly within and partly without this State, shall be deemed to be performed in their entirety either within or without this State. Reciprocal agreements.

(d) The commission is authorized to enter into reciprocal arrangements with the appropriate and duly authorized agency of any other State or of the United States, whereby (i) moneys due the commission for contributions, interest and penalties and paid to such agency shall be deemed to have been paid into the unemployment compensation fund of this State as of the date of payment to such agency and (ii) vice versa; *provided,* that such arrangements contain provisions for the reciprocal transfers of such moneys. Reciprocal agreements. Proviso.

7. Sections one and six of this act shall take effect January first, one thousand nine hundred and forty-six; sections two, three, four and five of this act shall take effect immediately. Effective.

Approved May 7, 1945.

CHAPTER 309

AN ACT concerning township finances, and amending section 40:148–5 of the Revised Statutes.

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

Section amended.

1. Section 40:148–5 of the Revised Statutes is amended to read as follows:

Resolution to set aside surplus funds.

40:148–5. The township committee of any township may by resolution order so much as it may deem expedient of the moneys paid to it in pursuance of the provisions of chapters nineteen to twenty-nine of the Title, Taxation (sections 54:19–1 et seq.), or any other of its unappropriated surplus funds, to be set aside for the payment of such particular series of bonds as the committee may in said resolution direct, and after the passage of said resolution, a certified copy of which shall immediately be filed with the State Department of Taxation and Finance, the Division of Local Government, the revenues or sums of money so appropriated shall not be diverted to any other purpose or use until that series of bonds shall have been paid. Such moneys, shall, however, not be available for payment of bonds until appropriated therefor through the local budget or an ordinance providing for such payment, and may, pending such appropriation, be invested in bonds of the United States of America and the interest earned thereon shall become part of said moneys.

Copy of resolution filed.

2. This act shall take effect immediately.

Approved May 7, 1945.

CHAPTER 310

AN ACT creating the State Capitol Building Commission; authorizing said commission to acquire lands and to erect buildings in order to provide adequate space and facilities for the administration of the State Government, and making an appropriation therefor.

WHEREAS, the State Capitol Building Commission, created by Joint Resolution No. 2 of the Session Laws of 1945, submitted its Interim Report No. 1, containing its recommendations to the Governor of New Jersey and to the Legislature; and Preamble.

WHEREAS, in said interim report the commission has recommended that additional office space can best be provided by carrying into effect three successive projects; and Preamble.

WHEREAS, by the first project it is recommended that the first new office building be erected on land to be purchased, exchanged or condemned on the southerly side of West State street in a westerly direction from the present State Annex Building; and Preamble.

WHEREAS, Project No. 2 contemplates the erection of an additional office building conforming in general respects to the present annex building to be located on the southerly side of West State street in an easterly direction from the present State House; and Preamble.

WHEREAS, Project No. 3, as the final phase of the program, recommends that the present State Capitol Building be removed and that in its stead there be erected a building to house the executive and legislative branches of the State Government; and Preamble.

Preamble.

WHEREAS, it is possible by the recommendations of said commission to provide additional office space as described in the said report by the successive completion of the three projects, as funds are available, and without the necessity of committing the State Government to an immediate outlay of the entire amount required to complete all phases of the program; now, therefore,

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

C. 52:31-16. State Capitol Building Commission.

1. The State Capitol Building Commission is hereby created for the purpose of acquiring lands and erecting buildings in order to provide adequate space and facilities for the administration of the State Government, in the city of Trenton.

C. 52:31-17. Members of commission.

2. The commission shall consist of seven members. The first members of the commission shall be Reeve Schley of Far Hills, Harvey N. Davis of Hoboken, Fred V. Ferber of Hackensack, C. Wesley Armstrong of Trenton, Charles K. Barton of Paterson, Cyrus H. Loutrel of South Orange, and Harold W. Hannold of Westville. The said Reeve Schley shall be chairman of the commission. Any vacancy occurring in the membership of the commission shall be filled in the following manner: if the vacancy occurs from among the members who are now members of the Senate the vacancy shall be filled by the President of the Senate. If the vacancy occurs from among the members who are now members of the House of Assembly the vacancy shall be filled by the Speaker of the House. If the vacancy occurs among any of the other members of the commission the vacancy shall be filled by the Governor, by and with the advice and consent of the Senate.

Vacancy.

A vacancy in the chairmanship shall be filled by a vote of the commission from among its membership.

C. 52:31-18. Duties and powers transferred.

3. The powers and duties heretofore exercised by the State Capitol Building Commission, created by Joint Resolution No. 2 of the Laws of 1945, are hereby transferred to, vested in and shall be exercised by the commission in this act created, and all records, books, plans, maps and other papers of the existing State Capitol Building Commission are transferred to and become the property of the commission in this act created.

C. 52:31-19. Report.

4. The commission in this act created is authorized, empowered and directed to effectuate, in accordance with appropriations made therefor from time to time, the recommendations made by the State Capitol Building Commission appointed pursuant to Joint Resolution No. 2 of the Laws of 1945, which recommendations are contained in said Commission's Interim Report No. 1 to the Governor and the Legislature. The commission in this act created is authorized, empowered and directed to forthwith proceed to acquire the necessary lands by gift, grant, purchase, exchange, eminent domain, or in any other lawful manner, in the name of and for the use of the State of New Jersey, and cause to be prepared architectural plans and specifications for the carrying out of the program outlined in said report.

C. 52:31-20. Costs submitted to Legislature.

5. When any new building or buildings are to be erected, the commission shall not incur any debt or obligation therefor until the proposal for the new building or buildings has been submitted to the Legislature, with the estimated cost thereof and such other detail as may fully inform the Legislature as to the proposed construction and the same is concurred in by the Legislature.

C. 52:31-21. Full cost set forth in contract.

6. When any contract is awarded by the commission for the erection of any new building or buildings, the full cost thereof shall be set forth in such contract and no expenditure of money in excess of the amount so set forth in such contract shall be made unless and until approved by act of the Legislature.

C. 52:31-22. State Capitol Building Account.

7. All moneys appropriated by the Legislature from time to time to effectuate the purpose of this act shall be maintained in a separate account to be known as the "State Capitol Building Account" and shall not lapse at the end of any fiscal year, but shall be continuously available to the commission until the completion of such purpose.

Appropriation.

8. For the purpose of carrying out the provisions of this act there is hereby appropriated the sum of five hundred thousand dollars ($500,000.00), and any balance remaining of the appropriation made to the State Capitol Building Commission by virtue of Joint Resolution No. 2 of the Laws of 1945 is hereby transferred to the account of the commission herein created.

9. This act shall take effect immediately.

Approved May 23, 1945.

JOINT RESOLUTIONS

Joint Resolutions

JOINT RESOLUTION No. 1

A JOINT RESOLUTION to provide for the designation of a section of Route No. 29 as Blue Star drive.

Preamble.

WHEREAS, the Garden Club of New Jersey, co-operating with the State Highway Department, has already arranged for the planting of thousands of trees and shrubs along a section of State Highway Route No. 29, as a living memorial for New Jersey men and women of the armed forces, both living and dead, who have served and for those who will serve during the present war; therefore,

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

Blue Star drive.

1. The particular section of State Highway Route No. 29, along which the Garden Club of New Jersey in co-operation with the State Highway Department has arranged for the planting of trees and shrubs, shall be designated as Blue Star drive, and such section of said highway and all trees and shrubs planted along said section of said highway shall be maintained by the State as a memorial commemorating the New Jersey men and women of the armed forces, both living and dead, who have served and those who will serve during this present war.

Descriptions of highway filed.

2. The State Highway Commissioner shall file with the Secretary of State a description of the particular section of State Highway Route No. 29 so designated as Blue Star drive and shall cause to be erected along said highway suitable tablets and ornamentations to effectuate this resolution.

3. This joint resolution shall take effect immediately.

Approved January 23, 1945.

JOINT RESOLUTION No. 2

A JOINT RESOLUTION creating the State Capitol Building Commission; providing for the appointment of the members thereof and defining their powers and duties, and making an appropriation therefor.

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

State Capitol Building Commission.

1. There is hereby created the State Capitol Building Commission. The commission shall consist of seven members, two of whom shall be Senators, named by the President of the Senate, two Assemblymen, to be named by the Speaker of the House of Assembly, and three citizens, to be named by the Governor. The Governor shall designate the chairman of the commission.

Report to Legislature.

2. The commission is authorized and empowered to study the need for additional office space for activities of State officers and departments; to examine plans and specifications for new buildings or enlargement of present buildings, and to report their recommendations from time to time to the Governor and to the Legislature.

Secretary.

3. The commission shall appoint a secretary and such technical and clerical assistants as it deems necessary.

Appropriations.

4. For the purpose of effectuating this resolution there is hereby appropriated to the commission the sum of ten thousand dollars ($10,000.00), or so much thereof as may be necessary, which moneys shall be expended in the same manner and subject to the regulations governing other State appropriations.

5. This joint resolution shall take effect immediately.

Approved February 8, 1945.

JOINT RESOLUTION No. 3

A JOINT RESOLUTION creating a commission to make a study of the financial structure of the Teachers' Pension and Annuity Fund and of the amount of annual contribution needed to keep this fund on a sound actuarial basis.

WHEREAS, the State recognizes the necessity for keeping the Teachers' Pension and Annuity Fund in a sound actuarial condition; and Preamble.

WHEREAS, the financial structure of the Teachers' Pension and Annuity Fund and the amounts certified to the State as required contributions each year have been subjected to question; and Preamble.

WHEREAS, all such questions should be finally resolved, not only in the best interest of the teachers of the State but in the interest of all our citizens; therefore, Preamble.

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

1. There is created a commission for the purpose of making a study of the financial structure of the Teachers' Pension and Annuity Fund and of the amount of annual contributions needed to keep this fund on a sound actuarial basis. Commission.

2. This commission shall consist of seven members, one of whom shall be the Commissioner of Taxation and Finance, three of whom shall be Senators, to be chosen by the President of the Senate, and three of whom shall be members of the House of Assembly, to be chosen by the Speaker thereof. Members.

3. The commission is authorized to hold hearings, call witnesses, and to draft necessary legal and clerical assistants from the offices of the

Attorney-General of the State of New Jersey, the Law Revision and Bill Drafting Commission and other State departments as may be required. It shall also have authority to engage such competent actuaries and other expert advisers as it may deem necessary.

Report to Legislature.

4. The commission shall report the results of its studies to the present session of the Legislature.

5. This joint resolution shall take effect immediately.

Approved February 16, 1945.

JOINT RESOLUTION No. 4

A JOINT RESOLUTION memorializing Congress to provide a general medical and surgical hospital in the State of New Jersey.

Preamble.

WHEREAS, there are now more than four hundred fifty thousand citizens of the State of New Jersey serving in the armed forces of the United States who are and will be entitled to benefits of hospitalization and general medical care under Public Laws No. 16 and No. 364 of the 78th Congress of the United States; and

Preamble.

WHEREAS, there are approximately one hundred twenty thousand veterans of World War I who are similarly entitled to general hospital, medical and surgical care under previous Federal Laws; and

Preamble.

WHEREAS, there is no general medical or surgical hospital located in the State of New Jersey where these benefits could be provided for and it is obvious that the case load which will come from New Jersey veterans is sufficient to warrant the establishment of a general medical and surgical hospital within the State at a place where it will be of easy access; and

WHEREAS, New Jersey veterans are now compelled to travel either to the State of New York or the State of Pennsylvania for general medical or surgical hospital care, which imposes a burden upon the veteran and also upon his family; therefore Preamble.

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

1. The Congress of the United States is hereby memorialized to take cognizance of the urgent needs for a general medical and surgical hospital to be located in the State of New Jersey. Need of hospital in New Jersey.

2. The Congress of the United States is further memorialized to authorize the Administration of Veterans Affairs and the Federal Board of Hospitalization to expedite and complete the construction of a general medical and surgical hospital in the State of New Jersey. Construct hospital.

3. The Secretary of State is hereby directed to transmit a copy of this joint resolution to the Vice-President of the United States, the Speaker of the House of Representatives, the Senators and Representatives of the State of New Jersey in the Congress and to the Administrator of Veterans Affairs. Transmit copies.

4. This joint resolution shall take effect immediately.

Approved February 26, 1945.

JOINT RESOLUTION No. 5

JOINT RESOLUTION designating proposed Passaic river bridge on Route 25A, Newark, as the William A. Stickel Memorial Highway Bridge.

Preamble. WHEREAS, New Jersey is desirous of recognizing and commemorating the splendid services and achievements of the late William A. Stickel, who left a record of distinguished public service, as county engineer of Essex county; and

Preamble. WHEREAS, it is fitting and appropriate that legislative recognition be accorded such services on the part of William A. Stickel; therefore,

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

Designation of bridge. 1. That the bridge now planned for construction across the Passaic river at or near the present Bridge street bridge on Route 25A, shall be designated as the William A. Stickel Memorial Highway Bridge in commemoration of the services of the said William A. Stickel.

Tablet on bridge. 2. The State Highway Commissioner shall cause to be erected on said bridge suitable tablets and ornamentations to effectuate this resolution.

3. This joint resolution shall take effect immediately.

Approved March 14, 1945.

JOINT RESOLUTION No. 6

A JOINT RESOLUTION memorializing the Congress of the United States to liberalize the Social Security Act so that individuals will not lose any old age benefits because of receiving thirty-five dollars ($35.00) or less, in any month for services rendered.

WHEREAS, under present law, a person entitled to Federal old age and survivors insurance benefits, who receives wages over fifteen dollars ($15.00) a month, suffers deductions in such benefits; and Preamble.

WHEREAS, benefits have not increased though the cost of living has skyrocketed; and Preamble.

WHEREAS, such persons in a small way could help to overcome the acute labor shortage if they were allowed to earn additional compensation without suffering deductions from their benefits; now, therefore, Preamble.

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

1. That the Congress of the United States be memorialized to take immediate action to liberalize the Social Security Act so that an individual entitled to benefits thereunder may receive wages in any month of at least thirty-five dollars ($35.00) before deductions can be made in the benefits to which such person is entitled. Memorial to liberalize Social Security Act.

2. The Secretary of State is directed to transmit copies of this joint resolution, properly authenticated, to the Secretary of the Senate of the United States, to the Clerk of the House of Representatives and to each member of the Senate and House of Representatives from the State of New Jersey. Transmit copies.

3. This joint resolution shall take effect immediately.

Approved March 28, 1945.

JOINT RESOLUTION No. 7

JOINT RESOLUTION memorializing the Congress of the United States to adopt legislation, expeditiously, which will provide for the granting to postal employees wage increases commensurate with their work and responsibilities.

Preamble. WHEREAS, employees of the United States Postal Service are today required to perform greater duties than heretofore; and

Preamble. WHEREAS, employees of the United States Postal Service have not received a permanent wage adjustment in more than a decade; and

Preamble. WHEREAS, the New Jersey Legislature believes that the employees of the United States Postal Service are entitled to such permanent wage adjustment; therefore

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

Wage increase for postal employees. 1. That the Congress of the United States is urged to adopt legislation, expeditiously, which will provide for the granting to postal employees wage increases commensurate with their work and responsibilities.

Transmit copies. 2. That the Secretary of State is directed to transmit, immediately following the passage of this resolution, a copy thereof, properly authenticated, to the Secretary of the Senate of the United States, the Clerk of the House of Representatives and to each member of the Senate and House of Representatives from the State of New Jersey.

3. This joint resolution shall take effect immediately.

Approved March 28, 1945.

JOINT RESOLUTION No. 8

JOINT RESOLUTION creating a commission to make a study of Article VI (the Judiciary Article) of the present Constitution of the State of New Jersey and to make a report to the Joint Legislative Committee to study Constitutional Amendments.

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

Commission.

1. There is created a commission which shall consist of three members of the Senate appointed by the President thereof, three members of the General Assembly appointed by the Speaker thereof, and six members to be appointed by the Governor from among the members of the judiciary and the bar of the State.

Study of Article VI State Constitution.

2. The commission shall make a study of Article VI (the Judiciary Article) of the present Constitution of the State of New Jersey and report the results of its study and its recommendations to the Joint Legislative Committee to study Constitutional Amendments.

Hearings.

3. The commission is authorized to hold hearings and to draft necessary assistants from any State department as may be required.

Proposed amendments.

4. Until such time as the commission makes its report to the Joint Legislative Committee to study Constitutional Amendments, all proposed amendments affecting the Judiciary Article of the Constitution and all communications, reports and data received by the Joint Legislative Committee to study Constitutional Amendments, which affect the Judiciary Article, shall be delivered to the commission.

5. This joint resolution shall take effect immediately.

Approved April 4, 1945.

JOINT RESOLUTION No. 9

A JOINT RESOLUTION to mark the acceptance by the State of New Jersey of the estate of the late Arthur Brisbane at Allaire, New Jersey, and expressing the appreciation of the people of New Jersey.

Preamble. WHEREAS, Mrs. Arthur Brisbane and her children, desiring to make possible the establishment of a convalescent home for disabled veterans of the armed forces of the United States and to provide the facilities for enlarging the Allaire State Park, have granted to the State of New Jersey the family home at Allaire, New Jersey, together with four hundred acres of surrounding lands; and

Preamble. WHEREAS, by this most generous deed, the Brisbanes have recorded for all times their kindly and benevolent interest in the citizens of the State of New Jersey; and

Preamble. WHEREAS, it is most fitting and proper that the State of New Jersey take due and official cognizance of the philanthropic gift of these valuable lands and properties to the State of New Jersey; now, therefore,

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

Expression of gratitude of New Jersey. 1. That the State of New Jersey, for and on behalf of all citizens of the State, hereby expresses to Mrs. Arthur Brisbane and her children the sincere gratitude of the people of New Jersey and formally accepts in their behalf the grant to the State of New Jersey of the Brisbane Home and surrounding lands at Allaire, New Jersey. The establishment of a convalescent home for veterans of the armed forces of the United States and the enlarg-

ing of the Allaire State Park will constitute a perpetual memorial to the benevolent and generous interest of Mrs. Arthur Brisbane and her children in the welfare of the citizens of this State.

2. This resolution shall take effect immediately.

Approved April 16, 1945.

JOINT RESOLUTION No. 10

A JOINT RESOLUTION memorializing the Congress of the United States to enact legislation to prevent counties, cities, or other subdivisions of any State from imposing income, wage, or other similar taxes upon nonresidents of such State.

WHEREAS, the city of Philadelphia now levies a tax upon wages; and Preamble.

WHEREAS, many residents of New Jersey are employed in the city of Philadelphia and are required to pay this tax to the city of Philadelphia, resulting in inequities to many residents of the State of New Jersey especially those residing in the southern counties of our State; now, therefore, Preamble.

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

1. The Congress of the United States is memorialized to enact legislation to prevent counties, cities, or other subdivisions of any State from imposing income, wage, and other similar taxes upon nonresidents of such State. Memorial to Congress.

2. The Secretary of State is directed to transmit copies of this joint resolution, properly authenticated, to the Secretary of the Senate of the United States, to the Clerk of the House of Representa- Transmit copies.

tives and to each member of the Senate and House of Representatives from the State of New Jersey.

3. This joint resolution shall take effect immediately.

Approved April 16, 1945.

JOINT RESOLUTION No. 11

A JOINT RESOLUTION memorializing the Congress of the United States to enact legislation to include under the provisions of the Social Security Act individual employers of employees covered by said act.

Preamble. WHEREAS, the provisions of the Social Security Act pertain only to certain employees; and

Preamble. WHEREAS, individual employers while contributing to the social security fund for the benefit of such employees, receive no benefits for themselves; and

Preamble. WHEREAS, it is only just and equitable that such employers should be entitled to the benefits of the Social Security Act; therefore

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

Memorial to Congress. 1. That the Congress of the United States be memorialized and urged to take immediate action to include under the provisions of the Social Security Act the individual employers of those employees already covered by said act.

Transmit copies. 2. The Secretary of State is directed to transmit copies of this joint resolution, properly authenticated, to the Secretary of the Senate of the United States, to the Clerk of the House of Representatives and to each member of the Senate and House of Representatives from the State of New Jersey.

3. This joint resolution shall take effect immediately.

Approved April 16, 1945.

JOINT RESOLUTION No. 12

A JOINT RESOLUTION creating a commission to investigate and study the question of equalization of educational opportunity for all children in the public schools of the State, the costs thereof, a system of finance adequate to meet such costs, and referring existing Senate Bills Nos. 40, 41, 42 and 43 to said commission as a basis for such study and investigation.

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

Commission.

1. There is hereby created a commission to investigate and study the question of equalization of educational opportunity for all children in the public schools of the State, the costs thereof and a system of finance adequate to meet such costs.

Members.

2. The commission shall consist of ten members, three of whom shall be members of the Senate to be appointed by the President of the Senate, three of whom shall be members of the General Assembly to be appointed by the Speaker thereof, and also Hon. John H. Bosshart, Commissioner of Education; Charles A. Brown, Union City, president of the State Federation of District Boards of Education; Joseph L. Bustard, Roselle, president of the New Jersey Department of Superintendence, New Jersey Education Association; and E. Morgan Barradale, West Orange, vice-chairman, New Jersey Educational Planning Commission.

Chairman.

3. The Governor shall designate one of the members to be chairman and the Department of Law shall render such legal services as may be necessary. The commission may sit during the recess of the Legislature or after any adjournment thereof.

New Jersey State Library

Hearings.

4. The commission may hold hearings in any part of the State and upon the completion of its said hearings shall embody its findings and recommendations in a report with proposed legislation thereon to the present or a succeeding session of the Legislature.

Basis for study.

5. The commission shall use as a basis for its investigation and study Senate Bills Nos. 40, 41, 42 and 43 of the session of one thousand nine hundred and forty-five, introduced by Senator Pascoe, which bills are hereby referred to said commission herein named.

6. This joint resolution shall take effect immediately.

Approved April 16, 1945.

JOINT RESOLUTION No. 13

A JOINT RESOLUTION commending the Congress of the United States for its affirmance of the principles of the freedom of speech and press and advocating the adoption of the same principles upon a world-wide basis, and urging upon the delegates of this country to the peace conference the adoption of an international compact.

Preamble.

WHEREAS, the New Jersey Legislature is advised that the Congress of the United States has adopted Senate Resolution No. 53, which reads as follows:

"That the Congress of the United States expresses its belief in the world-wide right of interchange of news by news gathering and distributing agencies, individual or associate, by any means, without discrimination as to source,

distribution, rates or charges; and that this right should be perfected by international compact.''

AND WHEREAS, the New Jersey Legislature fully subscribes to the principles enunciated by said resolution; therefore Preamble.

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

1. The New Jersey Legislature hereby extends its commendation to the Congress of the United States for its affirmance of the principles of speech and press and advocates the adoption of the same principles upon a world-wide basis in freedom and equality of access to the truth and the facts, and urges upon the delegates of this country to the peace conference the adoption of an international compact to guarantee the maintenance of such principles. Commendation to Congress.

2. The Secretary of State is directed to transmit, immediately following the passage of this joint resolution, a copy thereof, properly authenticated, to the Secretary of State of the United States, to the Secretary of the Senate of the United States and to the Clerk of the House of Representatives. Transmit copies.

3. This joint resolution shall take effect immediately.

Approved April 17, 1945.

JOINT RESOLUTION No. 14

A JOINT RESOLUTION directing the Legislature's Veterans' Commission, created by Senate Concurrent Resolution No. 21, adopted March nineteenth, one thousand nine hundred and forty-five, to make a study of the present veterans' pension and preference laws of the State of New Jersey and to formulate a comprehensive plan for the codifying and clarifying thereof.

Preamble.

WHEREAS, it is in the interests of the citizens of the State and those now in the armed forces and the veterans of the State who served in the armed forces of the United States in past wars that all veterans' pension and preference laws be codified and clarified in order to eliminate existing misunderstanding of the provisions of such laws; now, therefore

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

Codify veterans' laws.

1. The Legislature's Veterans' Commission is hereby directed to codify and clarify all veterans' pension and preference laws of the State of New Jersey.

Study of all laws.

2. The commission shall be charged with the duty of inquiring into the present veterans' pension and preference laws, making a complete study of all the laws relating to pensions and preferences for veterans, and determining in what respect existing laws may be codified and clarified and in what respects their administration may most effectively be simplified, modified, restated and revised to insure more effective interpretation thereof.

Hearings.

3. The commission is authorized to hold hearings and call such witnesses as may be required. It shall also have authority to engage such employees as it

may deem necessary for the proper accomplishment of the purposes of this joint resolution.

4. The commission is authorized to require from any State department, commission or agency such assistance as may be needed to accomplish the purposes of this joint resolution. Assistance.

5. The commission shall make a report of its study and recommendations to the Legislature. Report to Legislature.

6. This joint resolution shall take effect immediately.

Approved April 17, 1945.

PROCLAMATIONS

Proclamations by the Governor

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

In war time, as in peace, the true greatness of the late Thomas Alva Edison becomes more and more apparent as this nation's vast industrial system produces the war material that is such a major factor in the success of our armed forces and those of our allies.

Without the basic inventions of Thomas Edison many of these vast enterprises could not function. His influence has been felt, too, in many of the ingenious devices and weapons of the present war, which can be traced directly to his original concepts.

On this 98th anniversary of the birth of Thomas A. Edison, of whom New Jersey is so proud, it is fitting that we pause briefly to pay homage to his memory and to his life's work and his unparalleled contribution to our happiness and progress.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this second day of February, in the year of Our Lord one thousand nine hundred and forty-five, and in the Independence of the United States the one hundred and sixty-ninth.

WALTER E. EDGE
Governor.

By the Governor:
J. A. BROPHY
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

After over three years of war on many fronts throughout the world, the American Red Cross faces in the coming year an increasing responsibility for the relief of human suffering among our men and women in the armed services and the countless number of civilians who are caught in this maelstrom.

Throughout the years the Red Cross has been our national symbol—really an international symbol—of kindness and understanding. Its competency and effectiveness as an organization of humaneness and mercy are well recognized. The effective administration of this great agency depends largely upon voluntary contributions, and the national quota for the coming year is $200,000,000, while New Jersey's quota has been set at $7,029,800. While these amounts seem large in dollars they are small in comparison with the easement of human suffering that this money will accomplish. I feel confident, therefore, that, as always, New Jersey will respond generously to this call, so that the American Red Cross can continue to relieve distress in all parts of the world.

THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, do hereby proclaim the campaign to be conducted from

MARCH 1ST TO MARCH 31ST

as

THE 1945 WAR FUND CAMPAIGN OF THE AMERICAN RED CROSS,

and I appeal to the citizens of New Jersey to meet this obligation with the full knowledge that the

financial sacrifices it may entail could not be endured in a greater cause.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this twenty-eighth day of February, in the year of Our Lord one thousand nine hundred and forty-five and in the Independence of the United States the one hundred and sixty-ninth.

WALTER E. EDGE
Governor.

By the Governor:
J. A. BROPHY
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

Annually, since 1937, April 6th of each year has been observed as Army Day.

Adequate acknowledgment of the titanic accomplishments of our armies in the present great conflict is impossible, but we can dedicate ourselves to the cause of encouraging them by our efforts at home. Whether it be by increased production of equipment and ammunition, increased purchase of war bonds, or additional blood donations, our efforts should be enthusiastic and sustained.

Throughout the year there is constant opportunity for us to demonstrate our willingness to be of such help as we can, but on Army Day we can give additional testimony to the sacrifices and efforts of our armies.

THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, do hereby proclaim

FRIDAY, APRIL 6TH,

as

ARMY DAY,

and I ask for appropriate observance of the day. I request that the flag be flown from places of business and homes, as well as public buildings, and that suitable programs be conducted by civic organizations.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this second day of April, in the year of Our Lord one thousand nine hundred and forty-five and in the Independence of the United States the one hundred and sixty-ninth.

WALTER E. EDGE
Governor.

By the Governor:
J. A. BROPHY
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

With victory for our armed forces so near at hand, this nation and all the humble peoples of the world have lost a great champion of world peace. How we meet the great problems of the peace table will determine whether the appalling sacrifices of the allied nations to preserve liberty and freedom have been justified.

On this basis it devolves upon all of us in high and low positions to work together for a true, lasting world peace that will be the greatest monument possible to his memory.

THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, do hereby proclaim a thirty-day period of mourning as a tribute to Franklin Delano Roosevelt, and sincerely urge every man, woman and child in this State and in this Nation to form a unified public opinion for a permanent end to the grief and destruction of warfare.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this thirteenth day of April, in the year of Our Lord one thousand nine hundred and forty-five, and in the Independence of the United States the one hundred and sixty-ninth.

WALTER E. EDGE
Governor.

By the Governor:
J. A. BROPHY
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

The great problems of reconstruction abroad, and reconversion of our own economic life from war to peace time pursuits when hostilities are finally concluded, will call for the greatest tolerance and understanding among the various races and peoples of the world.

These world-wide adjustments cannot be made on a basis of hatreds and intolerances engendered by the war, but must be worked out on a plan of mutual helpfulness and cooperation.

Accordingly, at the request of the Good-Will Commission of the State of New Jersey,

I, WALTER E. EDGE, Governor of the State of New Jersey, do hereby proclaim

FRIDAY, MAY 18TH,
as
GOOD-WILL DAY

in the State of New Jersey, and I suggest that our citizens supplement the work of the Good-Will Commission of New Jersey by participating in exercises appropriate to the occasion.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this seventh day of May in the year of Our Lord, one thousand nine hundred and forty-five, and in the Independence of the United States the one hundred and sixty-ninth.

WALTER E. EDGE
Governor.

By the Governor:
J. A. BROPHY
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

As the full weight of this nation's military resources are being turned from our victory in Europe to the battle against Japan, it is imperative that we continue our financial support in the Seventh War Loan Drive from May 18th to June 30th.

Citizens of New Jersey are called upon for an investment quota in victory of $622,000,000 of which $148,000,000 has been allocated for E bond purchases. Throughout the nation the quota of $14,000,000,000 has been established for this drive to make certain our troops will have the food, equipment, weapons and material that will bring the war in the Pacific to a successful conclusion at the earliest possible moment.

THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, do hereby proclaim the period of

MAY 18TH TO JUNE 30TH

for the

SEVENTH WAR LOAN DRIVE

and I urge our citizens to co-operate with the 150,000 volunteers conducting this campaign for the New Jersey War Finance Committee and invest all possible funds in what we are certain will be our final victory.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this seventh day of May, in the year of Our Lord one thousand nine hundred and forty-five, and in the Independence of the United States the one hundred and sixty-ninth.

WALTER E. EDGE
Governor.

By the Governor:
J. A. BROPHY
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

Our first reaction to the wonderful news of the surrender of the German armies naturally is one of jubilation tempered with thankfulness to the Almighty, to our armed forces and those of our Allies.

More important than the historic military triumph, this surrender constitutes another great victory of our ideals of liberty and the equality of man. It means that freedom of thought, freedom of speech and freedom of religious belief shall not perish. In the vast scope of history today's victory means that millions of men and women yet unborn will live in a world of freedom instead of slavery.

The victory, however, is only half won. Another cruel, vicious and unprincipled enemy remains to be defeated. This second victory is just as inevitable as that of today, but it will not be attained quickly if we relax our wholehearted support of the war effort in men, money, labor and sacrifices.

I call upon the people of New Jersey to celebrate this great occasion in a reverent, thankful and sober mood, with our hearts and minds intent upon supporting to the limit those brave men and women still giving their all in the war against Japan. After the final victory is won it is our most fervent hope that national ambitions and desires can be subordinated to preventing such grief, misery and destruction ever recurring again.

Therefore, in response to the call of the President of the United States, I hereby proclaim

SUNDAY, MAY 13TH,

as a

DAY OF PRAYER AND THANKSGIVING

throughout the State of New Jersey, and I also order the State House and all State offices to close at 12:00 noon, today, May 8th.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this eighth day of May, in the year of Our Lord one thousand nine hundred and forty-five, and in the Independence of the United States the one hundred and sixty-ninth.

WALTER E. EDGE
Governor.

By the Governor:
J. A. BROPHY
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, under existing law proposed amendments to the Constitution are required to be advertised three months in advance of the general election, I am herewith calling the Legislature of the State of New Jersey to meet in Special Session at the State House, Trenton, New Jersey, on Monday, the twenty-first day of May, nineteen hundred and forty-five, at two o'clock, Eastern War Time, in the afternoon of said day, for the purpose of considering proposed Constitutional amendments.

In addition to this responsibility I will submit to the Special Session a bill enlarging the powers of the State Capitol Building Commission, in order that eight months' time may be saved in the preparation of plans and the acquisition of the land necessary to enlarge the facilities of the State Capitol, as recommended to the last session of the Legislature through the Commission's Interim Report Number One.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this fourteenth day of May, in the year of Our Lord one thousand nine hundred and forty-five, and in the Independence of the United States the one hundred and sixty-ninth.

WALTER E. EDGE
Governor.

By the Governor:
J. A. BROPHY
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

At no time in our nation's history has American citizenship carried with it greater obligations and rewards. With victory won in Europe and a hard fight still confronting us in the Pacific, American citizens in high places and low must continue to give their undivided support and allegiance to the prosecution of the war. This is no time to relinquish our efforts.

When the final victory is won, however, American citizens will find a wonderful opportunity to re-dedicate their lives to the pursuits of peace in a nation untouched by the physical ravages of war. In no other place in the world is the individual given greater opportunity.

As part of our national program to welcome the new citizens of the United States and to re-emphasize our own responsibilities of citizenship,

I, WALTER E. EDGE, Governor of the State of New Jersey, do hereby proclaim

SUNDAY, MAY 20TH

as

I AM AN AMERICAN DAY

and call upon the various departments of the State and officials of the county and local governments to participate in appropriate exercises. Further, that the week of May 20th to 26th be observed as National Citizenship Week so that our churches,

schools and civic organizations will place special emphasis on the value and obligations of American citizenship.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this fifteenth day of May, in the year of Our Lord one thousand nine hundred and forty-five and in the Independence of the United States the one hundred and sixty-ninth.

WALTER E. EDGE
Governor.

By the Governor:
J. A. BROPHY
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,

EXECUTIVE DEPARTMENT.

WHEREAS, The Director, Division of Taxation, Department of Taxation and Finance on the fifth day of February, one thousand nine hundred and forty-five, under the provisions of chapter eleven, Title 54, Revised Statutes, reported 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 one thousand nine hundred and forty-two, under the laws of the State of New Jersey, and made payable unto the State Treasury; and

WHEREAS, Under the provisions of said act the charters of said corporations are revoked and all powers conferred by law upon such corporations declared inoperative and void, unless the Governor gives further time for payment; and

WHEREAS, The Governor has not given further time to the corporations so reported and hereinafter named for the payment of such taxes, and the same are still unpaid;

THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, pursuant to the provisions of said act of the Legislature, do hereby issue this Proclamation that the charters of the following-named corporations so reported and in default, to wit:

UNPAID TAXES FOR THE YEAR 1942

A A A A Auto Wreckers, Inc.,
A. A. Coal Company,
A. Andre & Son, Inc.,
Aaron-David Corporation,
Abasun Floor Covering Co.,
Abbee Realty Co.,
Abbey-Starr Company, Inc.,
Abbott Engineering & Contracting Co.,
Abco Adjustment Co.,
A. B. C. Stores, Inc.,
Abe Louis Company of Dover, N. J.,
Abner J. Gelula & Associates, Inc.,
A. Brenner & Co. Inc.,
Absecon, Inc.,
A & B Transportation Co., Inc.,
Acadia Pharmaceutical Company,
Aca Realty Co.,
Ace Letter Service,
Ace Linen Supply Co.,
Ace Motor Service, Inc.,
Ace Petroleum Co.,
Ace Transportation Lines, Inc.,
Ace Vending Inc.,
A. C. Holding Corporation,
Ackermann's Market, Inc.,
A. C. McGlynn & Co., Inc.,
Acme Construction Company,
Acme Garage, Inc.,
Acme Grain & Feed Corp.,
Acme Liquor Co.,
Acme Theatres, Inc.,
Acme Transportation Co. Inc.,
A. Cristini and Son, Inc.,
Action Displays, Inc.,
Adam Puh Agency, Inc.,
A. D. L. Holding Co.,
Adriatic Avenue Holding Co.,
Aero-Matic Products Co., Inc.,
"Aeronautical Trade School, Inc.",

Aetna Company,
Aetna Plastering Corporation,
A. Greenhouse, Inc.,
A. H. Albertz, Inc.,
A. H. Company, Inc.,
A. H. Hoover, Inc.,
Aircraft Industries Corporation,
Air Heat Products Inc.,
Airtrol Engineering Company,
A. & J. Construction Co. Inc.,
A & J Men's Shop, Inc.,
Aladdin's Lamp, Inc.,
Alamo Food Stores Inc.,
Alan Meat Co.,
Alanrit, Inc.,
Albern, Inc.,
Alberona Realty Company, Inc.,
Albertson & Young, Inc.,
Albi Holding Co. Inc.,
A. L. Don, Inc.,
Alexan Holding Co.,
Alex Sapperstein, Inc.,
Alfa Trading Company, Inc.,
Alfred Heltewig, Inc.,
Algea Corporation,
A. L. Holding Co.,
Alice Stores, Inc.,
Allen Kander & Company, Inc.,
Allen-Roger Motors Corporation,
Allied Engineering Corporation,
Allison System Inc.,
Aloha Products Company,
Alps Castle, Inc.,
A. L. S. Construction Co.,
Al's Groceries & Delicatessen,
Al's Holding Company, Incorporated,
"Al's Mediaeval Tavern",
Amboy-Ridgeley, Inc.,
American Alloy Company,
American Bonded Collection Agency Inc.,
American Budget Homes Corporation,
American Business Institute,
American Charcoal Co.,

American Electric Corporation,
American Equity Corporation,
American Flag Decorating Company, Inc.,
American Freight Dispatch, Inc.,
American Greyhound Racing Association,
American Home Furnishers Inc.,
American Housecraft Corporation,
American Housing Co.,
American Loan Company,
American Luminous Sign Co.,
American Outfitters, Inc.,
American Overall Dry Cleaning Co. Inc.,
American Paper Products Co.,
American Radio & Refrigeration Co. Inc.,
American Rezo, Inc.,
American Soy Bean Company,
American Trade Schools, Inc.,
Amerihat Co. Inc.,
Ames Contracting Company,
Amity Cigar Stores, Inc.,
A. M. S. Theatre, Inc.,
A. M. Waldron, & Company,
Anan Realty Co., Inc.,
Anbach Realty Co., Inc.,
Anchor Boat Club Inc.,
Ancker Sign Co., Inc.,
Andersson Technical Laboratories, Inc.,
Andrew's Corporation,
Andronico Greenhouses, Inc.,
Andy's Wagon Wheel, Inc.,
A. N. Laggren Realty Co.,
Anthony's Beauty Shop, Inc.,
Anthony's Restaurant, Inc.,
A. Pangaro & Sons, Inc.,
A. & P. Engineering Company, Inc..
Apex Construction Co.,
Apollo Aseptic Corporation,
Applied Roofing Inc.,
A. and Q. Shoe Company, Inc.,
Arbor General Store, Inc.,
Arbor Terrace, Inc.,
Arbux Company,
Arcade Bar and Grill, Inc.,

Arcone Oil Co., Inc.,
Ardell Housing Co.,
Ardito & Sons, Inc.,
Ardmore Homes,
Argonne Post Exposition Co.,
Arias Realty Corporation,
Aries Realty Co.,
Arista Sportswear Inc.,
A. R. J. Company, Inc.,
Armor Corporation,
Arne Wine & Liquor Corp.,
Arrow Amusement Company,
Arrow Liquor Co.,
Arrow Realty & Construction Company, Inc.,
Arrow Sanitary Laundry, Inc.,
Arrow Throwing Co. Inc.,
Arrow Vending, Inc.,
Art Dental Laboratory Inc.,
Art Film Theatres,
Arthur F. Vohden, Inc.,
Arthur H. Brelsford, Inc.,
Arthur R. Storm, Inc.,
Artistic Store Fixture Co. Inc.,
Artmanny Realty Co.,
Art Paint Store, Inc.,
Ascot Limited, Inc.,
Ashner Building Supply & Wrecking Co.,
Associated Engineering Inc.,
Associated Mills, Inc.,
Associated Mink Breeders Corporation,
Associated Sound Company,
Astor Furniture Shop,
A. T. Bar and Supply Company, Inc.,
Athene Holding Company,
Atkins Mining Corporation,
Atkins Publishing Co. Inc.,
Atlantic Avenue Realty Corporation,
Atlantic City Horse-Racing Association, Inc.,
Atlantic City Jockey Club,
Atlantic City Shore Gardens,
Atlantic Cleaners & Dyers, Inc.,
Atlantic Logging Company,
Atlantic Mason, Coal & Supply Co., Inc.,

Atlantic-Ocean Amusement Co.,
Atlantic Trucking Company,
Atlas Chemical Company,
Atlas Engineering Co.,
Atlas Ferrules,
Atlas Sawdust Company,
Augusta Realty Company,
Augustus Co.,
Ault Construction, Company,
Aurora Realty Co., Inc.,
Austin Hat Company, Inc.,
Automatic Deoderall Corp.,
Automatic Merchandisers, Incorporated,
Auto Personal Loan Corporation,
Avon-Belmar Corporation,
Avon Home Builders, Inc.,
A. W. Franklin Mfg. Corp. of New Jersey,
A. W. Martinson, Inc.,
A. Wolpin, Inc.,
A. Wurtzel, Inc.,

Badger Steel Corp.,
Bailey Bros., Incorporated,
Baker Candy Co.,
Baker Management Co., Inc.,
Bakers' Distributing Co., Inc.,
Bakers Paint Store,
Baker-Walsh Company, Inc.,
Bakery Mart of Central Ave. Inc.,
Bakery Mart, Inc.,
Bakery Mart of Newark, Inc.,
Baldwin Lane Realty Co. Inc.,
Bal Realty Corp.,
Bandbox Corp., Inc.,
Banner Homes, Inc.,
Barclay Dyers, Inc.,
Bargain House of America, Inc.,
Barkman Land Company,
Barmasters, Inc.,
Barney's Inc.,
Barry Realty Company,
Barry's Delicatessen, Inc.,
Bartha, Inc.,

Bat Mfg. Co. Inc.,
Battaglia Construction Co. Inc.,
Bavarian Village Restaurant, Inc.,
Bayard-Prete Candy Company,
Bay Hardware Company, Inc.,
Bay-Morgan Realty Corporation,
Bayonne Comet Shoe Rebuilders, Inc.,
Bayshore Publishing Corporation,
Bayside Hosiery Mills, Inc.,
Bay Sites Development Co. Inc.,
Bay View Poultry Farm, Inc.,
B. B. & B. Holding Corp.,
B-C Studios, Inc.,
B. D. Holding Co.,
B. D. K. Realty Corporation,
Beach Boat Rides Company,
Beach Glen Land Company,
Beacon Chemical Company, Inc.,
Beacon Distributors Corporation,
Beacon Drug Company,
Beacon Investment & Realty Co. Inc.,
Beauty Clear Hosiery, Inc.,
Bebe Holding Co., Inc.,
The Bedell Corporation,
Behrman's Lingerie Inc.,
Bellair Homes Inc.,
Bell Carrier Corporation,
Belleville Food Center, Inc.,
Bellewood Park Pharmacy,
Bell Trucking Corp.,
Bellwood Motors, Inc.,
Belmar Casino, Inc.,
Belmar Corporation,
Belmont Chemical Co., Inc.,
Belmont Company,
Belmont-Emory Corporation,
Belvedere Novelty Company,
Bender Bros., Inc.,
Bender Holding Corporation,
Bendos Construction Co.,
Benfan Company,
Benham & Co.,
Benjamin Market, Inc.,

"Benjamin Realty Co., Inc.",
Benkirk, Inc.,
Benko Coal & Fuel Oil Co.,
Benmau Realty Company, Inc.,
Bennett Air Service,
Bennett Trucking, Inc.,
Beno Company,
Ben's Dairy and Delicatessen Co.,
Ben's Quality Market, Inc.,
Bergen County Carpet Cleaners, Inc.,
Bergen County Crystal Ice & Fuel Company, Inc.,
Bergen Evening Ledger Corporation,
Bergenfield Giant Market, Inc.,
Bergen Modern Homes, Inc.,
Bergen Pork Store, Inc.,
Bergen Sash and Door Company,
Bergenview Realty Co.,
Bergen Wines and Liquors,
Bergen Yarn Co., Inc.,
Berger Homes, Inc.,
Berkeley Heights Association,
Berkeley Military Academy, Inc.,
Berlie Realty Co., Inc.,
Berlin Bottling Company,
Berta, Inc.,
Bert - Brook Inc.,
Berton Rogers, Inc.,
Besbee Products Corporation,
Best Ice Cream and Creamery Co.,
Betsy Ross, Inc.,
Better Homes Construction Co.,
Betty Corporation,
Betty Lee Shoppe Inc.,
Betty Parker, Inc.,
Betty's Sweet Shop, Inc.,
Betty Stuart, Inc.,
Betty Taylor Beauty Studio, Inc.,
Beverage Shop, Inc.,
Bevinetto & Co.,
B. H. Company, Inc.,
Big Five Corporation,
Big Leader Foods, Inc.,
Bilt-Rite Homes, Inc.,

Bilt-Well Stores Fixture & Restaurant Equipment Corp.,
Bischoff Dairy Inc.,
Bishop's Inc.,
B. and J. Investment Co.,
Black Oak Ridge Realty Corporation,
Blain Construction Corp. of New Jersey,
Blanche Electric Co., Inc.,
Bloomfield Brokerage, Inc.,
Bloomfield Lathing Co.,
B. L. P. Corporation,
Blue Cabin, Inc.,
Blue Heaven Inc.,
Blue Star Realty Co. Inc.,
Bobby Holding Company,
Bob's Gas & Service Stations, Inc.,
Bohnenberger Cafe, Inc.,
Boiler Room Appliances Co.,
Bolte's Auto Refinishing Shop, Inc.,
Bona Fide Realty Corporation,
Bon-Glo Cake Shoppe Inc.,
Bonham Engineering and Construction Company,
Bonnie Brae,
Bonnie Millinery Inc.,
Boonton Taxi Service,
Borden's Oil Company,
Border Town Paper Co.,
Bormar Construction Company,
Borok & Co., Inc.,
Bostwick Wine & Liquor Store,
Bouchard and Charvet, Inc.,
Bouchard & Charvet Sales Co., Inc.,
Boulevard Pharmacy,
Boulevard Stores Corporation,
Bouterse and Hughes Corporation,
Boyd Construction Company,
Boyd Corp.,
Boyle's Bar & Grill,
Boyle's Diner,
B. and P. Coal Company,
Brafcruz, Inc.,
Braidburn Country Club, Inc.,
"Bramall-Jacoby Co., Inc.",

Branch Brook Fisheries, Inc.,
Branco, Inc.,
Brandon Realty Co.,
Branford Florist, Inc.,
Brauer Liquor Company,
Brautigan Co.,
Braydies Corporation,
B. R. C. Realty Co.,
Bressler, Inc.,
Brewin Process Corporation,
Briarcliffe Homes, Inc.,
Brice Investment Corporation,
Bricom Realty Company of Perth Amboy,
Bridge Diner, Inc.,
Bridge Estates Co.,
Bridge Plaza Oval Bar Inc.,
Brielle Engineering Corporation,
Brigantine Homes, Inc.,
Brill Realty Company,
Brinkerhoff Associates, Inc.,
Broadacres Realty Corporation,
Broad Realty Company,
Broadway A. C.,
Broadway Amusement Co.,
Broadway Auto Exchange,
Broadway Automobile Service, Inc.,
Broadway-Mechanic Co.,
Broadway Restaurant Corp.,
Broadwood Hosiery Co.,
Brookdale Building Company, Inc.,
Brook Riding Academy, Inc.,
Brookside Contracting Co., Inc.,
Brookside Land Company,
Brooks Manufacturing Corporation,
Brooks-Wright, Inc.,
Brown Home Builders,
Brown Publishing and Printing Company, Inc.,
Brown's Service Stations Inc.,
Brunswick Laboratories,
Brunswick Terminal, Inc.,
Brusky Estate, Inc.,
Buckingham Realty and Development Co.,
Buck Weiss, Inc.,

Budd Lake Realty Company,
Budget Home Builders, Inc.,
Bud Shops, Inc.,
Buffardi Bros. Inc.,
Building Insulation Co.,
Burak Realty Co., Inc.,
Burden & Liberman, Inc.,
Bureau of Identification,
Bureau of Industrial Relations, Incorporated,
Burlington County Transit Company,
Bur-Mon, Inc.,
Burnett Investment Co. Inc.,
Burnside Realty Corporation,
Burnt Wood Den,
Bur-Somer, Inc.,
The Buswell-Taber Products Corp.,
Busy Bee Markets, Inc.,
B. W. S Company, Inc.,
By-Sel Realty Company,

Caesar J. Raffo, Inc.,
Cahill Laboratories, Inc.,
Caldwell Food Company,
Caldwell Holding Corp.,
Caldwell Radio Shop, Inc.,
California Fruit Market, Inc.,
Call Drug Corp.,
Caloil Corporation,
Camden Apartments, Inc.,
Camden Baths, Inc.,
Camden County Business Men's League, Inc.,
Camden Defense Homes, Inc.,
Camden Drug Company,
Camden Foundry Company,
Camden Foundry and Machine Co.,
Camden Summer Clothing Manufacturing Company, Inc.,
Cameron, Inc.,
Camouflage Engineering Co. Inc.,
Campanella-Favaro-Glaviano,
Marcaroni Corporation,
Camp Claremont, Inc.,
Caniram Holding Company,

Canner's, Inc.,
Cann's Laundry, Inc.,
Canova Products Co.,
Canova Wines, Inc.,
Canterbury Corporation,
Canterbury Homes, Inc.,
Cape May Co-Operative Hosiery Company,
Cape May Cottages, Inc.,
"Capital Auto Sales Inc.",
Capital Cigar Company,
Capitol Knitting Mills, Inc.,
Capitol Stores, Inc.,
Caporaso & Sons, Inc.,
Captain Homes Inc.,
Captain Jernee's Training School for Boys,
Card Realty Corporation,
Carjo Corporation,
Carlan Tool Company,
Carleton Furniture Company, Inc.,
Carl Hoffmann, Inc.,
Carlin Construction Company,
Carlisle Print Works,
Carl Peterson Company,
Carl Realty Co., Inc.,
Carlsen Home Improvement Co.,
Carl's, Inc.,
Carmen Hosiery Mills, Inc.,
Carney Realty Company,
Carrano Trucking Company,
Carteret Development Company,
Carteret Holding Company, Inc.,
Carteret Park Development Company,
Carteret Terrace Realty Company,
Caruso Construction Co., Inc.,
Cath-Peter Corp.,
Cavallo-Gillooly, Inc.,
C. Barton Albright, Inc.,
C. B. Tichenor & Co., Inc.,
Cedar Grove Inn, Incorporated,
Cedar Grove Real Estate Company,
Cedar Lane Construction Co. Inc.,
Cedar Luncheonette, Inc.,
C. & E. Inc..

Celette Shoppe, Inc.,
Celmaur Packing Co., Inc.,
Cem Food and Beverage Company,
Central Beverage Company,
Central Distributor, Inc.,
Central Jersey Company,
Central Pearl Button Company, Inc.,
Central Properties, Incorporated,
Central Security Company,
Central Service Station,
Central State Realty Company,
Central Toy Shop, Inc.,
Central Warehouse Co.,
Century Club, Inc.,
Century Novelty Furniture Co., Inc.,
Cesaro Cigar Co., Inc.,
C. G. Realty Corporation,
Chadwick Building Company,
Chadwick Finishing Co. Inc.,
Chamberlain-Pilling, Inc.,
Chancellor Cleaners and Dyers, Inc.,
Charles A. Jerol, Inc.,
Charles Albanese Inc.,
Charles Engeln, Inc.,
Chas. P. Maier, Inc.,
Charles P. Seabo, Inc.,
Charles W. Kersey & Son Inc.,
Charlie's Luncheonettes, Inc.,
Chase Corporation,
"Chateau",
Chemet Corporation,
Cherry Hill Corporation,
Cherry, Keiser & Co.,
Chester Drug Company, Inc.,
Chester Holding Co.,
Chet Incorporated,
Child Witch Hazel Corporation,
Choate's, Inc.,
Chris Beauregard, Inc.,
Circle Auto Sales, Inc.,
Circular Printing Company Inc.,
C. I. Tarlow, Inc.,
Citron & Citron, Inc.,

City Lumber and Supply Co.,
Civic Center Market Inc.,
C. J. Simons & Co.,
C. L. A. Holding Corporation,
Clark Hilltop Realty Company,
Clark Products Company,
Clark Township Hotel, Inc.,
Clayton Investment Company,
Clearhill Farms,
Clementon Heights Lake and Park Association,
C. L. & H. Co., Inc.,
Cliff Lodge,
Cliffside Finance Corporation,
Cliffwood Used Car Co.,
Clifton Enterprises, Inc.,
Clifton Investments, Inc.,
C. & L. Inc.,
Clinton Hill Produce Market, Inc.,
Clipper Homes Corporation of New Jersey,
Closson-Parkhurst Engineering Corp.,
Clouzet Realty Co., Inc.,
Cloverdale Creamery Co.,
Clover Prints, Inc.,
Club Acme,
Clyde Realty Company,
C. & M. Corporation,
C. & M. Realty Company, Inc.,
Coast Amusement & Distributing Co. Inc.,
Coast National Corporation,
Coast Pants Corp.,
Coe-Mar Holding Company,
Cohn's Grocery Co.,
Cold Pack Container, Inc.,
Cold Wave Corporation,
Coleman, Lafin & Collins Company,
Co-Life Agency, Inc.,
Collection Service Corporation,
College Inn, Inc.,
Collision Repair Incorporated,
Colonial Apartments Corp.,
Colonial Enterprises, Inc.,
Colonial Horse Transportation Corporation,
Colonial Umbrella Co.,

Colonia Ridge, Inc.,
Colony Bar and Grill of Mt. Freedom, Inc.,
Colony Construction Co.,
Colorescent Laboratories, Inc.,
Columbia Court Realty, Inc.,
Columbia School of Commerce,
Columbia Textile Chemical Company,
"Comet Auto Stores",
"Comet Fuel Co. Inc.",
Comfort Insulation Co.,
Commerce Realty Co.,
Commercial Films Distributors, Inc.,
Commercial Holding Company,
Commonwealth Building Co.,
Communipaw Iron Works, Inc.,
Community Broadcasting Corporation,
Community Pastry Shop,
Composin Corporation of New Jersey,
Concord Investment Company,
Concourse Fruit Exchange,
Confidence Cleaners & Dyers, Inc.,
Confidence Food Market, Inc.,
Confidential Loan Plan,
Conifer Land Co., Inc.,
Conjon Realty Corp., Inc.,
Conklin Estates, Inc.,
Conklin Properties, Inc.,
Conners & Esser, Inc.,
Consolidated Interstate Lines Inc.,
Consolidated Super Service Stations,
Contant Corporation,
Continental Drug Corporation,
Continental Finance Corporation,
Continental Realty and Investment Co.,
Contractors Service Corporation,
Convertible Holding Co., Inc.,
Cook & Eelman,
Cooperative Consumers Alliance of N. J.,
Co-Operative Fuel, Inc.,
Co-Operative Investment Company of New Jersey,
Cooper Garage Co.,
Cooper Heating Corporation,
Coral Bar, Inc.,

Corbett Brothers Company,
Cornelius Van Saders, Inc.,
Cornman Construction Co.,
Cornu Investment Company,
Corporate Associates, Inc.,
Corporate Realty Co.,
Corporation Agency, Inc.,
Corrigan & Company, Inc.,
Corrine Investment Company,
Corrosanti, Inc.,
Corson & Mills, Inc.,
Co-Service Laundry Corporation,
Cosmo Neon Corporation,
Cosmos Holding Company,
Cottoncraft Frocks, Inc.,
Country Club Sites, Inc.,
Country Homes Company,
County Agency, Inc.,
Courter Park Land Company,
Coyle Fuel Company,
Crane Chemical Corporation,
Cranford Beauty and Slenderizing Studio,
Cranford Construction Co.,
Credit Investigations, Inc.,
Crescent Coats Co. Inc.,
Creston Hotel Company,
Crestview Homes, Inc.,
Criterion Electric, Inc.,
Crockery Shop,
Crosstown Associates,
Crusader Oil Refining Corp.,
Crystal Beverage Co. Inc.,
Crystal Club, Inc.,
Crystal Minerals Corporation,
Crystal Stores, Inc.,
C. & S. Lumber Co., Inc.,
Cucuzzella & Farinella Construction Co., Inc.,
Cunard Realty Corporation,
Curly Curls Incorporated,
Custom Upholstered Furniture Co.,
Cutler-Whitehead, Inc.,
Cut Rate Crockery Co. Inc.,
C. W. H. Spencer, Inc.,

C-W-R Co. Inc.,
Cyclo-Flame Corporation,
"Cyclop, Incorporated",
Cymay Corporation,
C. & Z. Baking Co.,

Dackerman Brothers, Inc.,
Dackerman Motor Car Co., Inc.,
Da Do Realty Company,
Dalco Holding Company,
Dale Lehigh Coal Co., Inc.,
D'Alessandro Company,
D. A. Lettini, Inc.,
Danceland Shack, Inc.,
D'Andrea Bros.,
Daniel G. Moss, Inc.,
Daniel P. Hmirak, Inc.,
Dann & Company, Inc.,
Dart Shoe Rebuilders, Inc.,
David B. Fohs, Inc.,
Davis Realty Co.,
Dawson Construction Company,
Daylite Electric Co.,
D. Bookhalter, Inc.,
"D. C. Satterfield, Inc.",
Deal Construction Company, Inc.,
Dealers Radio Repair Corporation,
Deal Holding Corporation,
Deal Lake Motor Boat Amusement Co.,
Deal Lake Overlook Company,
Dearden Agency, Inc.,
Debow Frosted Foods Distributor, Inc.,
Defense Industries Development Corp.,
Deka Development Company,
Delancey & Stockton Corporation,
Delaware Bridge Realty Company,
Delaware Cliff Associates, Inc.,
Del-Bay By-Products Co., Inc.,
Delft Gelatines, Inc.,
Delisa Bottle Corporation,
Del Mauro & Sons, Inc.,
Delpac Company,
Delta Plantation Company,

Dependable Cork Insulation Company,
Deutsch Leasing Corporation,
Devan Builders, Inc.,
De Wees & Company,
DeWilligen & Joy Construction Co. Inc.,
Dewitt-Fiorilli & Co.,
D. G. Holding Co.,
Diamond Fuel Co.,
Dick's Service Station, Inc.,
Di Dato Land Company,
Diesel Engineers and Construction Company, Inc.,
"Diner Inc.",
Dispatch Realty Company,
Dixie Food Center,
Dixon Electrical Construction Co.,
D. K. Adams, Inc.,
D. Lombardi, Inc.,
Dobbs Cut Rate,
Dr. Alice Galanter, Inc.,
Dr. Gilbert's Airway Insole,
Dr. Isreal Bidaman Co., Inc.,
Doctors and Dentists Finance Service,
Dodd Drugs, Inc.,
Dolphine Corporation,
Dominion Metals Refining Co.,
Dona Building Co.,
Donald Investment Co.,
Donald Manufacturing Co. Inc.,
Donbee Park Estates, Inc.,
Donnybrook Farms, Inc.,
Dorisam Building, Inc.,
Dorwil Realty Co., Inc.,
Dot Securities Corp.,
Douglas Estates, Inc.,
Douglas Fish Co., Inc.,
Dover Boiler Works,
D & R Corporation,
Drelich Outfitting Company, Inc.,
Du Barry Modes, Inc.,
Du Kay, Incorporated,
Dunn Auto Sales, Inc.,
Duplex Merchandise Company, Inc.,
Durabilt Homes,

Dura Painting & Decorating Co. Inc.,
Dutchman's Town Tavern Corp.,
Dutch Paint & Hardware Co., Inc.,
Du Tottle in System, Inc.,
Dynamo Electric Co. Inc.,

Eagle Laundry, Inc.,
Eagle Rock Pharmacy,
E. A. Maloof, Inc.,
East Broad Street Corporation,
East Coast Packing Company, Inc.,
Eastern Improvement Co.,
Eastern Land Construction Company,
Eastern Process Engineers, Inc.,
Eastern Reporting Company,
Eastern Rubber Co., Inc.,
East Green Corporation,
East Orange Amusement Company,
East Orange Market, Inc.,
E. B. Degenring and Company,
E. Berger Co. Inc.,
E. Bruns, Inc.,
Eckert Farms, Inc.,
Economy Clothiers, Inc.,
Economy Construction Company,
Economy Home Improvement Co.,
Eddie and Morris, Inc.,
E. & D. Realty Corporation,
Edsall Holding Co.,
Educational Tours, Inc.,
Edward Clothing Co., Inc.,
Edward G. Losch, Inc.,
Edward Knobloch, Inc.,
Edward Realty Company, Inc.,
Egg Harbor Glass Company, Inc.,
Eglow Realty Company,
E. & H. Pants Co., Inc.,
807-813 Broad Street Co.,
870-876 Broad Street Corporation,
Einmoore Corp.,
E. J. Reilly & Co., Inc.,
Electrall Products Inc.,
Electric Motor & Armature Service Inc.,

Electric Purchasing Company,
Electro Glass Company,
Electrolysis Associates & Co.,
Electrolysis Experts Co.,
Electro Magnetic Sizer Corp.,
Electro Magnetic Sizer Manufacturing Corp.,
Electronite Corporation,
Elgo Corporation,
Elizabeth Appliance Shop, Inc.,
"Elizabeth Maytag & Appliance Company.",
Elizabeth Pedrick, Inc.,
Elkay Realty Co.,
Ella E. Schaub, Inc.,
Ellicott-Bosan, Inc.,
Elliot Electrotype Stereotype & Mat Co.,
Ellsworth Inc. Builders,
Ell-Tex Company of America, Inc.,
Elm Builders, Inc.,
Elm Grocery Co., Inc.,
Elm Row News Shop,
Elm Street Realty Co., Inc.,
Elray Coal & Coke Co., Inc.,
Elsa Company,
Ely's The Druggist on the Square, Inc.,
Emanuel Food Stores, Inc.,
E. Maxine Co.,
Embassy Painting & Decorating Co., Inc.,
Embassy Park Corporation,
Ember Realty Co.,
Emel Realty Co.,
Emerson Wine & Liquor Store, Inc.,
Emery Construction Co., Inc.,
Emess Mfg. Co. Inc.,
E. M. Hunt, Inc.,
Emil Schauble, Inc.,
Empire Food Products Company,
Empire Fruit Trucking Corp.,
Empire Meat Packers Corporation,
Emwood Realty Corporation,
Engleside Company,
Englewood Coal & Lumber Company,
Englewood Sanitarium, Inc.,
Engstrom & Son, Inc.,

Eno's Riverside Hotel Company,
E. P. Patire & Co. Inc.,
Equity Finishing Company, Inc.,
E. R. C. Co.,
E. R. Connett Hat Manufacturing Co.,
Ernest M. Pellegrim, Inc.,
Ernest Stevens Studios, Inc.,
Ernie's Diner & Restaurant, Inc.,
Ern Realty Co.,
Ernton Corporation,
Esco Holding Company,
Essex Can Co., Inc.,
Essex County Hy-Grade Humus Co.,
Essex Diner Inc.,
Essex Luncheonette, Inc.,
Essex Trucking Company, Inc.,
Estate of Mary Moore, Inc.,
Estates Enterprises, Inc.,
Estates Investments, Inc.,
Esther-Balm Products, Inc.,
Etlon Realty Corporation, Inc.,
Etmar Homes Construction Co. Inc.,
Eureka Research Corporation,
Eureka Spring Co., Inc.,
Evelyn's Exclusive Millinery,
Evergreen Development Company,
Evermain Realty Corporation,
Evharwal, Inc.,
E. V. Holcroft, Jr., Incorporated,
Excel Electric Products,
Excel Engineering Co.,
Excel Homes, Inc.,
Excellent Homes, Inc.,
Exercycle Corporation of New Jersey,
Exumbris, Inc.,
Ezra J. Hall, Inc.,

Factors Credit Service,
Factory Mens Furnishings Inc.,
F. A. I. Inc.,
Fair Deal Meat Market,
Fairfield Farms,
Fair Haven Improvement Association,

Fair Manufacturing Company,
Fairmount Homes, Incorporated,
Fairmount Realty Corp.,
Fair Tours, Inc.,
Fairway Realty Co.,
Falanga's Meat Market Inc.,
Falciano and Alvino Produce Corp.,
Falco Corporation,
Falls Realty Co., Inc.,
Falstead Homes, Incorporated,
Family Housing Corporation,
Famous Amusements, Inc.,
Famous Door, Inc.,
Famous Glove Cleaners, Inc.,
Fanning Motor Company,
Fanwood Farms, Inc.,
Farbman, Inc.,
Farnel Company,
Fashion Sales Co., Inc.,
Fast 8 Line, Inc.,
Favorite Record Distributors, Inc.,
F. B. M. Neckwear, Inc.,
F. C. & G. Realty Co., Inc.,
F & C Realty Co.,
Federal Acceptance Corporation,
Federal Chemical Corp.,
Federal Concessions, Inc.,
Federal Finance Corporation,
Federal Insulation & Construction Co., Inc.,
Federal Low Cost Building Corporation,
Federal Realty Holding Corp.,
Federal Rivet Co., Inc.,
Feinet Corporation,
Fel-Bank Hats, Inc.,
Fernwood Co.,
Ferry Construction Co.,
F. G. & V. Development Co.,
F. & H. Realty Corp.,
Fidelity Home Improvement Co Inc.,
Fidelity Motors, Inc.,
Fidelity Service Corporation,
Finance & Discount Corporation,
Fiore D'Italia Packing Co.,

Fiorilla Transportation Company,
Fireplace, Inc.,
Fireside Building Company,
First National Title Company,
Fisher Milling Co.,
Fit-Rite Cloak Co.,
Fitzsimmons Construction Co. Inc.,
500 Bergen Avenue Corp.,
Five Hundred Broadway, Inc.,
500 Club Inc.,
Five Hundred Garfield Ave., Corp.,
Five Star Service, Inc.,
5407 Park Ave. Realty Corp.,
5604-6 Palisade Avenue, Inc.,
F. Krause and Company,
F. and K. Realty Company,
Flatiron Realty Co.,
Fleet Realty Co. Inc.,
Fleetwood Apartment Corporation,
Fleetwood Service, Inc.,
Florence Beauty Parlor,
Florham Park Realty Co.,
Florshield Corporation,
Flostan Realty Co. Inc.,
Flushing Construction Co.,
Foley & Burnet Agency,
Food Drinks Inc.,
Fords Playhouse,
Forest Bakery, Inc.,
Forest Development Company,
Fort Development Company, Inc.,
Fort Lee Theater, Inc.,
44 Walnut Street, Inc.,
Forvus Realty Company,
The Foster Laboratory,
"Foster & McCarthy, Inc,".
Foto-Syncro Flash Co., Inc.,
453-5 Broadway Realty Company,
440-442 Franklin Street Corporation,
461 Broadway Corporation,
432-436 Ocean Avenue Corporation,
Four Star Products Inc.,
14-16 Conklin Realty Corp.,

Fourth Street Corporation,
Fox Equipment Corporation,
Francesco Vitoritto Company,
France Trucking Co.,
Francis Beauty Salon, Inc.,
Francke Company,
Frank Grad & Son, Inc.,
Frank Holick, Inc.,
Frank Leahy, Inc.,
Franklin Beauty School, Inc.,
Franklin Beef & Provision Co., Inc.,
Franklin Builders, Inc.,
Franklin Coal Co.,
Franklin Development Company,
Franklin Drug Stores,
Franklin Millinery of Jersey City, Inc.,
Franklin Real Estate Company,
Frank Mchugh & Co.,
Frank M. Conrad, Inc.,
Frank Neri, Inc.,
Frank's Shoe Service, Inc.,
Frasa Realty Co.,
Fraser Realty Company,
Fred Builder, Inc.,
Frederick J. Fischer Agency,
Fred J. Martin Motor Trucking Co.,
Fred Mason Jr. & Co., Inc.,
Fred W. Jones, Inc.,
Fred W. Lee Company, Inc.,
Freitag Baking Co. Inc.,
Frenzel Tailors & Cleaners,
Frero Realty Co., Inc.,
Friedlander Company,
Frieman Bros. Inc.,
Froehlick's, Inc.,
Frostoff Sales Corporation,
Frozen Products Company,
Fry Display Corporation,
Fuller's Inc.,
Fuller Stores, Inc.,
Fulton Company,
Funeral Supply Co.,
Fun, Incorporated,

Fur Corporation of New Jersey,
Furnace Coatings, Inc.,
Furniture Mart, Inc., No. 2,
F. W. Scheffler, Inc.,
Fyrex Manufacturing Company,

Gabriel Pascal Productions, Inc.,
G. A. Davies and Company,
Gails, Inc.,
Gairmond Manor,
Game Products Corporation,
Gandy's Auto Shop, Inc.,
Ganser's Diner,
Garden Homes Company,
Garden State Enterprises,
Garden State Greenhouses, Inc.,
Garden State Housing Corp.,
Garden State Laundry, Inc.,
Garfield Coat and Suit Company,
Garfield Oil Service, Inc.,
Garry De Roon, Inc.,
Gars Construction Company,
Gaskill's Farm Dairy,
Gaston Store, Inc.,
Gates Ladder and Pole Co., Inc.,
Gazeta Dla Wszystkich, Inc. "Everybody's Gazette",
G. and B. Motors Inc.,
G. E. Dragonetti Painting, Inc.,
Gellman Construction Corp.,
General Auto Sales Corp.,
General Aviation Co.,
General Builders, Inc.,
General Conditioners, Inc.,
General Housing Corporation of New Jersey,
General Housing Corporation of Paterson,
General Investment Company,
General Land Company,
General Mill Supply Co., Inc.,
General Novelty Mfg. Co., Inc.,
General Oil Products Corporation,
General Underwriters, Incorporated,
Gene Realty Co.,

Gene's Pizzeria 644, Inc.,
George D. Littell, Inc.,
George E. Ilsley, Inc.,
Geo. E. Phelan Co., Inc.,
George F. Perry & Sons, Inc.,
Geo. H. Beckmann, Inc.,
George H. Boehm & Son,
George W. Pittenger, Inc.,
German Blue Plate Kitchen,
Gershen Realty Corp.,
Gershon, Inc.,
G. Fred Holtje Inc.,
G. & H. Smoke Shop,
Giant Shoe Repair System,
Giro Associates, Inc.,
G. J. & M. Holding Co., Inc.,
Glavin-Hanson Company,
Glenwood Building Company,
Glenwood Farms,
G. L. K. Realty Co.,
Globe Electric and Repair Co.,
Gloria Hat Shops, Inc.,
G M C R Corporation,
G. N. Realty Co.,
Golda Farms, Inc.,
Goldbloom Realty Corporation,
Gold Furniture House, Inc.,
Gold Label Liquor Company,
Good Health Distributing Co.,
Good Land Company,
Goodman & Company, Inc.,
Goodwill Holding Co.,
Good-Will Optical Service,
Gordon Automatic Tool Corporation,
Gordon Pen Company, Inc.,
Gorecki Bros. Trucking Co. Inc.,
Gorlin's Summit Avenue Pharmacy, Inc.,
Grand Laundry, Inc.,
Grandma's, Inc.,
Grand Shortening & Oil Co. Inc.,
Grant Realty Co. of Elizabeth, Inc.,
Graope Transportation Co., Inc.,
Graphic Arts Products Corporation,

Graydon Corporation,
Greber Bros. Inc.,
Greenberg Realty Company, Inc.,
Greenberg Sash, Door & Supply Co.,
Green Brook, Inc.,
The Greenbrook Road Corporation,
Greenhouse & Pomerantz, Inc.,
"Greenpoint Company, Inc.",
Greenville Heights Loan Co.,
Greenwood Construction Co.,
Gregory's Garage,
Grenor Pharmaceuticals, Inc.,
Grosch Construction Company, Inc.,
Grove Court Apartments, Inc.,
Grove Plate Glass Service, Inc.,
G. S. G. Corporation,
G. S. Stores, Inc.,
Guarantee Meat Market of Passaic Inc.,
The Guarantee Motors, Inc.,
Guarantee Plastering Corporation,
Guardian Corporation,
Guertin Homes Inc.,
Guss Builders, Inc.,
Gust Erikson, Inc.,
G. W. & P. Holding Co.,

Haddon Electric Co.,
Haddon Homes Company,
Hahn's Restaurant, Inc.,
Halfords Bakery, Inc.,
Haller Bros.,
Hall-Mulford Boat-Yard, Inc.,
Halsey Equipment Corp.,
Halsey Machinery & Equipment Co.,
Hamilton-Montgomery Realty Co. Inc.,
Hamlinwood Products, Inc.,
Hamlinwood System, Inc.,
Hampshire Houses,
Handy Hardware House,
Hansbury Home Builders, Inc.,
Hansen Realty Company,
Harcourt Realty Corp.,
Harding Grocery Co., Inc.,

Harding Realty Corporation,
Hardy Auto Supply, Inc.,
Harfred, Inc.,
Harimus Oil Company,
Harnet Corporation,
Harrington Company,
Harrison Land Company,
Harry Binder, Inc.,
Harry Knecht Co.,
Harry's Shore Laconga, Inc.,
Hart Dairy, Inc.,
Hartmann Textile Machinery Corporation,
Hartmeier-Riger & Co.,
Hassock Corporation,
Hast Realty Company,
Hat Bar Hats Inc.,
Haworth Bar & Grill, Inc.,
Hawthorne Holding Company,
Hawthorne Press, Inc.,
Hawthorne Service Garage, Inc.,
Haydu Trucking Company, Inc.,
H. B. Cumming & Company,
H. and B. Miller Realty Co., Inc.,
H. B. Thomas Co., Inc.,
Healthway Poultry Farm,
Heatwell Oil Burner Co.,
H. E. Gordon Co., Inc.,
Helard-Guildford Corporation,
Helard-Guilford Inc.,
Helmar Holding Co. Inc.,
Hemlock Holding Co.,
Hendel's Pastry Shop, Inc.,
Henry Lee & Company,
Henry O. Lopez, Inc.,
Henry Werner Corporation,
Henshall Brothers, Inc.,
Herbert L. Raab, Inc.,
Herbert Realty & Improvement Co.,
Herman Brooks, Inc.,
Herman Muschatzki Co.,
Herman Saperstein Inc.,
H. E. Wilson Corporation,
H. & G. Roos Tool & Mfg. Co.,

Highland Construction Company,
Highpoint Holding Company,
Highwood Realty and Building Company,
Highwood Wine & Liquor Stores Inc., .
"Hi-Glo Beverage Co.",
Hi-Grade Milk & Cream Co., Inc.,
Hi Grade Oil Distributing Company,
Hill City Coal and Lumber Company,
Hill Corporation,
Hillier-Rough-Dry Laundry Company,
Hillside Bowling & Billiard Academy, Inc.,
Hillside Development Company Incorporated,
Hill's Shoes, Inc.,
Hill Top Coal Co., Inc.,
Hilltop Poultry Farm, Inc.,
H. Isenberg, Inc.,
Hi-Speed Service Station, Inc.,
Hi-Way Trucking Co., Inc.,
Hobby Jobbers,
Hobi Embroidery Co., Inc.,
Hobson Realty Co.,
Hofbrau, Inc., No. 2,
Hofen Co. Inc.,
Hoffman Food Center, Inc.,
Holford Millwork Co. Inc.,
Hollinger Inc.,
Holly Park Homes, Inc.,
Hollywood Cafe, Inc.,
Holt Manufacturing Co.,
Home Investment Corp.,
Home Laundry Co., Inc.,
Home-Of-Tomorrow Construction Co., Inc.,
Home Repairing and Appliance Co.,
Homestead Dairy,
Homestead Restaurant, Inc.,
Hope Dyeing and Finishing Corporation,
Horbach Baking Company,
Horowitz Reliable Fur Shop,
Hotel Biscayne, Inc.,
Hotel Brighton,
Hotel Improvement Corporation,
Hotel Jersey Bar & Grill,
Hotel New Yorker, Inc.,

Hotel Osborne Corporation,
Hotel Rose, Inc.,
Household Appliances-Incorporated,
Housewives' Bakery, Inc.,
Housing Improvement Co.,
Howania, Inc.,
Howard Luncheonette, Inc.,
H. R. L. Realty Co.,
Hub Construction Corp.,
Hudson Adjustment Co. Inc.,
Hudson Bottle Co., Inc.,
Hudson Business Exchange, Inc.,
Hudson Department Store Inc.,
Hudson Garment Manufacturing Co. Inc.,
Hudson Motor Vans, Inc.,
Hudson Rug Cleaning Company,
Hudson Troy Coke & Iron Corp.,
Hudson View Realty Co.,
Hudson Vue Chalet Operating Co., Inc.,
Hugerich Land Company,
Humbolt Colored Realty Company,
Humus Sales Company,
Huntington Homes, Inc.,
Hurff & Crispin, Inc.,
Hutwood Realty Co.,
H. Weinstein, Inc.,
Hydro-Bar Waterproofing Co., Inc.,
Hydrogas Corporation,
Hy-Grade Cleaners & Dyers,
Hy's Sample Men's Shop, Inc.,
H. & Z. Shoe Co.,

Ibec Holding Co.,
I. Becker & Sons, Inc.,
Ida and Nellie Corporation,
Ideal Building Company,
Ideal Grill Inc.,
Ideal Home and Land Company,
Ideal Productions, Inc.,
I. F. B., Inc.,
I. J. Milask Co.,
I. Kosberg Paint & Supply Co.,
I. Merin and Sons, Inc.,

Imperial Products Company, Inc.,
Inca Paint Manufacturers, Inc.,
Inco Advertising Corporation,
Independent Radio Checking Service, Inc.,
Independent Service Company,
Individual Buildings Inc.,
Industrial Catering Co.,
"Industrial Diner, Inc.",
Industrial Housing Corporation,
Industrial Machinery Corporation,
Industrial Soap & Oil Products, Inc.,
Institute of Labor Relations,
Insul-Mastic Corporation of Newark,
Integrity Investment Co.,
Inter-Cities Dispatch, Inc.,
International 451 Tavern, Inc.,
International Garment Corporation,
Interstate Auto Mart, Inc.,
Interstate Contracting Company Inc., No. 1,
Interstate Contracting Co., Inc., No. 2,
Inter-State Distributors,
Interstate Engineering Company Inc.,
Inter-State Equities, Inc.,
Interstate Hats, Inc.,
Interurban Company,
Investment and Realty Corporation,
Ira A. Crouse Building Corp.,
Ira D. Cole, Inc.,
Iram Realty Company,
Irving Corporation,
Irving Steinfeld Holding Co., Inc.,
Irvington Auto Co.,
Irvington Machine Company,
Isadore Smith Company,
Italian Fruit Caramels Company,

Jack Cohen Co.,
Jack Frost Sales Co., Inc.,
Jackson Construction Co.,
Jackson Cut-Rate Kosher Butchers, Inc.,
Jackson Storage Co.,
Jack Wolf, Inc.,
Jaclar Realty Co., Inc.,

Jacobson Painting Corporation,
Jaeger and Weckel, Incorporated,
Jafar Oil Corp.,
"James Cortell Inc.",
Jamison's Central Garage, Inc.,
Jancel Investment Company,
Janed, Inc.,
Jane Reed, Inc.,
Janis Shops, Inc.,
Jay Bee Tavern, Inc.,
Jay Fox, Inc.,
Jaymel Food Products, Inc.,
Jays Motor Mart, Inc.,
J. Ciser & Sons, Inc.,
Jean-Ess Realty Co.,
Jeb Realty Co. Inc.,
Jefferson Food Markets, Inc.,
Jenkinson Service,
Jennie Klein, Inc.,
Jerann Realty Co.,
Jersey Abrasive Co.,
Jersey Ave. Coal Co.,
Jersey Canine Meat Co. Inc.,
Jersey Commercial Refrigeration Inc.,
Jersey Drug Service,
Jersey Furniture Factories, Inc.,
Jersey Giant Market Corporation,
Jersey Jewelry & Diamond Company,
Jersey Juvenile Furniture Co., Inc.,
Jersey Motorized Sports, Inc.,
Jersey Motor Lines,
Jersey Motors, Inc.,
Jersey Observer Athletic Association Inc.,
Jersey Rug & Upholstery Cleaning Co.,
Jersey Sales Corporation,
Jersey Stone Co.,
Jersey Thrift Plan, Inc.,
Jersey Transit Co.,
The Jewel Holding Company,
Jewel Products, Inc.,
Jewel Realty Co. Inc.,
J. F. R. Holding Corp.,
J. H. M. Realty Corp.,

Jimmie's Diner, Inc.,
J. J. Moran Co.,
J. J. Semple Inc.,
J. L. A. Realty Company,
J. L. Hanley Service, Inc.,
J & L Motors Inc.,
J. Loupassakis & Son, Inc.,
J. N. Amusement Company,
J. N. M. Commercial Co. Inc.,
Joe Hornstein, Inc.,
Joel Construction Co., Inc.,
John A. Gross Corporation,
John A. Kelly Agency, Inc.,
John Amico & Son, Inc.,
John A. Sullivan, Inc.,
John E. Trout, Inc.,
John H. Miller Holding Co.,
John J. Ordille, Inc.,
John Mainardi & Sons, Inc.,
Johnnie's Bar and Grill, Inc.,
John Nizolek Furniture Co. Inc.,
John's Bake Shop,
John Schaefer, Inc.,
Jo-Jo Ranch, Inc.,
Jo-Le Realty Co.,
Jomart Service,
Jonesco Realty Corp.,
Jon-Lo Distributing Company,
Joseph A. Carluccio, Inc.,
Joseph C. Halm and Son, Inc.,
Joseph Feld & Company,
Joseph F. Haines Construction Co.,
Joseph Forster, Inc.,
Joseph Heimberg, Inc.,
Joseph Krieg-Fink Company,
Joseph Liebeskind, Inc.,
Joseph P. Scanlon, Inc.,
Joseph Radek, Inc.,
Joseph Wachs, Inc.,
Joseph Waldman, Inc.,
J. P. Anderson, Inc.,
J. P. Hall-Smith Company,
J. P. Throckmorton, Inc.,

J. S. Fredericks, Inc.,
J. Silverman Auction Rooms, Inc.,
J. T. Realty Co. Inc.,
J. T. S. Company, Inc.,
Jube Investment Corp.,
Judson's, Inc.,
Juliano Construction Company,
Julius Michaels, Inc.,
Julius Mirti, Inc.,
Julsam Realty Corporation, Inc.,
Junction News Co.,
Junction Tavern, Inc.,
Jutting Engineering and Machine Works, Inc.,

Kaighn Investment Corporation,
Kalmus Realty Co. Inc.,
Kantor Agency Inc.,
Kantor's Sportwear & Gowns, Inc.,
Kapka Sales & Service, Inc.,
Kapka Trucking Co., Inc.,
Kartiganer-Homestead, Inc.,
Kasgoff Building Corp.,
Katz Auto Parts, Inc.,
Kay Construction Co., Inc.,
Kays Trucking Company, Inc.,
Kay Studios, Inc.,
Kay Upholstery Shops,
K. & B. Baal Brothers, Inc.,
K. & C. Bar & Grill, Inc.,
K & C Realty Company,
K. & D. Bar & Grill, Inc.,
K. & D. Realty Co.,
Keansburg & Union Beach Beverage Co.,
Kearney Sales Corporation,
Kearny Roller Skating Club, Inc.,
Kelly Stores,
Kenilworth Home Builders, Inc.,
Kensington Development Corp.,
Kent Corporation,
Kent and Hummel, Incorporated,
K. E. Realty Co., Inc.,
Kershaw Engineering Corp.,
Keys Corporation,

Keystone Block Plant, Inc.,
Keystone Lunch, Inc.,
Keystone Towers, Inc.,
Kiddie Novelties, Inc.,
Kiddies Friend, Inc.,
Kilts Sportswear, Inc.,
King Arthur Cigar Department,
King Arthur Self Service Stores,
King's Pharmacy,
Kitchen Kraft Co.,
K. & L. Holding Co.,
Klug Tile Co., Inc.,
Knickerbocker Construction Company,
Knight Mineral Water Co.,
Knight-Rafferty Co., Inc.,
K. N. K. Realty Co.,
Knollwood Inn, Inc.,
Knopf's Socony Service Station, Inc.,
Kolmar Realty Co.,
Kosene & Co. Inc.,
Kovac's Delicatessen, Inc.,
Kraft Liquor Co.,
Krasnik Realty Company,
Kravitz Clothes, Inc.,
Krill Leather Co.,
K and R Manufacturing Company,
Kruger and Company, Ltd.,
Krumholz Construction, Inc.,
K. & S. Improvement Co., Inc.,
Kuckrol Products, Inc.,

LaClede Company,
Lady Linda, Inc.,
Lake Asphalt and Petroleum Company of New Jersey,
Lake Hopatcong Ice Company,
Lakehurst Inn, Inc.,
Lakeland Music Co. Inc.,
Lake Musconetcong Estates,
Lakewood Bowling Center, Inc.,
Lakewood Holding Co.,
Lally Realty Company,
La Martinique Restaurant Corporation,

Lambert Leather Goods Company,
Laminated Glass Corp.,
Lamont Co.,
Lamore Realty Co.,
Land Investment Co.,
Land and Sea Service Co. Inc.,
Langrock's Princeton, Incorporated,
Lankering Cigar Company of Hoboken, New Jersey,
Lanza Company, Inc.,
Larch Realty Company,
LaReine Market, Inc.,
Larus Holding Company, Inc.,
La-Teen Corporation,
Laurel Pharmacy, Inc.,
Lauterbach Plastic Molding Company,
LaVan Corporation,
Lavender Shop,
Lawrence Affairs, Inc.,
Lawrence Inn,
Lawton, Inc.,
Lazzara Baking Corporation, Inc.,
Lazzara Foods, Inc.,
L. C. Larsen Construction Co.,
L. C. Procacci & Sons, Inc.,
Leader Realty Co.,
Leather Handle Realty Company, Inc.,
Lee Builders, Inc.,
Leegoland Development Company,
Lee Holding Company,
Lehigh Coal & Coke Co., Inc.,
Lehigh Drug Company,
Lejoy Realty Co., Inc.,
Lelyman Realty Corporation,
Lenape Aircraft Motors, Inc.,
Leo Cooper Inc.,
Leonard's Inc.,
Leo's 29 Club Inc.,
Leo Zaritsky, Inc.,
Leslie Press, Inc.,
Lesser Painting & Decorating Co.,
Levigton Optical Stores, Inc.,
Levin's Stationery Store, Inc.,

Lewis-Fox, Inc.,
Lewis Hanson Co., Inc.,
Lewis, Incorporated,
Lexington Construction Co., Inc.,
Liberty Manor Homes, Inc.,
Lightning Auto Supply Company, Inc.,
Lincoln Company,
Lincoln Home Remodeling Corporation,
Lincoln Laundry, Inc.,
Lincoln Sherman Holding Co.,
Lincoln Stages, Inc.,
Lincroft Farms, Inc.,
Linda Realty Corporation,
Lindehaven Homes, Inc.,
Lindeman Horse Radish, Inc.,
Linen Realty Corporation,
Link Column Company, Inc.,
Linwood Company,
Lion Fabrics Corp.,
Lion Mason Contractors, Inc.,
"Little Falls Hardware Co., Inc.,
Little Theatre, Inc. of Haddonfield,
Livingston Grocery,
Livingston-Kip & Co. Inc.,
L. J. Dundon Co.,
L. K. Realty Co., Inc.,
Lloyd Home Products Inc.,
L. M. Graham Company,
Lodovico Primus, Inc.,
Loewy Tire & Battery Co.,
Logan Coat Co. Inc.,
Logan Realty Company,
Log Cabin, Port-Au-Peck, Inn, Inc.,
Lombar Corporation,
Longwood Hotel Corporation,
Loptien Holding Corporation,
Loraine Hotel Company,
Lord's Cut Flower Company, Inc.,
Losa Realty Company,
"Loubet Tobacco and Candy Co.",
Louis Feuer Company, Inc.,
Louis Gelman & Son, Inc.,
Louis Katz, Inc.,

Louis Sirota Inc.,
Lou-Jay Corp.,
Lowcher & Choban Co., Inc.,
"Lowi's Inc.",
Lowry Corporation,
Lozier Park Homes, Inc.,
L. Realty Company, Inc.,
L. R. G. Contracting Co.,
L. S., Inc.,
Lubetkin's, Inc.,
Lucky Lane Stores, Inc.,
Lucy Lane, Inc.,
The Luro Corporation,
Lusia Corporation,
Luxor Oil Burner Corporation,
L. W. Lenzen, Inc.,
Lyme Developing Co., Inc.,

Mabel Nelson's Berkeley Chateau Inc.,
Mack Flourescent Corp.,
Mack Operating Company,
Mada Co., Inc.,
Madison Wrecking Co., Inc.,
Magic Carpet, Inc.,
Magic-Flo Beer Dispensing System Co.,
Magnolia Holding Co., Inc.,
Mahan Motor Company,
Maidwell Hosiery Company,
Main Day Corporation,
Main-Fair Realty Company,
Main Friendly Service, Inc.,
Mainland Plumbing and Heating Inc.,
Main Street Rialto Theatre Inc.,
Maintenance Products Corp.,
Mai Realty Corporation,
Majestic Furniture Factories,
Major Brands, Incorporated,
Majoson Corporation,
Malcolm Enterprises, Inc.,
Malcolm Holding Company,
Maline Realty Co. Inc.,
Malinowski Concrete Block Corporation,
Malkin's Pharmacy, Inc.,

Mallex Realty Inc.,
Mandarin, Inc.,
Manger Building Company,
Manhattan Munitions Company, Inc.,
Manhattan Tavern, Inc.,
Manor Avenue Corporation,
Manor Hotel Corp.,
Mantua Hosiery Mill,
Manufacturers Chemical Engineering Corp.,
Manville Food Market, Inc.,
Manville Service Station,
Maple Construction Co.,
Maple Grill, Inc.,
Maple Hill Farms, Inc.,
Maple Lake Park, Inc.,
Maple Meat Shop, Inc.,
Maple Realty Company,
Marcia Realty Company,
Marcus & Co., Inc.,
Marcus Motors, Inc.,
Margaret K. Unger, Inc.,
Margaret McCloskey School, Inc.,
Margate-Northfield Highway Bridge Company,
Marianno Retractable Ramp Corporation of New Jersey,
Marine Basin Corporation,
Marionette Beauty Salon, Inc.,
Markeim—Coles—Mac Ewan, Inc.,
Marker Electric Co.,
Market Circle Service Center, Inc.,
Market Merchandising Co.,
Market Securities Company,
Marktree Corporation,
Marlboro Tool & Manufacturing Co.,
Marlie Company,
Mar-Milt Co.,
Marmora Company,
Marniel Holding Corporation,
Martha Washington Candy Company of New Jersey,
Martin Allman & Sons, Inc.,
Martin Industrial Development Co. Inc.,
Martin Realty Company,

Marven Co.,
Massel Realty Co.,
Mastercraft Tool and Engineering Company, Incorporated,
Master Music & Amusement, Co. Inc.,
Master School of Music and Stage Dancing, Inc.,
Mastic Construction Corp.,
Matawan Dutch Mill, Inc.,
Matbro Company,
Material and Equipment Clearing Company, Inc.,
Matt's Service Stations, Inc.,
Mau-Clements Co. Inc.,
Maurice Giroud, Inc.,
Max Berger Realty Company, Inc.,
Max Cohen Inc.,
Maxim Instrument Company,
Maxsam Realty & Construction Co., Inc.,
Max Shapiro & Sons, Inc.,
Max Snow, Inc.,
Maybelle Corp.,
Mayer's Food Market,
Mayfair Equities, Inc.,
Mayflower Corporation,
Mayflower Grocery Company,
May Holding Company,
Maylin Realty Co.,
Maywood Park Estates, Inc.,
M & B Holding Corporation,
M. B. Markland Co.,
M. B. T. Holding Corp.,
McBride Auto Body Service Company,
McGill-Paris Fabrics Corp.,
M. C. Holding Co.,
McKinley Building Corp.,
M. C. U. Holding Co.,
M. D. Hess Co., Inc.,
Mears-Stover Company Incorporated,
Mechanical Horse Amusement Company of Atlantic City, New Jersey Inc.,
Mechanic's Bond and Mortgage Corporation,
Mechanics Investment and Service Company,
Medford Lakes Golf Club,
Medical Center Garage, Inc.,

Medical Diagnostic Laboratories Inc.,
Medical Tower Dental and Surgical Supply Co.,
Megill Lumber Company,
M. Ehre, Inc.,
Mellon Co.,
Mellquist Reducing and Cosmetic Salons, Inc.,
Melrose Farms Inc.,
Melrose Holding Co., Inc.,
Melrose Homes, Inc.,
Menlo Park Homes Inc.,
Mercantile Corporation,
Mercantile Realty Corporation of Westfield,
Mercer Co-Operative Builders, Inc.,
Mercer Paper Stock Corporation,
Merchandise, Inc.,
Merchants Auction Co.,
Merchants Notion & Paper Goods, Inc.,
Merchant's Restaurant,
Merchants Securities Company,
Mercury Electric Company, Inc.,
Mercury Service Stations, Inc.,
Mernin's Inc.,
Metal Art Engraving Co.,
Metedeconk Park Company,
Metropolitan Embroidery Co., Inc.,
Metropolitan Household Supply Co., Inc.,
Metropolitan Milk and Cream Co., Inc.,
Metuchen Main Realty Co.,
Metz Realty Company,
Meyer Corporation,
M. Frieman, Inc.,
M. G. & M. Realty Corporation,
Michaelis, Inc.,
Michael M. Gottlieb Hauling & Riggins, Inc.,
Michael Motors, Inc.,
Michael M. Sullivan Holding Co., Inc.,
Michaels Realty & Investment Co.,
Mickee Togs Corp.,
Mid-Atlantic Dextron Incorporated,
Mid City Builders, Inc.,
Middlesex Shirt Co. Inc.,
Middlesex Title & Abstract Company,
Midgets, Inc.,

Mid Holding Co.,
Midtown Motors, Inc.,
Midtown Service Station, Inc.,
Milady Footwear, Inc.,
Milberg Undergarment Co. Inc.,
Millburn Holding Company,
Miller Bakery Co. Inc. of Perth Amboy, N. J.,
Miller & Day Trucking Company,
Milltown Diner & Cedar Bar,
Millville Motors Incorporated,
Milmain Holding Co.,
Milrose Shops, Inc.,
Milton Lake Home Sites, Inc.,
Milton Lake Manor Co.,
Milton Realty Co., Inc.,
Milt's Luncheonette, Inc.,
Milvin Holding Corp.,
Miss Swank Coat & Suit Co. Inc.,
Mitchell Flooring Company,
M. Kraemer & Son, Inc.,
M. & L. Jersey Corporation,
M. & M. Coal Co., Inc.,
M. & M. Hat Bands, Inc.,
Model Land Company,
Modern Delicatessen and Restaurant,
Modern Development Co.,
Modern Embroidery Co.,
Modern Knitting Mills, Inc.,
Modern Modes, Inc.,
Modern Plumbing & Heating Supply Co.,
The Modern Press, Inc.,
Modern Town Club Inc.,
Modern Wire Machinery Co. Inc.,
Mohawk Motor Company,
Mohr Advertising Corporation,
Monarch Management Corp.,
Mona Realty Co.,
Moncher, Inc.,
Monett Transportation Corporation,
Monmouth Amusement Corporation,
Monmouth County Boxing and Wrestling Association,
Monmouth Gasoline & Oil Co., Inc.,

Monmouth Golf and Country Club,
Monmouth Park Racing Association,
Monmouth Tool Company, Inc.,
Monsiegneur Enterprises of Fort Lee, Inc.,
Montauk-Claremont Holding Corporation,
Montbrook Realty Corp.,
Montclair B. & W. Transport Inc.,
Monterey Light and Power Company,
Montpac Corporation,
Moora Shade and Awning Co. Inc.,
Moran Motors Inc.,
Moran's,
Morristown Construction Company Inc.,
Morris-Union Corporation,
Mortgage & Realty Specialists, Inc.,
Morton Investment Company,
Mountain Ridge Manor,
Mount Holly Construction and Development Company,
Mt. Vernon Realty Co. Inc.,
Movie Mode Hats, Inc.,
M. P. T. Construction Company,
M. & R. Company, Inc.,
M. & S. Company,
M. Shapiro Inc.,
Mulberry & Clinton Realty Co.,
Multigrip Safety Nut Inc.,
Municipal Fish Company, Inc.,
Muriel Frocks, Inc.,
Murray Theatrical and Carnival Service Corp.,
Muttel Hecht, Inc.,
Mutual Blade Co., Inc.,
Mutual Distributing Corporation,
Mutual Home Builders, Inc.,
Mutual Hotel Supply Co. Inc.,
Mutual Underwriters Agency,
M. Vlas, Inc.,
M. & W Plumbing & Heating Co.,
Myerson's Pharmacy, Inc.,
Myrtle Fuel Corp.,
Mytype Shoe Co. Inc.,

N. A. Apgar, Incorporated,
Naclere Motor Sales, Inc.,
Namber Company,
Namcor Construction Corp.,
Nancy Realty Co. Inc.,
Narraganset Inn,
Nat Goldberger, Inc.,
Nathan's Wine & Liquor Company, Inc.,
Nathenson Furniture Stores, Inc.,
National Builders, Inc.,
National Concrete Metal Forms Corporation,
National Dairy Farm, Inc.,
National Egg and Product Company,
National Highway Guardian Corporation,
National Jewelry Company, Inc.,
National Laundry,
National Sales Management, Inc.,
National Service, Inc.,
National Tire & Auto Service,
National Wire Company,
Natural Bridge Boot Shop,
Natural Vitamins Corporation,
N. De Luca, Inc.,
Neeto Paint & Supply Company,
Nelsen Bar and Fixture Co., Inc.,
Neo Construction Co.,
Nerfway Shoe Corp.,
Neshanic Realty Co. Inc.,
Nestle Realty Co., Inc.,
Nettam Realty Company,
Neuco, Inc.,
Newark Automatic Music Company, Inc.,
Newark B. & L. Share Exchange,
Newark Coin-O Distributors, Inc.,
Newark Construction and Investment Company,
Newark Hardware Company, Inc.,
Newark Hog Cutters, Inc.,
Newark Kosher Provision Co., Inc.,
Newark Liquor Co.,
Newark Milk Bars Inc.,
Newark Nash,
Newark Pants, Inc.,
Newark Properties, Inc.,

Newark Refrigeration and Appliance Co.,
Newark Steamboat Company,
Newark Tire & Rubber Company of New Jersey,
Newark Toy and Stationery Company,
New Branford Brake Service Inc.,
Newcam Finance Co.,
New Colonial Bakery Inc.,
New Deal Fuel Service, Inc.,
New England Holding Co.,
New Era Agency,
New Fashioned Corporation,
New Garden Pier Theatre Company,
New Homes Corporation,
New Jersey Advertising Company, Inc.,
New Jersey Beauty Culture Academy Inc.,
New Jersey Building Equipment,
New Jersey Building & Loan League of Shareholders,
New Jersey Button Works,
New Jersey Exposition Corp.,
New Jersey Fruit & Produce Company,
New Jersey Glove Cleaners, Inc.,
New Jersey Investment Realty Corp.,
New Jersey Milk Bars, Corp.,
New Jersey Mortgage Clearing House,
New Jersey Physicians & Hospitals Exchange,
New Jersey Realty Investors Fund,
New Jersey Roseland Development Co.,
New Jersey Suburbs Company,
New Jersey Talk-A-Vision Distributors Inc.,
N. J. Tile & Marble Co.,
Newman Realty Corp.,
New Market, Inc.,
New Midtown Realty Co.,
Newmont Contractors, Inc.,
New Moon Co., Inc.,
New Paramount Grill of Passaic, Inc.,
New Wall Paper House, Inc.,
New World Fur Dressing Co.,
New Yorker Hotel Corporation,
New York Fireworks Co., Inc.,
New York Poultry Market,
Nicolano Company, Inc.,

Nicosia Construction Co. Inc.,
Nino's Food Fair,
Nitrem Corporation,
Nizolek Furniture & Carpet Co.,
N & K Furniture Company,
Noble Metal Store Front Co., Inc.,
Nodol, Inc.,
Noldol Distributors, Inc.,
Nomal, Inc.,
Nordhoff Sales and Service, Inc.,
North American Chemical Corporation,
North American Furniture Mfg. Co. Inc.,
North Bergen Weekly,
Northern Construction Company,
Northern Finance Company,
North Hudson Butter & Egg Market Inc.,
North Hudson Dairy & Grocery Co., Inc.,
North Jersey Butter & Egg Co. Inc.,
North Jersey Home Builders, Inc.,
North Summit Development Co., Inc.,
Norwood Country Club Restaurant Co. Inc.,
Novack & Pittl, Inc.,
Novelties, Inc.,
N. & P. Corporation, Inc.,
Nu-Brite Products Co. Inc.,
No. 319 Barrow Street, Inc.,
Nuro Realty Corporation,
Nutley Motors,
Nu-Value Hosiery, Inc.,

Oak Construction Co.,
Oaklyn Corporation,
Oaklyn Gardens, Inc.,
Oak Ridge Manor,
Oakview Garden Homes, Inc.,
Ocean City School Camp, Inc.,
Ocean-Linden Corp.,
Ocean Side Amusements, Inc.,
O. & J. Tomasello Transportation, Inc.,
O. K. Garage, Inc.,
Old Colony Homes, Inc.,
Old Mill Farms Village,
Omar Rug Co.,

Omega Realty Company,
159 Ninth Street Corporation,
140 Passaic Ave. Corp.,
119 Elm Street Corporation,
198 Madison Avenue, Inc.,
107 Grand Avenue Restaurant, Inc.,
174-6 Jackson Avenue, Inc.,
164 Pearsall Ave. Corp.,
162 Park Avenue Corp.,
127 Bristol Street Corp.,
O'Neill, Inc.,
One Mt. Pleasant Corporation,
1160 Boulevard Corporation,
1076 Springfield Ave., Inc.,
1641 Atlantic Avenue Corporation,
1281 Liberty Avenue Corporation,
Open Kitchen Restaurant,
O. P. and M. J. Realty Co.,
Orange Blossom,
Orange Factors, Inc.,
Orange Hat Corporation,
Orchard Cafe, Inc.,
Oriental Holding Co.,
Orient Candy Co.,
O'Rourke & Spina, Inc.,
Orsini and Company,
Orthoptic Instrument Corp.,
Osborne-Haines Studios,
Oscar A. Morris, Inc.,
Oscar Blum Building Corporation,
Overhill Corporation,
Overpeck Holding Corporation,

Package Liquor Store, Inc.,
Packard Jersey City, Inc.,
The Paddock, Inc.,
Paint Engineers, Inc.,
Palace Amusement Company,
Palace Drug Company,
Palent Construction Co.,
Paley's Tea Room,
Palisade Avenue Extension Corporation, Inc.,
Palisade Motors, Inc.,

Palisade Textile Co., Inc.,
Palmer Bros., Inc.,
Palmer Co., Inc.,
Palm Garden Arena, Inc.,
The Pamor Corporation,
Pan-American Natural Products Corp.,
Pan American Railroad Co.,
Pancho Realty Co., Inc.,
Panter-Fields, Inc.,
Pantograve Company,
Paradise Food Shops, Inc.,
Paradise Restaurant Inc.,
Paramount Builders, Inc.,
Paramount Coal & Ice Co., Inc.,
Paramount Gift Shop, Inc.,
Paramount Knitting Mills, Inc.,
Paramount Petroleum Corporation, Inc.,
Parco Drug Co., Inc.,
Paris Realty Co., Inc.,
Park Central,
Park-Crest, Inc.,
Park-Crest Manufacturing Co., Inc.,
Parker-Bryant Construction, Co.,
Parker Holding Co.,
Parker Publishing Co. Inc.,
Park Estates,
Park Hill Homes Co.,
Park Home Builders, Inc.,
Park Lane Corporation,
Park Realty Co.,
Park Ridge Wine and Liquor Stores Inc.,
Parkside Construction Co.,
Parkside Finance Co.,
Park Tire Company, Inc.,
Parkview Realty Co., No. 1,
Parkview Realty Co., No. 2,
Par-Lock Appliers of Eastern Pennsylvania, Inc.,
Parrow Holding Co.,
Pasadena Realty Co.,
Passaic Credit Bureau, Inc.,
Passaic Home Improvement Co.,
Passaic and Newark Tow Boat Co. Inc.,
Passaic River Hills Inc.,

Pastern Realty Corp.,
P. A. Stewart Co.,
Paterson Fuel Oil Co. Inc.,
Paterson Optical Co. Inc.,
Paterson Stationery Co., Inc.,
Paterson Waste Material Co., Inc.,
"Patio",
Patricia, Inc.,
Patrons Inc.,
Patsy & Lee Beauty Salon,
Patton Motors Inc.,
Paulison Realty Company,
Paul Polizzi, Inc.,
Paul Revere Military Academy,
P. B. K. Corporation,
The Pearl Farm Co.,
Pearl Store Fixture Corp.,
Pedex Products, Inc.,
Peerless Builders, Inc.,
Peerless Investment Co.,
Peerless Laundry Company,
Peerless Laundry Corporation,
Peerless Scientific Laundry Company, Inc.,
Pemberton Construction Corporation,
Pemberton Housing Corporation,
Penang Company Inc.,
Penn-Farms Inc.,
Penn-Jersey Glass Co.,
Penn Parking Station, Inc.,
Pennsylvania Beverage Corp.,
Pennsylvania Pretzels and Specialty Company, Inc.,
Peoples Cut Rate 5 & 10,
Peoples Home Builders, Inc.,
Peoples Service Company,
Perfect Investment Company,
Perfection Homes, Inc.,
Perfect Utilities Company, Inc.,
Permanette Inc.,
Perrine Terrace Land Company,
Perry Sponge & Chamois Corporation,
Perry's Premium Service,
Pershing Apartments, Inc.,

Personal Motor Mart, Inc.,
Persyl Construction Co., Inc.,
Peter Pan Corset Shop,
Peter Sala Co. Inc.,
Peter Sisti, Incorporated,
Peter's Restaurant,
Petroleum Terminal Corporation,
Petroleum Terminal and Transport Corporation,
Pettes & Randall Co., Inc.,
Ph. Begun, Inc.,
Phelps Tinsel Company, Inc.,
Phenix Dress Company, Inc.,
Philadelphia Fruit Market,
Philip Sklar Lumber Co., Inc.,
Phoenix Fire and Waterproofing Co., Inc.,
Phoenix Laundry Company,
Photoboys Studio,
Phyllis Textiles, Inc.,
Phylshir Realty Co.,
Piccadilly Cocktail Lounge,
Pie Plate, Inc.,
Pierce Norval, Inc.,
Pine Brook Cattle Company, Inc.,
Pioneer Baking Company,
Pioneer Cream Whipper Corp.,
Pioneer Distributing Company,
Pioneer Lumber & Supply Corp.,
Pioneer Realty Company,
Pira Realty Company,
Pitman Finance Company, Inc.,
Pitman-Holly Parkways, Inc.,
Pitman Motor Co., Inc.,
Plainfield-New York Bakery, Inc.,
Plainfield Sports Center, Inc.,
Plainfield Tile Company,
Plantation, Inc.,
Plant Culture Laboratories, Inc.,
Plastic Art Marble Company,
Plastic Products, Inc.,
Plasti-Pulp Permeation Company, Inc.,
Plaza Construction Corp.,
Plaza Parking Corp.,
Pleasant Holding Co.,

Plymouth Coal Co.,
Plymouth Construction Corporation,
Pneumatic Products Corporation,
Point Tavern, Inc.,
Poles Textile Co., Inc.,
Policy Holders Analysis Service,
Polizzi Construction Co. Inc.,
Polski Sklad Mebli,
Polytherm, Inc.,
Popkin Bros., Inc.,
Pop's Tool & Machinery Exchange,
Popular Food Market,
Posner's, Inc.,
Post Grill, Inc.,
Poth Beverage Co.,
Poznak Beverage Company, Inc.,
P. R. C. Realty Co.,
Pre-Beau,
Precision Engineering Co.,
Precision Paper Products,
Precision Window Springs Co.,
Premier Construction Co., Inc.,
Premiere Realty Co.,
Premier Investment Corporation,
Premier Protective Service of New Jersey, Inc.,
Premier Supply Co.,
Premium Cigarette Co., Inc.,
Prentice, Inc.,
President Park Development Company,
Preuss Realty Co., Inc.,
Price Shops, Inc.,
Primoid Products Company, Inc.,
Prince & Broome Holding Co.,
Princess Beauty Parlors & Doll Hospitals, Inc.,
Print Shop,
Pritchard & Ross, Inc.,
Progressive Citizens Co. Inc.,
Pronto Sales Corporation,
Propak Corporation,
Prospect Enterprises, Inc.,
Protective Foods, Inc.,
Protector Arms, Incorporated,
Pro-Tek-To Products, Inc.,

Prudential Flight Centres,
Prudential Homes, Inc.,
Prudential Mortgage Company,
P. Traynor and Sons, Incorporated,
Publicity Syndicate of America, Inc.,
Public Realty Co.,
Pumo Builders, Inc.,
Purdue Laundry, Inc.,
Puritan Molasses Company, Inc.,
Puritan Restaurant Co. Inc.,

Quackenbush Awning and Shade Co., Inc.,
Quaker Curtain Stores, Inc.,
Quality Bagel Baking Company,
Quality Cleaners & Dyers, Inc. of Newark,
Quality Cleaners of Maplewood,
Quality Cut Rate Liquor Stores,
Quality Food Specialties, Inc.,
Queen Anne Amusement Enterprises Inc.,
Queen City Contracting Co.,
Queen Mfg. Co.,

Rae's Poultry Farms, Inc.,
Rahola Holding Corporation,
Rahway Dinette, Inc.,
Rahway Grove Realty Co., Inc.,
Rahway Home Builders, Inc.,
Railway Coal Corp.,
Rainbow Nursery, Inc.,
Rainbow Restaurant,
Rainbow Weaving Co., Inc.,
Raleigh Alden "Square" Inc.,
Ralfred Construction Company, Inc.,
Ralph Geiger Trucking Co Inc,
Ramrah, Inc.,
Rancocas Inn,
Randolph Holding Corporation,
Ranger Sales Company, Inc.,
Rankin Cab. Co.,
Rankin Cigar Stores, Inc.,
Raritan Dispensary Co., Inc.,
Raritan Metal Co.,
Raritan Plastic Molding Corporation,

Ray-Comm Parking Station, Inc.,
Ray Engineering Co. Inc.,
Raymond B. Patt Shops Inc.,
R. D. C. Corporation,
Realty Holding Co.,
Realty Investment & Trading Co.,
Realty Investors, Inc.,
Rebco, Inc.,
Reck Dairy Company,
Reck Milk Company,
Reconstruction Development Corporation,
Recovery Investment Co.,
Rector Street Corporation,
Red Bank Coffee Shop, Inc.,
Red Bank Rubber Co.,
Red Bank Veritas, Inc.,
Red Circle Oil Co. Inc.,
Redding Construction Co., Inc.,
Red "E" Sports Exhibits Co., Inc.,
Rednor & Rainear Auto Sales, Inc.,
Red Top Cab, Inc.,
Red Top Market,
Reese & Reese,
Reese & Reese Stores, Inc.,
Reesman Realty Company,
Refractory Supply Co. Inc.,
Regina Leasing Company,
Reidcraft,
Reilly Lumber and Supply Co.,
Reliable Builders, Inc.,
Reliable Holding Co.,
Reliable Repair Shop,
Relko Products Co.,
Re-New Home Improvement Corporation,
Renner Investment and Construction Company,
Renner Realty Co.,
Rennett Corporation,
Republic Construction Corporation,
"Research Laboratories, Inc.",
Residential Construction Co.,
Resort Builders, Inc.,
Restful Footwear Corporation,
Rettig Realty Company,

Rex Florist, Inc.,
Rex Fogel Sales,
Rex Painting & Decorating Corp.,
Rex Photo Engraving Co. Inc.,
Rex Refrigerating Company,
Rex Transportation Company,
Reznik Corporation,
Rica Corporation, Inc.,
Richard Construction Company,
Richard E. Reade Co., Inc.,
Richard G. Clark, Incorporated,
Richard Management Corp.,
Richard Post & Son, Inc.,
Richardson's Esso Station,
Richard T. Cooke,
Richard V. Dorbeck Tool Manufacturing Co.,
Richard W. Hanwell, Inc.,
Rickhey's Restaurant, Inc.,
Ridge Park Builders Inc.,
Ridge Realty Company,
Ridgewald Highlands Transportation, Inc.,
Rik Co., Inc.,
Rishty's Linen Shops, Inc.,
Ritter, Inc.,
Riverside Corporation,
Riverside Packing Co. Inc.,
River Vale Ice Arena, Inc.,
River View Construction Co. Inc.,
Riwest, Inc.,
R & L Bilt Homes, Inc.,
R M C Construction & Engineering Corporation,
R. M. K. Land Company,
R. M. Kurtz, Inc.,
R. & N. Holding Company, Inc.,
Roban, Inc.,
Robert Investment Co., Inc.,
Roberts Construction Company, Inc.,
Roberts & Hirsch, Inc.,
Robertson Co.,
Robinson Rubber Company,
Rochelle Park Estates,
Rockaway View Corporation,
Rock Spring Corporation,

Rock Valley Holding Company,
Rodbart, Inc.,
Rod Realty Co. Inc.,
Roe Co.,
Roffwood Corporation,
Roger Kent Shoes, Inc.,
Rogers Painting Corporation,
Rogers Properties, Inc.,
Rolling Pin Bakery,
"Rolyat Company",
Ronald, Inc.,
Ronnie Beauty Shoppe, Inc.,
Roofing and Siding Corporation,
Roofing Wholesalers, Inc.,
Rookie Publishers, Inc.,
Roosevelt Cafeteria, Inc.,
Roosevelt Park Estates, Inc.,
Roosevelt Service Station, Inc.,
Rosair Corporation,
Rose Construction Co.,
Rosemont, Inc.,
Rosenberg Brothers Grocery Company,
Rosengarden, Inc.,
Roseville Acceptance Corporation,
Roseville Seventh Avenue Realty Company,
Roslen Excavating & Trucking Co., Inc.,
Ross Oliver Corporation,
Rosso's Fruit Shop, Inc.,
Ross Plumbing and Heating Co.,
Ross Woodruff Inc.,
Rotovex Corporation,
Rotus, Inc.,
Round Bar & Grill, Inc.,
Roxy Amusement Co.,
Royal Chenille Manufacturing Co. Inc.,
Royal Chenille Products, Inc.,
Royal Curtain Stretcher Manufacturing Co. Inc.,
Royal Flying Service, Inc.,
Royal Inn, Inc.,
Royal-Newark Agency, Inc.,
Roy Joan Company,
Ruclen Corp.,
Rumba Casino, Inc.,

Rustic-Wood Novelties, Inc.,
Rutherford Food Markets, Inc.,
Rutlee, Inc.,
R. W. Butts, Inc.,

Sabatos and Sons, Inc.,
Safety Heater Company,
Sages Construction Co.,
Salem Court, Inc.,
Salem Village, Inc.,
The Sales Corporation, Inc.,
Salls & Stone, Inc.,
Salon Art Craft Co.,
Sal-Rose Hotel, Inc.,
Sam Barnett Auto Parts, Inc.,
Sam Barnett Auto Parts, Inc. of Nanuet,
Same Day Cleaners and Furriers,
Samer Mortgage & Finance Co.,
Sam Hyman Men's Wear, Inc.,
Samtur Fuel Co Inc.,
Samuel Colacurcio, Inc.,
Samuel Dolinsky & Co.,
Samuel Hilton Inc.,
Samuel Radoff & Sons, Inc.,
Sands Point Harbor Boat Works,
Sandy Manufacturing Co., Inc.,
Sanford Construction Corporation,
San Giacomo Paper Company,
Sanhurst Homes, Inc.,
San Jose Service, Inc.,
Sanper Corp.,
Saphill Inc.,
"Sarg Construction Company, Inc.",
Sargent Motors, Inc.,
S-A Stores,
Savannah and Northern Shipbuilding Corporation,
Savoy Theatre Holding Co.,
Schaefer & Beyer, Inc.,
Scharf Brothers Co. Inc. of N. J.,
Schatmeyer Homes, Inc.,
Schlanger, Inc.,
Schwarz-Greenebaum Corporation,

Science-Play, Inc.,
Scotch Plains Mill & Supply Co.,
Scott Electric Co.,
Script and Copy, Inc.,
Scudder-Collver School, Inc.,
S. D. B. Land Co. Inc.,
Seaplane School Inc.,
Seashore Advertising Agency,
Seashore Amusement Co.,
Secoda Holding Company,
Security Trades Corporation,
Seemann Food Shop, Inc.,
Selected Home Builders,
Sel-Fast Hat Company,
Selgrave Corporation,
Seneca Piece Dye Works, Inc.,
Sentinel Holding Co.,
Service Auto Wrecking Company, Inc.,
Service Fuel Oil Company,
Service Liquors, Inc.,
Service Shoe Repair Shop,
Seth Manufacturing Co. Inc.,
Seton Electric Co.,
7-11 Dress Shop, Inc.,
795 Elizabeth Avenue Corporation,
75 Prospect Cooperative Apartment,
77 Lincoln Avenue Corporation,
Seven-Up Distributing Co. of Merchantville, Inc.,
Severin Bros., Inc.,
Seymour Fuel Company, Inc.,
S. Feldman, Inc.,
S. G. Hoffman, Inc.,
S. & G. Specialty Co.,
Shaeffer & Leeds,
Shannon Lodge,
Shannon Lodge Sanatorium,
Shapiro Building Corporation,
Sharr Drug Company,
Sheffield Gardens, Inc.,
Sheldon Silk Company,
Sherman Company,
Sherman's Groceries & Delicatessen, Inc.,
Sher-Mar Millinery, Inc.,

Shoe Mart Inc.,
Shopping News of Northern New Jersey,
Shore Block Co.,
Shore Loan Association,
Short Hills House of Flowers,
Sibyl Realty Co.,
Siccardi's Tap House, Inc.,
Sidney Provision Company,
Sigrids, Inc.,
Silk City Fabrics Corporation,
Silou Associates, Inc.,
Silver Dollar, Inc.,
Silver Dollar Tire Exchange,
Silver's Plumbing & Heating Supplies, Inc.,
Silverwhite Realty Co.,
Simco Corporation,
Simon Construction Co.,
Simons Ayreshire Dairy,
Simon's Sandwich Shoppe, Inc., a corporation,
Sinai Kosher Provision Co. Inc.,
Sinder's Journal Square, Inc.,
Sip Beauty Shoppe, Inc.,
Sire, Inc.,
Six Glenwood Avenue, Incorporated,
615 North Broad Corporation,
607-73rd Street Corporation,
Sixteenth Street Holding Corporation,
62 Kensington Corp.,
S. & J. Inc.,
Skateland Club,
Skoblows Baby Shop,
Sky Club, Inc.,
Sky-Flyer Mfg. Co.,
Sky Harbor Aeronautical Trade School,
Skyway Diner Inc.,
Smaak Products Co. Inc.,
Smiles Service Inc.,
S. Miller & Son, Inc.,
S. & M. Realty Co.,
Snow Laboratories Incorporated,
Soldo Corporation,
Sol Gordon, Inc.,
Solutions Laboratories, Inc.,

Somerset Boulevard Holding Corporation,
Somerset Investment Co.,
Somerville Auto Wrecker Inc.,
Sommers Garage, Inc.,
Sondra Holding Co.,
Sonia Waist & Dress Co.,
Sonvil Realty Co., Inc.,
Sooy Hotel Corp.,
Sorrentino Oil Company, Inc.,
South Amboy Construction Company Inc.,
South Broad Delicatessen, Inc.,
South Company,
Southern Shipyards Incorporated,
South Jersey Dye Works, Inc.,
South Jersey Law School,
South Jersey Trading Co.,
South Main Holding Co. Inc.,
South Manor Hotel Company,
South of the Border, Inc.,
South Orchard Realty Co. Inc,
Sovereign Fabrics Corp.,
Sparkel-X Mfg. Co., Inc.,
Spark Plug Inn, Inc.,
Speed Neon Products, Inc.,
"Speedwell Trucking Co., Inc.",
Spencer Gardens, Inc.,
Spielholz Bakery, Inc.,
Spike-It Bottling Co. of Northern New Jersey, Inc.,
S. Pilchman, Inc.,
S. Pluchino Inc.,
The Sportsman, Inc.,
Sportsmen's Bar Inc.,
Spotless Foods, Inc.,
Spowers Research Laboratories, Inc.,
Sprattler & Mannel Brewing Co.,
Spray Paint Products Co.,
Springdale Realty Co.,
Springfield Dyeing Co., Inc.,
Springford Realty Corporation,
Spring Pharmacy, Inc.,
Spruce Realty,
Spur Bottling Co. of Camden, Inc.,

Spur Distributing Co. of Atlantic County, Inc.,
Square Deal Meat Market, Inc.,
Squirrel Inn Company,
S. & S. Auto Stores, Inc.,
S. & S. Furniture Co., Inc.,
S & S Land Co.,
S. S. Studios, Inc.,
S & S Used Auto Parts, Inc.,
Stadium Bar & Grill Inc.,
The Stagg Realty Company,
Stamal Realty Corp.,
Stan Brooke Farm, Inc.,
Stancourt Laundry & Dry Cleaners, Inc.,
Standard Engineering Co.,
Standard Linoleum Company,
Standard Lumber & Supply Co. No. 2,
Standard Meter Sales Corporation,
Standard Motors, Inc of New Jersey,
Standard Press of Union County, Inc.,
Standard Processing Corporation,
Standard Securities Corporation of N. J.,
Standard Silica Sand Co., Inc., of New Jersey,
Stanley Auto Service, Inc.,
Stanley C. Clayton, Inc.,
Stanley Ciechanowski, Inc.,
Stanton Holding Co.,
Stanton Realty Company,
Star Fur Dressers & Dyers, Inc.,
Star Hotel Company,
Star Petroleum Company,
State Exchange Realty Co.,
State Heating Corporation,
State Laboratories Inc.,
State Pure Food Shop,
State Street Service Station, Inc.,
State Welding & Body Works, Inc.,
Steele Realty Co.,
Steiner, Inc.,
Stein's Tailory, Inc.,
Stellar Marine Corporation,
Stephanie, Inc.,
Steril-Icer Corporation of America,
Sterling Fruit Exchange Inc.,

Sterling Holding Co. No 1,
Sterling Service Stations, Inc.,
Stern Company,
Stern's Bakery, Inc.,
Stevens, Inc.,
Stiansen Construction Co. Inc.,
Stirling Gardens, Inc.,
Stockton Coal Co., Inc.,
Stonhell Realty Co.,
Strada Construction Co., Inc.,
Stratford Construction Company,
Streicher Manufacturing Company,
Strickland Brothers Boat Yard,
Strickland & Byers, Inc.,
Strong Construction Co. Inc.,
Structural Engineering Corp.,
Stuart's Inc.,
Stubenvoll Trucking Corporation,
Studio Homes, Inc.,
Style Furniture Co., Inc.,
Styron & Siddons, Inc.,
Suburban Business Service,
"Suburban Company",
Suburban Motor Sales of Hillside Inc.,
Suburban Realty Service Corporation,
Sucholin Inc.,
Sude Realty Co., Inc.,
Sugar Bowl Danceteria,
Sullivan Way Corporation,
Summit Credit and Collection Bureau,
Summit Herald Publishing Company,
Sunbeam Homes, Inc.,
Sunnyside Farms, Inc.,
Sunrise Candy,
Sunshine Home Builders, Inc.,
Sun Valley Dairy,
Super Enterprises, Inc.,
Superior Auto Parts Co., Inc.,
Superior Brands, Inc.,
Superior Brick Co. Inc.,
Superior Construction Co., Inc.,
Superior Upholstery and Slip Cover Co.,
Supreme Construction Co.,

Sureset Marble & Tile Co.,
Surety Realty Co.,
Surf City Improvement Co.,
Surrey Baking Co. Inc.,
Sussman Watchmakers & Jewelers Supply Co.,
Sutter, Inc.,
Swan Park Estates,
S. & W. Builders, Inc.,
Swedesboro Transportation Co.,
Szabara Building Company,

Tab Mfg. Co. Inc.,
Tap House, Inc.,
Tavistock Development Company,
T. D. Realty Company,
Telpo Realty Corp.,
Temple of Knowledge, Inc.,
Tenex Manufacturing Corporation, Inc.,
Tep Realty Company,
Terminal Service Center,
Terra Management, Inc.,
Textile Processing Corp.,
T. G. & C. Realty Inc.,
T. & G. Realty Co.,
Theatre Grille, Inc.,
Theatre Ticket Service, Inc.,
Thelby Realty Corporation,
Theodore J. Hintz, Inc.,
Thirty Romaine Corporation,
36-38 Waverly Avenue, Inc.,
33 Hamilton Avenue Corp.,
Thomas Confectionery & Cigar Co.,
Thomas Home Builders, Inc.,
Thomas Watson, Inc.,
320 Jackson Avenue,
322 Avenue B Corporation,
Three Rivers Realty Company,
Three Veterans, Inc.,
Three-Way Co.,
Thrift Service Center, Inc.,
Tiger Lare,
Tillman-Lennett Distributing Corporation,
Timber Corporation of New Jersey,

Times Review Co., Inc.,
Tire Engineering, Inc.,
Tire Hospital, Inc.,
T. M. K. Corporation,
Todd Construction Co.,
Tomlin Company,
Tom McGirr Corporation,
Tommy Armour, Inc.,
Toms River Record Company,
Tonkin & Collict Company, Inc.,
Top Hat Realty Company, Inc.,
Towers Academy, Inc.,
Towne and Country Cleaners, Inc.,
Townsend Baking Company,
Town Tavern,
T. Permut Plumbing and Heating Corporation,
Trachtenberg Holding Company,
Tradell Realty Co., Inc.,
Trade Securities Company,
Traffic Holding Company,
Trans-Continental Tours, Inc.,
Transfer Cafe,
Trayhold, Inc.,
Treacy-Avon Investment Co., Inc.,
Treasurer Chest Publications, Inc.,
Trenton Agency, Inc.,
Trenton Orpheum Corporation,
Trenton Realty Company,
Trepex Realty Company,
T. & R. Holding Co. Inc.,
Tri-County Realty Company,
Trident Realty Company,
Trio Grocery Co., Inc.,
Tripician's,
Trips & Tours, Inc.,
Trotter Realty Co.,
T. R. Sloan Co. Inc.,
Trylon Music Publishing Co., Inc.,
T. S. Doyle Co., Inc.,
T. S. Goslin Building Corporation,
Tucco Corporation,
Tudor Building Company, Inc.,
Tu-Ems Co.,

Turf Caterers, Inc.,
Turp-Smires Service, Inc.,
T. W. A. Trading Company,
Twelve Eighty Five Boulevard East Corporation,
20th Century Housing Corporation,
Twenty Eight Hurden Street, Inc.,
T. W. Harrison, Inc.,
Twin Boro Auto Corporation,
Twin City Service Garage, Inc.,
Twin State Holdings, Inc.,
Two Fifteen North Broadway, Inc.,
215 W. 88th Street Corporation,
205 Market Street Inc.,
233 Weequahic Avenue, Inc.,
221 Realty Co. Inc.,
226-228 Realty Co., Inc.,
222 Dennison Street, Inc.,
2018 Atlantic Avenue, Inc.,
2032 Morris Avenue, Inc.,

Ultimite Products Inc. of New Jersey,
Umans & Umans, Inc.,
Uneeda Realty Corp. of New Jersey,
Union Associates of Westfield,
Union Auto Supply, Inc.,
Union Center Holding Co.,
Union City Coat Company, Inc.,
Union City Football Club,
Union City Hardware & Supply Co. Inc.,
Union Construction Corporation,
Union County Investment Company,
Union County Motors Corporation,
Union Delicatessen & Liquor Shop Inc.,
Union Embroideries, Inc.,
Union Furniture Mfg. Co. Inc.,
Union Haulage & Excavating Company,
Union Hill Battery Co., Inc.,
Union Structural Iron Works, Inc.,
Union Switch Corporation,
Union Village Co.,
Unique Products Corporation,
United Cemeteries Corporation,
United Garment Co.,

United Restaurant Co.,
United Roofing and Improvement Company,
United Sales Co.,
United Scrap-Iron & Metal Co.,
United States Aircraft & Arms Corporation,
United States Bottling Company,
U. S. Builders Co., Inc.,
U. S. Copper & Liquidating Co., Inc.,
United States Housing Corporation,
United States Imports & Exports, Inc.,
United States Novelties, Inc.,
U. S. Surgical Appliance Corporation,
U. S. Synthetics Corporation,
U. S. Textile Engraving Co., Inc.,
United Throwing Corp.,
United Tool & Machine Company,
United Tourist Grills, Inc.,
United Yeast Corporation,
Universal Color Press, Inc.,
Universal Metal Lathing Company,
Universal R. & M. Corporation,
Universal Studios, Inc.,
Universal Trading Corporation,
University Bags, Inc.,
Upland Farms,
Usher Letter Shop, Inc.,
Uvitan Products, Incorporated,

Vahlen Holding Company,
Vaka & Sons, Inc.,
Valjon Laundry Company, Inc.,
Valvaned Corporation,
Vanco Corporation,
Van Courtland Corp.,
Vanderboons Bulk Farms, Inc.,
Van Ginhoven Bros., Inc.,
Vanhol Corporation,
Van Houten Holding Corporation,
Van Leer Motors, Inc.,
Vans Realty Co.,
V & B Motors Inc.,
Ventnor Corporation,
Vera-Cola Company of New Jersey Inc.,

Vere Realty Corp.,
Vermitox Laboratories, Inc.,
Vermont Construction Co., Inc.,
Vernon Land Company,
Verona Linoleum Co.,
Verona Shade Shop,
Victor D'Alessandro, Inc.,
Victor G. Foster, Inc. of Marlton, N. J.,
Victory Egg Service, Inc.,
Victory Park Realty Company,
Village Bar & Grill, Inc.,
Village Cut Rate Drugs of South Orange,
Village Market, Inc.,
Vincent W. Rospond, Inc.,
Viola Company, Inc.,
Viscardi-Carlucci Construction Co., Inc.,
Vitalized Poultry Products Inc.,
Vitez Realty Corp.,
Vito Crecca, Inc.,
Vitrolite Store Front & Fixture Co.,
V. & J. Realty & Investment Co.,
V. K. Holding Co.,
V. O. A. Realty Co.,
Voight & Ford, Inc.,
Vostok Publishing Company,
Vroman & Mahieu, Inc.,

Wales Riggs Plantations,
Walfred Realty Co.,
Walker Asbestos Roofing Inc.,
Walk-Rite Juvenile Shoes,
Wallace Construction Co.,
Wallbro Trucking Co.,
Wall Company,
Waller Garden Corporation,
Wallis Foods, Inc.,
Wall-Murray Corp.,
Wallpack Realty Company,
Wall-Styled Shirt Co., A Body Corporate,
Wally's Tavern, Inc.,
Walross Construction Company,
Walter Hagelin, Inc.,
Walter McLean & Co.,

Walther Sign Co. Inc.,
Waltrodin, Inc.,
Warren G. Toone, Inc.,
Washington Avenue Realty Company,
Washington Beef Company, Inc.,
Washington Coal and Supply Co.,
Washington Court,
Washington-Emerson, Inc.,
Washington Fruit Exchange, Inc.,
Washington Hotel Supply Co., Inc.,
Washington Park Apartments, Inc.,
Washington Park Garden Homes,
Washington Pharmacy, Inc.,
Washington Rock Realty Company,
Watch Hill Association, Inc.,
Watchung Builders, Inc.,
Watchung Mountain Grove, Inc.,
Waterhouse & Helm, Inc.,
Waterproof Liquid Solder Co., Inc.,
Watson-Pashkow Company,
Wayne Grill, Inc.,
Wayne Lakes Inc.,
W. D. Vosbury Co.,
Webber Motor Co.,
Webster College,
Weeden's Machine Shop, Inc.,
Weekly Review Publishing Co.,
Weequahic Diner, Inc.,
Weill Realty Co.,
Weinstock Supply Co., Inc.,
Wek Holding Corporation,
Wellingtex-Bona-Fit Shirt Co., Inc.,
Wemor Realty Corp.,
Werner Storage Warehouse Corporation,
Wespas, Inc.,
Wessco Realty Company,
Westbrook Housing Company,
West End Company,
West Englewood Bus Transportation Company, Inc.,
West Englewood Coal & Supply Company,
West Englewood Hills, Inc.,
West Hudson Mortgage Company,

West Jersey Housing Company, Inc.,
West Long Branch Company,
West Market Meat & Provision,
Westminister Gables,
Westmont Manufacturing Company, Incorporated.
West New York Food Center, Inc.,
West Scotch Plains Holding Co. Inc.,
West Side Building Corporation,
West Side Trading Company,
Westville Home Builders, Inc.,
West Virginia Hardwood Co.,
Westwood Development Corporation,
Whipt-Rite Dairies, Inc.,
White Company,
White Eagle Publishing Company,
White Elephant, Inc.,
White Engineering Co.,
White House System Inc.,
White Manor, Inc.,
White Realty Co. Inc.,
White Reconstruction Company,
Whitman Construction Co.,
Who's Who, Inc.,
W. I. Green Sons, Inc.,
Wilbur R. Peters, Inc.,
Wiley Inc.,
Wilkins Electric Company, Inc.,
Willems Textile Mfg. Co.,
William Arendt, Inc.,
William A. Woodbury, Inc.,
William Burck, Inc.,
Wm. Eckel & Son, Inc.,
William Food Shoppe, Inc.,
William G. Moore, Inc.,
William H. Otto Metal Goods Corporation,
William Mears & Son,
William R. Latham, Inc.,
William R. Mason, Inc.,
William Roesch, Inc.,
William R. Pitt Composite Iron Works,
Williams Baking Company,
Williams Oil Company,
Wm. Szerlip's Sons, Inc. of N. J.,

Wm. T. Dobson, Inc.,
William Weiss, Inc.,
Willits Coal Company,
Wil-Park Realty Co., Inc.,
Wilson's Factory Division, Inc.,
Wilson Terminal & Warehouse Corporation,
Wilton Terrace Home Corporation,
Winkler and Navatier, Inc., No. 1,
Winter Chemical Corporation,
Wiss Brothers, Inc.,
Wisteria Garden, Inc.,
Wizard Saw Co.,
Wohlreich Agency, Inc.,
Wolyn Realty Co.,
Woodbridge Apartment Corporation,
Woodbridge Housing Corporation,
Woodbridge Oaks, Inc.,
Woodbridge Realty & Investment Company,
Woodbrook Village Corporation,
Wood-Hall Holding Co.,
Wood-Heights Realty Corporation,
Woodhull Corporation,
Woodlake Operating Co., Inc.,
Woodpo Realty Co.,
Woolman Company,
Worth Holding Company,
Worth-Mor Sales Co.,
W. & R. Co.,
Wright Associates, Inc.,
Wright-Brook Company,
W & S Construction Co.,
Wyndmoor Homes, Inc.,

X. C. Amusement Corporation,

Yardstick, Inc.,
Yarlev Corporation,
Yarmouth Roads, Inc.,
Yates Building Co.,
Yereance Inc.,
Yerington Realty and Building Company, Inc.,
Yogg & Co.,

Yogg Printers Inc.,
Youthful Woman Hats, Inc.,

Zager & Scheraga,
Zeigex Corporation,
Zerecon Coal Co.,
Ze-Sy Corporation,
Ziegler Bros. Inc.,
Zodiac Aircraft Corporation,
Zones Terminal Engineering Corporation,

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 New Jersey, this thirty-first day [SEAL] of May, A. D. one thousand nine hundred and forty-five, and in the Independence of the United States, the one hundred and sixty-ninth.

WALTER E. EDGE
Governor.

By the Governor:
J. A. BROPHY
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

In the 168 years since the Continental Congress adopted the Stars and Stripes on June 14, 1777, as the national flag of the United States of America, we have never had greater occasion to express our pride and faith in this symbol of liberty.

Today as we celebrate Flag Day our armed forces and those of our allies are victorious in Europe and our flag is waving over widespread battlefronts in the Pacific.

Our flag has become a symbol of liberty and freedom throughout the civilized world and I strongly urge the people of New Jersey to take the oath of allegiance anew and to support the Seventh War Loan Drive to the limit that this flag may soon become the symbol of final victory.

At this time, with victory so near, I reiterate my plea to the citizens of New Jersey to buy all the war bonds possible as an expression of gratitude and support for the half million Jersey men and women serving under our flag all over the world.

THEREFORE, I, FRANK S. FARLEY, Acting Governor of the State of New Jersey, do hereby proclaim

THURSDAY, JUNE 14TH,

as

FLAG DAY,

and I ask that the flag be flown from homes, public buildings and places of business; that people renew their Oath of Allegiance to the Flag, and that appropriate exercises be conducted throughout the State on this day in schools, churches and public buildings.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this thirteenth day of June, in the year of Our Lord one thousand nine hundred and forty-five, and in the Independence of the United States the one hundred and sixty-ninth.

FRANK S. FARLEY
Acting Governor and
President of the Senate.

By the Acting Governor:
J. A. BROPHY
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, John G. Sholl was at the general election held in the month of November, one thousand nine hundred and forty-four elected by the voters of the County of Gloucester to represent said county in the Senate of this State and subsequently did qualify as such Senator and after such election and qualification did resign the office of Senator; therefore causing a vacancy to exist in the Senate of this State;

THEREFORE, I, FRANK S. FARLEY, Acting Governor of the State of New Jersey and President of the Senate of the State of New Jersey, pursuant to law, do hereby issue this proclamation directing an election to be held according to the laws of the State of New Jersey in said county on Tuesday, November sixth, one thousand nine hundred and forty-five, for the purpose of electing a Senator for said county to fill the vacancy caused by the resignation of the said John G. Sholl.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this twenty-seventh day of June, in the year of Our Lord one thousand nine hundred and forty-five, and in the Independence of the United States the one hundred and sixty-ninth.

FRANK S. FARLEY
Acting Governor and
President of the Senate.

By the Acting Governor:
J. A. BROPHY,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

In celebrating the One Hundred and Sixty-ninth Anniversary of the Independence of the United States we are encouraged by the success of the United Nations' Conference to the hope that adoption of the Charter it produced may enable us to live in peace and security after the final victory is won in the Pacific.

Submission of this Charter as we celebrate our independence as a nation should instill in our people a desire to reaffirm their belief in the fundamental principles of tolerance and freedom upon which this nation was founded.

It is not enough that we take our independence as a nation and our own rights and liberties for granted. Less than two years ago there was grave danger that this nation and other democracies would be overrun by those who believed that man

was created to serve the State. Today victory for the dignity of man and our fundamental way of living is assured. We celebrate the anniversary of our independence in a spirit of thanksgiving to those brave men and women in the armed forces, both living and dead, who have given so much that we might continue to live in freedom and security.

THEREFORE, I, FRANK S. FARLEY, Acting Governor of the State of New Jersey, do hereby proclaim

JULY FOURTH

as

INDEPENDENCE DAY,

and suggest that all civic, patriotic and educational organizations, State and local officials plan appropriate ceremonies to be conducted throughout the State on this day.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this twenty-eighth day of June in the year of Our Lord one thousand nine hundred and forty-five and in the Independence of the United States the one hundred and sixty-ninth.

FRANK S. FARLEY
Acting Governor and
President of the Senate.

By the Acting Governor:
J. A. BROPHY
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

As the United States Coast Guard is delivering men and materials all over the world to bring this war to a speedy and successful conclusion, it is most appropriate that we pause to pay homage to this unit of our armed forces on its 155th birthday, August 4, 1945.

The Coast Guard is the oldest seagoing armed force in continuous service in the United States and it has served with gallantry and distinction in every war in which this Nation has participated. In this present conflict the Coast Guard manned a large portion of the ships participating in the invasions of Africa, Italy and Normandy. It has taken our transports over the seven seas and has cleared the oceans of enemy submarines. In addition, the members of the Women's Reserve, better known as the SPARS, are serving with distinction in this country, Alaska and Hawaii, thereby releasing men for sea duty.

THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, do hereby proclaim the week of

JULY 30TH TO AUGUST 5TH

as

COAST GUARD ANNIVERSARY WEEK,

and I call upon our citizens to honor the gallant men and women comprising the officers and enlisted personnel who have so bravely served their country.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this thirtieth day of July, in the year of our Lord one thousand nine hundred and forty-five, and in the Independence of the United States the one hundred and seventieth.

WALTER E. EDGE
Governor.

By the Governor:
J. A. BROPHY
Secretary of State.

Change of Corporate Title of Municipalities

(1019)

Change of Corporate Title of Municipalities

"The Township of Hohokus" changed to "Township of Mahwah." Filed November 15, 1944.

Cumulative Table of Contents

OF

NEW JERSEY LAWS OF 1942 (CHAPTERS 281 TO END), 1943, 1944 AND 1945

GENERAL AND PERMANENT LEGISLATION

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Table of Numbered Sections Added to Revised Statutes (1937) 1942 (Chapters 281 to end)—1943-1945

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Table of Public Validating Acts 1942 (Chapters 281 to end)—1943-1945

Prepared by

LAW REVISION AND BILL DRAFTING COMMISSION

Formerly

COMMISSION ON STATUTES

FRANK H. SOMMER, *Chairman*
WILLIAM J. MORRISON, JR.
SEDGWICK RUSLING LEAP
GEORGE H. STANGER
HAROLD W. HANNOLD
Commissioners

CHARLES DEF. BESORÉ
Counsel

CUMULATIVE TABLE OF CONTENTS

OF

NEW JERSEY LAWS OF 1942 (CHAPTERS 281 TO END), 1943, 1944 and 1945

GENERAL AND PERMANENT LEGISLATION

The following Table of Contents with the Schedules annexed have been prepared and printed pursuant to chapter 379 of the laws of 1939 to indicate changes made in the general and permanent statute law subsequent to the enactment of chapter 280 of the laws of 1942.

Changes made in the general and permanent statute law from the enactment of the Revised Statutes (1937) through chapter 280 of the laws of 1942 are to be found in the Cumulative Table of Contents contained in the Pamphlet Laws of 1942 at page 875, etc.

The classification used is that of the Revised Statutes amplified so as to include material for which no adequate classification units appear in the Revised Statutes. In all cases in which new chapter or other subdivision headings or new section numbers are set up they are designated in the Table as "Added" or "New." Where a chapter or other subdivision heading or section number is designated as "Added" it has been set up in the statute classified under it. Where a chapter or other subdivision heading is designated as "New" it has been set up and a number assigned, for convenience in classification, by the Law Revision and Bill Drafting Commission (formerly Commission on Statutes). The use of such designations or numbers alone, whether they are designated as "Added" or "New," in citation or in legislation is not sufficiently descriptive to indicate where the material is to be found in the Pamphlet Laws and, when so used, such designations should be amplified by adding the year and chapter numbers of the material intended to be referred to.

Acknowledgment is made to Charles DeF. Besoré, Esq., for the use of the arrangement of his "Table of Contents, etc., of 1938," which forms the basis of the arrangement of this Table of Contents.

Title 1. ACTS, LAWS AND STATUTES.

Chapter 9. PERMANENT LAW REVISION COMMISSION.

Additional Legislation.

Law Revision and Bill Drafting Commission, Commission on Statutes continued as; powers and duties defined, 1944, c. 105.

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Additional Legislation.

Masters in Chancery, ex officio, Masters of Prerogative Court, suppl., 1944, c. 173.

Chapter 7. ORPHANS' COURTS AND SURROGATES.

R. S. 2:7–13 amended 1943, c. 23.

R. S. 2:7–19 " 1944, c. 67.

Additional Legislation.

Appointment of special deputy surrogate, 1938, c. 97.

Sec. 1 of above amended 1945, c. 129.

Surrogate's compensation, certain counties, fixed, suppl., 1945, c. 61.

Probate clerks, appointment as deputy surrogates, authorized, 1945, c. 64.

Chapter 8. DISTRICT COURTS.

Article 1. Creation and Establishment; Judges and Other Officers.

R. S. 2:8–4 Essex County 1911, c. 228 see 1945, c. 279.
" " 1919, c. 90 see 1945, c. 279.

R. S. 2:8–13 amended 1945, c. 100.

R. S. 2:8–23 " 1944, c. 165.

R. S. 2:8–33 " 1944, c. 136.

Additional Legislation.

Essex County Judicial District, established, First and Second District Courts of Newark, District Courts of Orange and East Orange, District Courts of First and Second Judicial Districts of Essex County, abolished, 1945, c. 279.

Article 2A. (new) County Judicial District Courts.

Additional Legislation.

County Judicial District Courts, establishment and organization, provided for, suppl., 1945, c. 278.

County Judicial District Courts, expenses of, provided for, 1945, c. 280.

Chapter 10. COURT OF PARDONS.

R. S. 2:10–6 amended 1945, c. 200.

Chapter 16. PROVISIONS COMMON TO MORE THAN ONE COURT.

Additional Legislation.

Judgeship vacated by election, etc., of incumbent to public office, 1942, c. 240.

Sec. 1 of above amended 1943, c. 12.

Subtitle 5. LIMITATION OF CIVIL ACTIONS; ADVERSE POSSESSION.

Chapter 24. LIMITATION OF ACTIONS.

Note: For presumption of consent of owners to placing of certain poles in public places, established after ten years, see 1945, c. 231.

Additional Legislation.

Limitation supended during war and six months thereafter, in favor of certain persons serving in or with armed forces, suppl., 1945, c. 167, s. 1.

Subtitle 6. PRACTICE AND PROCEDURE IN CIVIL ACTIONS GENERALLY.

Chapter 26. PROCEDURE COMMON TO MORE THAN ONE COURT.

Article 1. General Provisions.

Note: For proceedings involving certain absent defendants, etc., in time of war, see 1943, c. 32; 1943, c. 178.

Article 3. Lis Pendens.

R. S. 2:26–30 amended 1944, c. 174.

Article 4. Process in General.

A. SERVICE IN GENERAL.

Additional Legislation.

Absent defendants, certain, in time of war, proceedings involving, 1943, c. 32.

A1. (new) SERVICE IN ORPHANS' AND PREROGATIVE COURTS.

Additional Legislation.

Absent defendants, etc., certain, in time of war, proceedings involving, 1943, c. 178.

Chapter 27. PROCEDURE IN COURTS OF LAW GENERALLY.

Note: For proceedings involving certain absent defendants in time of war, see 1943, c. 32.

R. S. 2:27–135 amended 1943, c. 114.

R. S. 2:27–303 " 1945, c. 258.

Additional Legislation.

Supreme Court Commissioners, powers of Circuit Court Judges acting as, regulated, suppl., 1943, c. 215.

Chapter 29. PROCEDURE IN COURT OF CHANCERY.

Note: For joinder of actions and causes of action by municipalities in tax lien foreclosures; permitted, vacant land, see 1940, c. 84, amended 1943, c. 204.

Article 3A. (new) Absent Defendants in Time of War.

Additional Legislation.

Defendants in enemy or enemy-occupied countries, service upon, appearance, etc., for; effect, etc., of decree; intervention, etc., of alien property custodian, 1942, c. 297.

Chapter 30. PROCEDURE IN PREROGATIVE COURT.

Note: For proceeding involving certain absent defendants, etc., in time of war, see 1943, c. 178.

Chapter 31. PROCEDURE IN ORPHANS' COURTS AND BEFORE SURROGATES.

Note: For proceedings involving certain absent defendants, etc., in time of war, see 1943, c. 178.

Chapter 32. PROCEDURE IN DISTRICT COURTS

R. S. 2:32–26 amended 1943, c. 203.

R. S. 2:32–82 " 1944, c. 164.

R. S. 2:32–90 " 1944, c. 186.

R. S. 2:32–107 " 1942, c. 333.

R. S. 2:32–158 " 1943, c. 65.

R. S. 2:32–180 " 1943, c. 73.

R. S. 2:32–206 " 1945, c. 79.

R. S. 2:32–267 " 1944, c. 184.

R. S. 2:32–268 " 1944, c. 183.

R. S. 2:32–269 " 1943, c. 66.

Additional Legislation.

Constables, record, deposit, remittance and report of moneys received, suppl., 1945, c. 123.

Constables, report before returning execution "No levy" or "Unsatisfied" required, suppl., 1945, c. 135.

Judgment for possession in replevin, entry by default on affidavit, authorized, suppl., 1945, c. 136.

Subtitle 8. SPECIFIC CIVIL ACTIONS, REMEDIES AND PROCEEDINGS.

Chapter 47. DEATH BY WRONGFUL ACT.

R. S. 2:47–4 amended 1943, c. 79.

Chapter 50. DIVORCE AND NULLITY OF MARRIAGE—ALIMONY AND MAINTENANCE.

R. S. 2:50–27 amended 1945, c. 250.

Chapter 53. ESCHEATS.

Note: For escheat of unclaimed bank deposits, see 1945, c. 199.

Chapter 58. LANDLORD AND TENANT; RIGHTS AND REMEDIES.

R. S. 2:58–26 amended 1944, c. 131.

Chapter 60. LIENS—BONDS OF AND MONEY PAID TO CONTRACTORS ON PUBLIC WORKS.

Article 20. (new) Factors' Liens.

Additional Legislation.

Liens by factors or pledgees on merchandise or proceeds thereof, suppl., 1942, c. 182.

Sec. 6 of above amended 1944, c. 76.

Chapter 67. NAMES; CHANGE OF.

Additional Legislation.

Adjustment of vital statistic records upon change of name, provided for, suppl., 1945, c. 283.

Subtitle 10. JURIES.

Chapter 85. QUALIFICATIONS OF JURORS.

R. S. 2:85–1 amended 1943, c. 113.

Chapter 87. COMMISSIONERS OF JURIES.

R. S. 2:87–1 amended 1944, c. 96, ss. 1, 9, 10.

R. S. 2:87–4 " 1944, c. 96, s. 2.

R. S. 2:87–6 " 1944, c. 96, s. 3.

R. S. 2:87–7 " 1944, c. 96, s. 4.

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R. S. 2:87–11 " 1944, c. 96, s. 6.

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R. S. 2:87–13 " 1944, c. 96, s. 8.

Subtitle 11. EVIDENCE AND WITNESSES.

Chapter 98. DOCUMENTS, RECORDS AND OTHER WRITTEN INSTRUMENTS.

Note: For substitution of photographic copies for records, etc., of banks and trust companies, see 1941, c. 39, amended 1942, c. 89.

Chapter 101. EVIDENCE OF PARTICULAR FACTS OR FOR PARTICULAR PURPOSES.

Additional Legislation.

Presumptive evidence that person is dead, alive, missing, interned, beleaguered, besieged or a prisoner, method of establishment provided for, 1945, c. 46.

Subtitle 11A. (new) EXAMINATION OF RECORDS, ETC.

Chapter 101A. (new) HOSPITAL RECORDS.

Right to examine hospital records in compensation cases and actions for damages, provided for, 1945, c. 286.

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Chapter 114. BRIBERY AND CORRUPTION.

Additional Legislation.

Bribery, etc., in connection with certain sporting contests, prohibited, suppl., 1945, c. 217.

Chapter 117. CHILDREN.

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Debauching or impairing morals of children, prohibited, suppl., 1945, c. 242.

Chapter 121. DESERTION.

R. S. 2:121–2 amended 1944, c. 195.

Chapter 122A. (new) DISCRIMINATIONS.

Refusal of shelter during air-raids or air-raid alarms, prohibited, 1942, c. 298.

Chapter 171A. (new) TICKET SCALPING.

Ticket scalping regulated, 1944, c. 12.

Chapter 176. WEAPONS AND EXPLOSIVES.

R. S. 2:176–11 amended 1945, c. 191.

Subtitle 14. CRIMINAL PROCEDURE.

Chapter 178. DEFINITIONS, CONSTRUCTION AND GENERAL PROVISIONS.

Note: For defendants in criminal proceedings, examination, treatment, etc., for venereal diseases, required, see 1945, c. 101.

Additional Legislation.

Money seized in connection with gambling, etc., disposition, forfeiture, etc., suppl., 1941, c. 70.

Sec. 4 of above amended 1945, c. 296.

Chapter 181. COUNTY DETECTIVES AND INVESTIGATORS.

R. S. 2:181–10 appointment, etc., of county detectives or investigators certain fourth class counties, suppl., 1939, c. 5.

Sec. 2 of above amended 1945, c. 289.

Chapter 182. PROSECUTORS OF THE PLEAS.

R. S. 2:182–10 amended 1944, c. 66.

R. S. 2:182–15 " 1944, c. 32.

Chapter 184. JURISDICTION AND VENUE.

Additional Legislation.

Accessory to crime in county other than that in which crime committed, indictment and trial of, 1944, c. 198.

Chapter 190. TRIAL; NEW TRIAL.

R. S. 2:190–17 amended 1943, c. 41, s. 2.

Additional Legislation.

Special verdict as to insanity, when pleaded, required, suppl., 1943, c. 41, s. 1.

Chapter 192. SENTENCE AND IMPRISONMENT.

R. S. 2:192–1 amended 1944, c. 10.

R. S. 2:192–3 " 1945, c. 153.

Additional Legislation.

Combined sentence to imprisonment and on probation, provided for, suppl., 1943, c. 40.

Chapter 195. WRITS OF ERROR.

R. S. 2:195–1 amended 1943, c. 42, s. 1.

R. S. 2:195–2 repealed 1943, c. 42, s. 2.

R. S. 2:195–14 amended 1943, c. 43, s. 1.

R. S. 2:195–15 " 1943, c. 43, s. 2.

R. S. 2:195–16 " 1943, c. 43, s. 3.

Chapter 199. PROBATION AND PAROLE.

Note: For combined sentence to imprisonment and on probation provided for, see 1943, c. 40.

Article 1. General Provisions.

R. S. 2:199–5 amended 1944, c. 190.

Subtitle 15. DISORDERLY PERSONS.

Chapter 202. DISORDERLY PERSONS GENERALLY.

Article 1. Certain Disorderly Persons Enumerated.

R. S. 2:202–3 amended 1942, c. 305.

R. S. 2:202–13 " 1944, c. 11.

Additional Legislation.

Food stamps, etc., misuse of, prohibited, suppl., 1941, c. 204.

Sec. 1 of above amended 1942, c. 315, s. 1.

Sec. 2 repealed 1942, c. 315, s. 2.

Identification cards and badges, misuse of, prohibited, suppl., 1943, c. 205.

Poisons, etc., placing with intent to injure, etc., certain domestic animals, prohibited, suppl., 1944, c. 133.

Article 4. Disorderly Acts Relating to Railroads, Railways and Public Conveyances.

R. S. 2:202–26 amended 1944, c. 53.

Additional Legislation.

Smoking, etc., in buses or trolley cars prohibited, suppl., 1944, c. 14.

Article 6. Trespassing.

Additional Legislation.

"Victory Gardens," trespassing upon, prohibited, suppl., 1943, c. 136.

Chapter 205. PUNISHMENT OF DISORDERLY PERSONS.

R. S. 2:205–1 amended 1942, c. 314, s. 1.

R. S. 2:205–2 " 1942, c. 314, s. 2.

Chapter 206. PROCEDURE.

R. S. 2:206–1 amended 1942, c. 314, s. 3.

R. S. 2:206–3 " 1942, c. 314, s. 4.

R. S. 2:206–4 " 1942, c. 314, s. 5.

R. S. 2:206–5 " 1942, c. 314, s. 6.

Subtitle 17. CRIMINAL JUDICIAL DISTRICT COURTS.

Note: For defendants in criminal proceedings, examination, treatment, etc., for venereal diseases, required, see 1945, c. 101.

Chapter 212. CONSTITUTION AND PERSONNEL.

R. S. 2:212–4 1926, c. 210, repealed 1944, c. 28, s. 5.

R. S. 2:212–4 1926, c. 211, repealed 1944, c. 28, s. 5.

R. S. 2:212–6 amended 1944, c. 23.

Additional Legislation.

Judges, holding over after expiration of terms, provided for, suppl., 1943, c. 59.

Criminal Judicial District Court of County of Bergen, established, 1944, c. 28; 1944, c. 39.

Chapter 213. JURISDICTION.

R. S. 2:213–2 amended 1943, c. 86.

Subtitle 18. POLICE COURTS AND MAGISTRATES.

Note: For defendants in criminal proceedings, examination, treatment, etc., for venereal diseases, required, see 1945, c. 101.

Chapter 220. CITIES OF THE SECOND CLASS.

Additional Legislation.

Police court or city judge, certain second-class cities, appointment instead of election, provided for, 1944, c. 31.

Title 3. ADMINISTRATION OF ESTATES—DECEDENTS AND OTHERS.

Subtitle 2. WILLS, DESCENT AND DISTRIBUTION.

Chapter 2. WILLS.

Additional Legislation.

Probate of wills of nonresidents owning personal property within the State, authorized, in certain cases, 1942, c. 335.

Proof of execution of will when no subscribing witness available, in certain cases, suppl., 1944, c. 21; 1944, c. 109.

1944, c. 109, s. 1, amended 1945, c. 210.

Subtitle 3. ADMINISTRATION BY EXECUTORS, ADMINISTRATORS, GUARDIANS AND TRUSTEES.

Chapter 7. APPOINTMENT AND GENERAL POWERS OF FIDUCIARIES.

Article 1. Executors and Administrators.

Additional Legislation.

Notice of probate of will, etc., to beneficiaries, required, 1944, c. 238.

Article 2. GUARDIANS FOR MINORS.

R. S. 3:7–18 amended 1945, c. 119.

R. S. 3:7–29 " 1945, c. 96.

Article 4. New, Additional, Substituted and Succeeding Fiduciaries.

Additional Legislation.

Substituted fiduciaries, for fiduciaries engaged in war service, appointment, etc., suppl., 1942, c. 160.

Title of above amended 1944, c. 129, s. 1.

Sec. 1 " " " 1944, c. 129, s. 2.

Sec. 2 " " " 1944, c. 129, s. 3.

Sec. 3 " " " 1944, c. 129, s. 4.

Sec. 4 " " " 1944, c. 129, s. 5.

Sec. 5 " " " 1944, c. 129, s. 6.

Sec. 6 " " " 1944, c. 129, s. 7.

Sec. 7 " " " 1944, c. 129, s. 8.

Sec. 8 " " " 1944, c. 129, s. 9.

Sec. 10 " " " 1944, c. 129, s. 10.

Sec. 11 " " " 1944, c. 129, s. 11.

Chapter 8. BONDS AND SURETIES.

R. S. 3:8–11 amended 1945, c. 113, s. 1.

R. S. 3:8–12 " 1945, c. 113, s. 2.

R. S. 3:8–15 " 1945, c. 113, s. 3.

Additional Legislation.

Discharge of sureties and cancellation of bonds, in certain cases, provided for, 1944, c. 181.

Chapter 16. INVESTMENTS.

Note: For Port Authority bonds issued for establishment, etc., of motor truck terminals, legal investments, see 1945, c. 197.

R. S. 3:16–1 amended 1945, c. 194.

Additional Legislation.

Investments in United States Savings Bonds and Treasury Savings Certificates held by fiduciaries; status of increases in redemption values as to income and principal, 1942, c. 287.

Securities, registration and holding in name of nominee, authorized, in certain cases, 1944, c. 114.

Establishment and maintenance of common trust funds by certain corporate fiduciaries, authorized, suppl., 1945, c. 190.

Chapter 17. SALE OR OTHER DISPOSITION OF REAL ESTATE BY FIDUCIARIES.

Additional Legislation.

Abandonment of real property by fiduciaries, in certain cases, authorized, suppl., 1943, c. 88.

Chapter 25. CREDITORS OF DECEDENTS; THEIR RIGHTS AND REMEDIES.

R. S. 3:25-21 amended 1944, c. 130.

Chapter 26. DEVISES, LEGACIES AND DISTRIBUTIVE SHARES.

R. S. 3:26–1 amended 1943, c. 82.

R. S. 3:26–2 " 1943, c. 84.

Subtitle 7. ABSENTEES.

Note: For escheat of unclaimed bank deposits, see 1945, c. 199.

Chapter 42A. (new) ABSENTEES IN ARMED FORCES OR MERCHANT MARINE.

Conservator for property of person serving in or with armed forces, appointment, powers, etc., 1944, c. 242.

Sec. 1 of above amended 1945, c. 293.

Title 4. AGRICULTURE AND DOMESTIC ANIMALS.

Chapter 1. DEPARTMENT OF AGRICULTURE.

R. S. 4:1–4	amended	1944, c. 202, s. 1.
R. S. 4:1–5	"	1944, c. 202, s. 2.
R. S. 4:1–6	"	1945, c. 98.
R. S. 4:1–7	"	1944, c. 202, s. 3.
R. S. 4:1–8	"	1944, c. 202, s. 4.
R. S. 4:1–9	"	1944, c. 202, s. 5.
R. S. 4:1–13	"	1944, c. 202, s. 6.
R. S. 4:1–15	"	1944, c. 202, s. 7.
R. S. 4:1–17	"	1945, c. 204, s. 1.

Additional Legislation.

Awards to schools for participation in farm labor, 1943, c. 214.

Chapter 5. DISEASES OF ANIMALS AND POULTRY.

Additional Legislation.

Conduct of tuberculin tests; quarantines and disinfecting, etc., services, provided for, suppl., 1945, c. 204, ss. 2-4.

Chapter 9. FERTILIZERS AND OTHER PREPARATIONS FOR SOILS.

Article 4. (new) Horse Manure.

Additional Legislation.

Sale, etc., of unmanufactured horse manure, regulated, 1944, c. 43.

Chapter 12. RECEIVING, BUYING, TESTING, SAMPLING AND WEIGHING OF MILK AND CREAM.

R. S. 4:12–1	amended	1945, c. 295, s. 1.
R. S. 4:12–19	"	1945, c. 295, s. 2.
R. S. 4:12–20 to 4:12–41	repealed	1943, c. 100, s. 23.

Additional Legislation.

Dealing, etc., in milk or cream on basis of butter fat content, regulated, suppl., 1943, c. 100.

Chapter 16. AGRICULTURAL EXPERIMENT STATION; FARM DEMONSTRATION.

Note: For consolidation with State University of New Jersey, see 1945, c. 49.

Article 1. Organization and Operation of Station.

R. S. 4:16–2 to 4:16–5 repealed 1945, c. 235, ss. 2, 1.

Article 2. Miscellaneous Activities of Station.

Additional Legislation.

Farm labor, recruiting and placement, provided for, 1943, c. 106.

Article 5. (new) Victory Garden Educational Program.

Additional Legislation.

Educational program for promotion of production and conservation of food, provided for, 1943, c. 137.

Title 5. AMUSEMENTS, PUBLIC EXHIBITIONS AND MEETINGS.

Chapter 5. BREEDING AND RACING OF HORSES.

Additional Legislation.

New Jersey Horse Racing Act, 1940, c. 17.

Sec. 44 of above amended 1944, c. 227.

Title 8. CEMETERIES.

Chapter 2. PROPERTY, AND RIGHTS AND INTERESTS THEREIN.

R. S. 8:2–35 amended 1943, c. 36.

Title 9. CHILDREN—JUVENILE AND DOMESTIC RELATIONS COURTS.

Subtitle 1. PARENTAL RELATIONSHIP AND CARE, CUSTODY, GUARDIANSHIP AND SUPPORT OF CHILDREN IN GENERAL.

Chapter 2. CARE, CUSTODY, GUARDIANSHIP AND SUPPORT OF CHILDREN IN GENERAL.

Additional Legislation.

Special guardians for certain minors to consent to enlistment of such minors in the military and naval service of the United States, provided for, 1942, c. 329.

Subtitle 2. ADOPTION, APPRENTICESHIP AND INDENTURE.

Chapter 3. ADOPTION.

R. S. 9:3–1 amended 1944, c. 239, s. 1; 1945, c. 196.

R. S. 9:3–4 " 1944, c. 239, s. 2.

R. S. 9:3–9 " 1943, c. 104.

Additional Legislation.

Adoption of certain children by persons in armed forces, regulated, suppl., 1945, c. 248.

Subtitle 3. PROTECTIVE WELFARE LAWS.

Chapter 6. ABANDONMENT, ABUSE, CRUELTY AND NEGLECT.

R. S. 9:6–3 amended 1944, c. 196, s. 1.

R. S. 9:6–4 " 1944, c. 196, s. 2.

Subtitle 4. ILLEGITIMATE CHILDREN.

Chapter 17. BASTARDY PROCEEDINGS.

R. S. 9:17–1.1 amended 1943, c. 49.

R. S. 9:17–6 " 1945, c. 183, s. 1.

R. S. 9:17–13 " 1945, c. 183, s. 2.

Subtitle 5. JUVENILE AND DOMESTIC RELATIONS COURTS.

Chapter 18. ORGANIZATION OF COURT; JURISDICTION, POWERS AND PROCEDURE.

R. S. 9:18–5 amended 1945, c. 291.

R. S. 9:18–12 " 1943, c. 97.

Title 10. CIVIL RIGHTS.

Note: For certain discriminatory practices in employment and otherwise, prohibited and Division Against Discrimination in the State Department of Education, established, see 1945, c. 169.

Chapter 1. IN GENERAL.

R. S. 10:1–3 amended 1945, c. 168, s. 1.

R. S. 10:1–6 " 1945, c. 168, s. 2.

R. S. 10:1–8 " 1945, c. 168, s. 3.

Additional Legislation.

Discrimination, on account of race, creed or color, against persons to be employed on war or defense work, prohibited, 1942, c. 114.

Preamble of above amended 1945, c. 174, s. 1.

Sec. 1 " " " 1945, c. 174, s. 2.

Sec. 2 " " " 1945, c. 174, s. 3.

Chapter 2. EMPLOYMENT ON PUBLIC WORKS.

R. S. 10:2–1 amended 1945, c. 171.

Title 11. CIVIL SERVICE.

Note: For certain discriminatory practices in employment and otherwise, prohibited and Division Against Discrimination in the State Department of Education, established, see 1945, c. 169.

Subtitle 1. CIVIL SERVICE COMMISSION.

Chapter 1. THE COMMISSION.

R. S. 11:1–1 amended 1944, c. 65, s. 1.

R. S. 11:1–2 " 1944, c. 65, s. 2.

R. S. 11:1–6 " 1944, c. 65, s. 3.

R. S. 11:1–9 " 1944, c. 65, s. 4.

Chapter 2. THE CHIEF EXAMINER AND SECRETARY.

R. S. 11:2–1 amended 1944, c. 65, s. 5.

R. S. 11:2–3 " 1944, c. 65, s. 6.

R. S. 11:2–4 repealed 1944, c. 65, s. 7.

R. S. 11:2–5 amended 1944, c. 65, s. 8.

R. S. 11:2–6 " 1944, c. 65, s. 9.

Chapter 4. PURPOSE, CONSTRUCTION AND APPLICATION OF SUBTITLE.

R. S. 11:4–5

Note: For 1913, c. 139 and 1918, c. 234 repealed, see 1944, c. 20, s. 20.

Additional Legislation.

Legal assistants, Attorney General, under Civil Service, 1939, c. 101; repealed 1944, c. 20, s. 20.

Chapter 5. DUTIES OF COMMISSION.

Note: For specific statutory maxima and minima of salaries and salary increases for State employees, abolished, salary ranges to be established by Civil Service Commission, see 1945, c. 86.

R. S. 11:5–1 amended 1944, c. 65, s. 10.

Chapter 7. CLASSIFICATION OF POSITIONS.

Additional Legislation.

Adjustments of compensation after allocation of positions under new compensation plan, suppl., 1944, c. 65, s. 11.

Chapter 9. TESTS; EMPLOYMENT AND RE-EMPLOYMENT LISTS.

Note: For provision for discontinuance, etc., of competitive examinations, see 1944, c. 64, amended 1945, c. 15.

Chapter 11. TEMPORARY AND EMERGENCY APPOINTMENTS; TRANSFERS.

Note: For provision for discontinuance, etc., of competitive examinations, see 1944, c. 64, amended 1945, c. 15.

Subtitle 3. COUNTIES, MUNICIPALITIES AND SCHOOL DISTRICTS.

Chapter 21. APPOINTMENTS, PROMOTIONS, REMOVALS AND DISCHARGE IN GENERAL.

Note: For provision for discontinuance, etc., of competitive examinations, see 1944, c. 64, amended 1945, c. 15.

Chapter 22. CLASSES OF CIVIL SERVICE.

Additional Legislation.

Competitive examinations, discontinuance, etc., provided for, suppl., 1944, c. 64.

Sec. 4 of above amended 1945, c. 15.

Chapter 24A. (new) HOURS OF WORK, ATTENDANCE AND LEAVES OF ABSENCE.

Regulations as to holidays, hours of work, attendance, sick and other leaves of absence, suppl., 1939, c. 232.

Sec. 3 of above amended 1943, c. 200.

Title 12. COMMERCE AND NAVIGATION.

Chapter 2. DEPARTMENT AND BOARD OF COMMERCE AND NAVIGATION.

Note: For transfer of functions, powers and duties to State Department of Conservation, see 1945, c. 22.

R. S. 12:2-1 to 12:2-5 repealed 1945, c. 22, s. 44.

R. S. 12:2-16 " 1945, c. 22, s. 44.

Chapter 8. PILOTS.

Additional Legislation.

Appointment of temporary branch and temporary deputy pilots, authorized, in certain cases, 1942, c. 349.

Chapter 12. PORT RARITAN DISTRICT.

Note: For transfer of powers and duties to Department of Economic Development, see 1944, c. 85, amended 1945, c. 128.

R. S. 12:12-1 to 12:12-10 repealed 1944, c. 85, s. 52.

Title 13. CONSERVATION AND DEVELOPMENT—PARKS AND RESERVATIONS.

Chapter 1. DEPARTMENT AND BOARD OF CONSERVATION AND DEVELOPMENT.

Note: For transfer of certain functions, powers and duties to State Department of Conservation, see 1945, c. 22.

R. S. 13:1–1 repealed 1945, c. 22, s. 44.

R. S. 13:1–2 " 1945, c. 22, s. 44.

R. S. 13:1–10 " 1945, c. 22, s. 44.

Chapter 1A. (new) STATE DEPARTMENT OF CONSERVATION.

State Department of Conservation; establishment, organization, function, powers and duties, 1945, c. 22.

Chapter 4. EDISON STATE PARK.

Note: For transfer of functions, powers and duties to State Department of Conservation, see 1945, c. 22.

R. S. 13:4–1 repealed 1945, c. 22, s. 44.

R. S. 13:4–4 " 1945, c. 22, s. 44.

R. S. 13:4–6 " 1945, c. 22, s. 44.

Chapter 5. HIGH POINT PARK.

Note: For transfer of functions, powers and duties to State Department of Conservation, see 1945, c. 22.

R. S. 13:5–1 to 13:5–3 repealed 1945, c. 22, s. 44.

R. S. 13:5–12 " 1945, c. 22, s. 44.

Chapter 11. STATE MUSEUM.

Note: For transfer of functions, powers, duties, etc., of State Museum to Division of the State Museum in the Department of Education, see 1945, c. 50.

R. S. 13:11–1 repealed 1945, c. 50, s. 22.

Chapter 13. DELAWARE AND RARITAN CANAL.

Note: For transfer of certain functions, powers and duties of Department of Conservation and Development to State Department of Conservation, see 1945, c. 22.

Additional Legislation.

Use of canal for industrial water supply and recreational purposes, provided for, suppl., 1944, c. 172.

Title 14. CORPORATIONS, GENERAL.

Note: For actions in right of corporations by stock holders or voting trust certificate holders, regulated, see 1945, c. 131.

Chapter 2. FORMATION.

R. S. 14:2–3 amended 1944, c. 215, s. 1.

Chapter 3. POWERS.

Additional Legislation.

Actions in right of corporations by stock holders or voting trust certificate holders, regulated, suppl., 1945, c. 131.

Chapter 8. STOCK AND DIVIDENDS.

R. S. 14:8–3 amended 1943, c. 176.

Additional Legislation.

Nonredeemable preferred or special stocks, retirement of, provided for, suppl., 1943, c. 175.

Chapter 11. AMENDMENTS, CHANGES OR ALTERATIONS.

R. S. 14:11–15 amended 1944, c. 215, s. 2.

Chapter 12. MERGER OR CONSOLIDATION.

R. S. 14:12–9 amended 1943, c. 170.

Title 15. CORPORATIONS AND ASSOCIATIONS NOT FOR PROFIT.

Chapter 1. GENERAL PROVISIONS.

Note: For provision for incorporation of clubs or societies for social, intellectual and recreative purposes under this chapter, see 1944, c. 237; for right to examine hospital records, in compensation cases and actions for damages, provided for, see 1945, c. 286.

Chapter 8. FIRE COMPANIES.

Additional Legislation.

Revival and extension of corporate existence of, and vesting of title in, certain fire companies, provided for, suppl., 1945, c. 109, ss. 1-4.

Chapter 10. HOSPITALS AND SIMILAR INSTITUTIONS.

Note: For right to examine hospital records in compensation cases and actions for damages, provided for, see 1945, c. 286.

Chapter 14. RELIGIOUS, CHARITABLE, EDUCATIONAL AND BENEVOLENT CORPORATIONS.

Note: For right to examine hospital records in compensation cases and actions for damages, provided for, see 1945, c. 286.

Chapter 15. SOCIAL, INTELLECTUAL AND RECREATIVE SOCIETIES OR CLUBS.

R. S. 15:15–2 (added) Incorporation of clubs or societies for social, intellectual and recreative purposes under R. S. 15:1–1 et seq. provided for, 1944, c. 237.

Title 16. CORPORATIONS AND ASSOCIATIONS, RELIGIOUS.

Chapter 1. GENERAL PROVISIONS.

Additional Legislation.

Consolidation of Cathedral Church or Foundation with Church Congregation, Parish, Society, etc., in certain cases, provided for, 1944, c. 143.

Chapter 12. PROTESTANT EPISCOPAL CHURCH.

Additional Legislation.

Common trust fund, in certain cases, provided for, 1944, c. 139.

Chapter 15A. (new) RUSSIAN ORTHODOX GREEK CATHOLIC CHURCH OF NORTH AMERICA.

Incorporation and management of congregations or parishes, provided for and regulated, suppl., 1945, c. 139.

Title 17. CORPORATIONS AND INSTITUTIONS FOR FINANCE AND INSURANCE.

Subtitle 1. GENERAL PROVISIONS.

Part 1. THE DEPARTMENT OF BANKING AND INSURANCE.

Chapter 1. THE DEPARTMENT AND THE COMMISSIONER.

R. S. 17:1–2 amended 1945, c. 87.

Part 2. INVESTMENTS.

Chapter 2. LEGAL INVESTMENTS GENERALLY.

Note: For Port Authority bonds issued for establishment, etc., of motor truck terminals, legal investments, see 1945, c. 197.

Additional Legislation.

Veterans loans guaranteed by Administrator of Veterans Affairs made legal investments, 1945, c. 25

Subtitle 2. FINANCIAL INSTITUTIONS.

Part 1. BANKS, TRUST COMPANIES, BANKERS, SAVINGS BANKS AND CLEARING HOUSE ASSOCIATIONS.

Chapter 4. BANKS AND TRUST COMPANIES.

R. S. 17:4–27 amended 1942, c. 282; 1942, c. 341.

R. S. 17:4–31.1 " 1945, c. 208.

R. S. 17:4–103 " 1942, c. 336.

Additional Legislation.

Branch offices and agencies, establishment and maintenance, in certain cases, authorized, suppl., 1944, c. 30.

Dissolved banks and trust companies, liquidation of assets, in certain cases, provided for, 1944, c. 176, s. 1.

Chapter 6. SAVINGS BANKS.

Note: For credit unions excepted from chapter, see 1938, c. 293, amended 1941, c. 245, 1941, c. 421.

Article 2. Powers and Restrictions.

R. S. 17:6–21 amended 1944, c. 147, s. 1.

R. S. 17:6–21.1 repealed 1944, c. 147, s. 2.

Article 6. Investments.

Note: For exemption from taxation of certain veterans' loans held by savings banks, see 1945, c. 80.

R. S. 17:6–54 amended 1944, c. 104, s. 1.

R. S. 17:6–55 " 1945, c. 179.

Additional Legislation.

Determination of legality of investments, provided for, suppl., 1944, c. 104, s. 2.

Veterans loans, when legal investments, suppl., 1945, c. 81.

Article 10. Merger or Consolidation.

R. S. 17:6–72 amended 1944, c. 22, s. 1.

R. S. 17:6–74 " 1944, c. 22, s. 2.

Chapter 8. ISSUANCE OF PREFERRED AND DEPOSITORS' COMMON STOCK; REORGANIZATIONS.

R. S. 17:8–1 amended 1944, c. 25, s. 1.

Chapter 9. DEPOSITS GENERALLY.

Additional Legislation.

Escheat of unclaimed bank deposits, provided for, 1945, c. 199.

Chapter 10. SMALL LOAN BUSINESS.

Note: For credit unions excepted from chapter, see 1938, c. 293, amended 1941, c. 254, 1941, c. 421.

Chapter 12. BUILDING AND LOAN ASSOCIATIONS.

Article 3. Directors, Officers and Employees.

R. S. 17:12–29 amended 1945, c. 144.

R. S. 17:12–30 " 1945, c. 143.

Article 4A. (new) Supervision by Department of Banking and Insurance.

Additional Legislation.

Rules and regulations as to bookkeeping and accounting practices, adoption and compliance with, provided for, suppl., 1945, c. 146.

Article 6. Investments and Reserves.

R. S. 17:12–45 amended 1945, c. 142.

R. S. 17:12–46 " 1944, c. 82.

Additional Legislation.

Veterans loans, when proper investments, suppl., 1945, c. 25.

Article 12. Dissolution and Liquidation.

R. S. 17:12–82 amended 1945, c. 141.

R. S. 17:12–83 " 1945, c. 140.

Part 5. FOREIGN INSTITUTIONS.

Chapter 16. REGULATION OF BUSINESS IN STATE.

R. S. 17:16–3 amended 1944, c. 209.

Subtitle 3. INSURANCE.

Part 1. INSURANCE COMPANIES GENERALLY.

Chapter 17. FORMATION.

R. S. 17:17–2 amended 1945, c. 224, s. 1.

R. S. 17:17–3 " 1945, c. 224, s. 2.

R. S. 17:17–4 " 1945, c. 224, s. 3.

R. S. 17:17–7 " 1945, c. 224, s. 4.

Chapter 18. POWERS, DUTIES AND LIMITATIONS.

R. S. 17:18–3 amended 1943, c. 174; 1945, c. 226, s. 1.

Additional Legislation.

Payment of taxes, etc., in other States and territories, authorized, 1945, c. 186.

Chapter 22. BROKERS AND AGENTS.

R. S. 17:22–1 to 17:22–5 repealed 1944, c. 175, s. 26.

Additional Legislation.

Insurance agents, licenses required, suppl., 1941, c. 118.

Sec. 1 of above repealed 1944, c. 175, s. 26.

Licensing, regulation and supervision of insurance agents, brokers and solicitors, suppl., 1944, c. 175, ss. 1-25, 27.

Sec. 9 of above amended 1945, c. 82.

Sec. 14 " " " 1945, c. 224, s. 6.

Chapter 23. REPORTS AND EXAMINATIONS.

R. S. 17:23–3 repealed 1944, c. 175, s. 26.

Chapter 24. INVESTMENTS.

R. S. 17:24–1 amended 1945, c. 226, s. 2.

R. S. 17:24–10 " 1945, c. 23.

Chapter 26. AMENDMENTS, CHANGES AND ALTERATIONS.

Additional Legislation.

Mutual life insurance corporations, amendment of charters or certificates of incorporation, provided for, suppl., 1943, c. 14.

Chapter 28. POLICY FORM AND PROVISIONS.

Note: For required policy and certificate provisions and reserves; assessment life, accident and health insurance, see 1938, c. 322, amended 1939, c. 353, 1941, c. 420.

R. S. 17:28–1 amended 1943, c. 159; 1944, c. 153.

Chapter 29. REBATES AND UNFAIR DISCRIMINATION.

R. S. 17:29–1 to 17:29–6 repealed 1944, c. 27, s. 27.

R. S. 17:29–8 " 1944, c. 27, s. 27.

R. S. 17:29–9 " 1944, c. 27, s. 27.

Chapter 29A. (new) RATES.

Making and applying of insurance rates and licensing of rating organizations, provided for, 1944, c. 27, ss. 1-26, 28.

Chapter 32. FOREIGN COMPANIES.

R. S. 17:32–6	repealed	1944, c. 175, s. 26.
R. S. 17:32–7	"	1945, c. 132, s. 15.
R. S. 17:32–11	"	1944, c. 175, s. 26.
R. S. 17:32–12	amended	1944, c. 153, s. 2; repealed 1945, c. 132, s. 15.

Chapter 33. FEES AND PENALTIES.

R. S. 17:33–1	amended	1945, c. 224, s. 5.
R. S. 17:33–2	"	1943, c. 148, s. 12.

Part 2. LIFE INSURANCE.

Note: For deductions from salaries of employees of board of education for hospital service or group insurance plans, see 1940, c. 47, amended 1942, c. 218.

Chapter 34. LIFE INSURANCE COMPANIES GENERALLY.

R. S. 17:34–1	repealed	1945, c. 228.
R. S. 17:34–2	"	1945, c. 228.
R. S. 17:34–15	amended	1943, c. 148, s. 3.
R. S. 17:34–17	"	1943, c. 148, s. 4.
R. S. 17:34–19	"	1943, c. 148, s. 5.
R. S. 17:34–22	"	1943, c. 148, s. 6.
R. S. 17:34–23	"	1943, c. 148, s. 7.
R. S. 17:34–24	"	1943, c. 148, s. 8.
R. S. 17:34–25	"	1943, c. 148, s. 10.
R. S. 17:34–25.1	"	1943, c. 148, s. 11.
R. S. 17:34–30	"	1944, c. 221.
R. S. 17:34–31	"	1944, c. 73; 1945, c. 187, s. 1.
R. S. 17:34–32	"	1943, c. 148, s. 9; 1945, c. 187, s. 2.
R. S. 17:34–41	"	1943, c. 13.

Additional Legislation.

Mutualized stock life insurance corporations, election of directors, in certain cases, provided for, suppl., 1943, c. 16.

Mutual life insurance corporations, election of directors, in certain cases, provided for, suppl., 1943, c. 15.

Standard Nonforfeiture Law (1943), suppl., 1943, c. 148, s. 1.

Standard Valuation Law (1943), suppl., 1943, c. 148, s. 2.

Chapter 35. ASSESSMENT LIFE INSURANCE COMPANIES.

Article 1. Domestic Companies.

R. S. 17:35–8 amended 1945, c. 178.

Article 3. (new) Life, Accident and Health Insurance.

Additional Legislation.

Life, accident and health insurance policies and certificates issued by assessment life, health and accident insurance companies and associations and transaction of business by such companies and associations, regulated, suppl., 1938, c. 232.

Sec. 1 of above amended 1944, c. 101; 1945, c. 227.

Part 3. FIRE INSURANCE.

Chapter 36. FIRE INSURANCE COMPANIES GENERALLY.

R. S. 17:36–3 to 17:36–5 repealed 1944, c. 171, s. 13.

R. S. 17:36–7 " 1944, c. 171, s. 13.

Additional Legislation.

Standard forms of policies, endorsements and supplemental contracts, provided for, 1944, c. 171.

Part 4. HEALTH AND ACCIDENT INSURANCE.

Note: For regulation of assessment, health and accident insurance companies and associations, see 1938, c. 232, amended 1944, c. 101, 1945, c. 227.

Chapter 38. UNIFORM POLICY PROVISIONS.

R. S. 17:38–1 amended 1944, c. 100; 1945, c. 225.

Additional Legislation.

Standard provisions in group health and accident policies, filing of forms, etc., approval, etc., suppl., 1939, c. 305.

Sec. 2 of above amended 1944, c. 72, s. 1.

Sec. 4 " " " 1944, c. 72, s. 2.

Sec. 5 " " " 1944, c. . 72, s. 3.

Sec. 6 " " " 1945, c. 188.

Part 6. MUTUAL BENEFIT ASSOCIATIONS.

Note: For regulation of assessment, health and accident insurance companies and associations, see 1938, c. 232, amended 1944, c. 101, 1945, c. 227.

Part 9. (new) HOSPITAL AND MEDICAL SERVICE CORPORATIONS, ETC.

Chapter 48. (new) HOSPITAL SERVICE CORPORATIONS.

Note: For deductions from salaries of employees of board of education for hospital service or group insurance plans, authorized, see 1940, c. 47, amended 1942, c. 218.

Chapter 48A. (new) MEDICAL SERVICE CORPORATIONS.

Medical service corporations, organization, regulation, etc., suppl., 1940, c. 74.

Sec. 1 of above amended 1944, c. 102, s. 1.

Sec. 2 " " " 1944, c. 102, s. 2.

Sec. 3 " " " 1944, c. 102, s. 2a.

Sec. 5 " " " 1944, c. 102, s. 3.

Sec. 6 " " " 1944, c. 102, s. 4.

Sec. 7 " " " 1944, c. 102, s. 5.

Sec. 8 " " " 1944, c. 102, s. 6.

Sec. 11 " " " 1944, c. 102, s. 7.

Sec. 20 " " " 1944, c. 102, s. 8.

Sec. 22 " " " 1944, c. 102, s. 9.

Part 11. (new) RECIPROCAL INSURANCE AND INTERINSURANCE CONTRACTS.

Chapter 50. (new) EXCHANGE OF RECIPROCAL OR INTERINSURANCE CONTRACTS.

Exchange of reciprocal or interinsurance contracts, authorized and regulated, licenses and penalties, provided for, suppl., 1945, c. 161.

Title 18. EDUCATION.

Chapter 2. STATE BOARD OF EDUCATION.

R. S. 18:2–1 amended 1945, c. 51, s. 1; 1945, c. 211, ss. 1, 2.

R. S. 18:2–4 " 1945, c. 51, s. 2.

R. S. 18:2–9 " 1945, c. 51, s. 3.

Additional Legislation.

Inspection of records and furnishing of information, rules to be prescribed by State board, suppl., 1944, c. 217.

Chapter 3. COMMISSIONER OF EDUCATION.

Article 1. Appointment; Assistants; Office.

R. S. 18:3–2 amended 1945, c. 51, s. 5.

R. S. 18:3–3 " 1945, c. 51, s. 6.

R. S. 18:3–4 " 1945, c. 51, s. 7.

R. S. 18:3–5 " 1945, c. 51, s. 8.

R. S. 18:3–6 " 1945, c. 51, s. 9.

Article 2. Powers and Duties.

R. S. 18:3–9 amended 1945, c. 51, s. 12.

R. S. 18:3–15 " 1944, c. 168.

Additional Legislation.

Functions, powers and duties of Commissioner and State Board, prescribed, suppl., 1945, c. 51, ss. 10, 11.

Chapter 4. COUNTY SUPERINTENDENTS OF SCHOOLS.

R. S. 18:4–2 amended 1944, c. 177.

Chapter 4A. (new) PUBLIC SCHOOL SYSTEM IN GENERAL.

Note: For tenure of office, etc., and pension rights of employees, see 1943, c. 187.

Tenure of office, etc., re-employment and pension rights, employees in war service, 1944, c. 226.

Chapter 5. SCHOOL DISTRICTS IN GENERAL.

Note: For leave of absence for school employees for military service, see 1941, c. 119, amended 1942, c. 327; for deductions from salaries, etc., of employees, provided for, see 1943, c. 69; 1943, c. 102; for establishment and administration of ration bank accounts, etc., see 1943, c. 142; for time of war service not to be counted in determining maximum age limits for appointment or election to State office, position, etc., see 1944, c. 98; for tenure of office, etc., re-employment and pension rights of employees in war service, see 1944, c. 226.

Article 12. Officers, Teachers and Employees, in General.

Additional Legislation.

Tenure of office, etc., and pension rights, employees in war service, 1943, c. 187.

School employees, tenure, and pension rights preserved while in military service, suppl., 1941, c. 134, repealed 1944, c. 226, s. 4.

Article 14. Custodians of School Moneys.

Note: For transfer of powers and duties of State Auditor to State Department of Local Government, see 1938, c. 158, amended 1942, c. 39, ss. 8 and 12 repealed 1944, c. 112, Art. 8, s. 10.

R. S. 18:5-62 repealed 1944, c. 55.

R. S. 18:5-63 " 1944, c. 55.

Chapter 6. SCHOOL DISTRICTS IN CITIES, AND IN TOWNSHIPS, INCORPORATED TOWNS AND BOROUGHS ACCEPTING THIS CHAPTER.

R. S. 18:6-49 amended 1943, c. 201, s. 1.

R. S. 18:6-50 " 1943, c. 201, s. 2.

Chapter 7. SCHOOL DISTRICTS IN TOWNSHIPS, INCORPORATED TOWNS AND BOROUGHS AND IN CITIES ACCEPTING THIS CHAPTER.

Note: For transfer of powers and duties of State Auditor to State Department of Local Government, see 1938, c. 158, amended 1942, c. 39, ss. 8 and 12 repealed 1944, c. 112, Art. 8, s. 10.

Article 3. Election of Members of Boards of Education; Annual School Elections; Special Elections.

Additional Legislation.

School elections registration, certain cases, regulated, suppl., 1944, c. 3.

Article 5. Organization, Powers and Functions of Boards in General.

R. S. 18:7–73 amended 1945, c. 133.

Article 5A. (new) Budgets.

Additional Legislation.

Budgets, preparation, advertisement, hearing on, etc., provided for, suppl., 1943, c. 201, ss. 3 and 4.

Article 7. BONDS AND OTHER OBLIGATIONS.

R. S. 18:7–94 amended 1942, c. 319.

Article 10. Certain Districts Comprising More Than One Municipality.

R. S. 18:7–112 amended 1943, c. 201, s. 5.

R. S. 18:7–113 " 1943, c. 201, s. 6.

R. S. 18:7–114 " 1943, c. 201, s. 7.

Chapter 10. STATE SCHOOL MONEYS, AND APPORTIONMENT THEREOF.

R. S. 18:10–18 amended 1945, c. 164, s. 1.

R. S. 18:10–31 " 1943, c. 177.

Additional Legislation.

Annual State appropriations for schools and distribution and apportionment thereof, provided for, suppl., 1943, c. 181.

Chapter 13. TEACHERS.

Note: For leave of absence for school employees for military service, see 1941, c. 119, amended 1942, c. 327.

Article 2. Employment, Tenure, Resignation, and Dismissal of Teachers and Principals.

Note: For tenure of office, etc., re-employment and pension rights of employees in war service, see 1943, c. 187; 1944, c. 226.

R. S. 18:13–13 amended 1944, c. 180.

Additional Legislation.

Equality of compensation between male and female teachers, provided for, suppl., 1942, c. 256.

Sec. 1 of above amended 1945, c. 42.

Article 3. Pension and Annuity Fund.

Note: For pension rights of employees in war service, see 1943, c. 187; 1944, c. 226.

A. PREAMBLE AND DEFINITIONS.

R. S. 18:13–25 amended 1944, c. 146, s. 1.

C. BOARD OF TRUSTEES; ANNUAL CONVENTION OF RETIREMENT SYSTEM.

R. S. 18:13–30 amended 1945, c. 21.

D. MEMBERSHIP.

R. S. 18:13–39 amended 1944, c. 185, s. 1.

R. S. 18:13–41 " 1944, c. 185, s. 2.

E. SERVICE CREDITABLE.

R. S. 18:13–48 amended 1945, c. 57.

F. SUPERANNUATION RETIREMENT.

R. S. 18:13–52 amended 1943, c. 179; 1945, c. 299, s. 1.

M. FUNDS DERIVED FROM MEMBERS' CONTRIBUTIONS.

R. S. 18:13–77 amended 1945, c. 299, s. 2.

R. S. 18:13–78 " 1944, c. 146, s. 2.

O. COLLECTION OF MEMBERS' CONTRIBUTIONS.

R. S. 18:13–94 amended 1944, c. 113, s. 1.

R. S. 18:13–95 " 1944, c. 113, s. 2.

Q. ADMINISTRATION.

R. S. 18:13–106 amended 1943, c. 180.

Chapter 14. PUPILS AND CONDUCT OF SCHOOLS IN GENERAL.

Article 1. Admission and Attendance of Pupils in General.

R. S. 18:14–2 amended 1945, c. 172.

R. S. 18:14–7 " 1944, c. 210.

Additional Legislation.

Free education to children of non-resident farm laborers, suppl., 1943, c. 91.

Article 2. Compulsory Education.

Note: For employment and age certificates, issuance, etc., see 1940, c. 153, amended 1941, c. 139; for State Commission on Student Service established, powers, etc., see 1942, c. 23, amended 1943, c. 44, 1943, c. 195.

R. S. 18:14–47 amended 1944, c. 106.

Article 7. Conduct of Schools.

R. S. 18:14–80 amended 1944, c. 212.

R. S. 18:14–82 " 1943, c. 212; 1944, c. 107.

Additional Legislation.

Courses in United States history, prescribed, suppl., 1945, c. 261.

Chapter 15. SPECIAL SCHOOLS AND COURSES IN SCHOOL DISTRICTS OR IN COUNTIES.

Article 1A. (new) Nursery Schools and Nursery Classes.

Additional Legislation.

Nursery school and nursery departments in school districts, provided for, suppl., 1943, c. 172.

Chapter 16. PARTICULAR STATE SCHOOLS.

R. S. 18:16–27 repealed 1944, c. 140, s. 2.

Additional Legislation.

Work for needy students provided for in lieu of loans for tuition in normal schools and teachers' colleges, 1944, c. 140, s. 1.

Chapter 20. LAWS AFFECTING PRIVATE SCHOOLS AND COLLEGES.

Additional Legislation.

Private trade and technical schools, registration, approval examination, control, etc., by Commissioner of Education, suppl., 1942, c. 113.

Sec. 1 of above amended 1942, c. 323.

Chapter 22. PUBLIC HIGHER EDUCATION.

Article 1. State Board of Regents.

R. S. 18:22–1 to 18:22–14 repealed 1945, c. 51, s. 15.

Article 1A. (new) Public Higher Education In General.

Additional Legislation.

Disbursement of State moneys to denominational (religious), etc., institutions, prohibited, suppl., 1945, c. 51, s. 4.

Article 2. Rutgers University (State Agricultural College; Rutgers Scientific School).

R. S. 18:22–23 repealed 1945, c. 212, ss. 2, 1.

R. S. 18:22–24 " 1945, c. 212, ss. 2, 1.

R. S. 18:22–25 " 1945, c. 212, ss. 2, 1.

Additional Legislation.

State University of New Jersey; designation of State College for Benefit of Agriculture and Mechanics Arts, Agricultural Experiment Station, New Jersey Agricultural Experiment Station, New Jersey College for Women and certain departments, Rutgers College, as; management and use of facilities for public higher education, and membership by employees in State Employees Retirement System, provided for, 1945, c. 49.

Chapter 24. (new) DIVISION OF THE STATE LIBRARY, ARCHIVES AND HISTORY AND DIVISION OF THE STATE MUSEUM.

Division of the State Library, Archives and History and Division of the State Museum, established; functions, powers, duties, etc., provided for, 1945, c. 50.

Sec. 10 of above amended 1945, c. 215.

Chapter 25. (new) LAW AGAINST DISCRIMINATION.

Division Against Discrimination in State Department of Education, established; functions, powers and duties provided for, and certain discriminatory practices prohibited, suppl., 1945, c. 169, ss. 1-27.

Title 19. ELECTIONS.

Subtitle 1. ANY ELECTION.

Chapter 2. TIME FOR HOLDING.

Additional Legislation.

Holding of primaries for general election in May, war time, provided for, suppl., 1944, c. 141; repealed 1945, c. 7, s. 21.

Date and time for holding primary elections for general elections, fixed during war time, 1945, c. 7, s. 1.

Chapter 4. THE ELECTORATE.

R. S. 19:4–6 see 1945, c. 7, s. 12.

Chapter 5. PARTY ORGANIZATIONS.

R. S. 19:5–3 see 1945, c. 7, s. 9.

Chapter 9. ELECTION SUPPLIES.

R. S. 19:9–2 see 1945, c. 7, s. 8.

Subtitle 2. GENERAL ELECTIONS.

Chapter 12. CERTIFICATES AND NOTICES.

R. S. 19:12–1 see 1945, c. 7, s. 6.

R. S. 19:12–2 " 1945, c. 7, s. 6.

R. S. 19:12–3 " 1945, c. 7, s. 10.

R. S. 19:12–5 " 1945, c. 7, s. 10.

R. S. 19:12–6 " 1945, c. 7, s. 11.

R. S. 19:12–7 amended 1945, c. 184.

Chapter 13. NOMINATION OF CANDIDATES

R. S. 19:13–10 see 1945, c. 7, s. 13.

R. S. 19:13–11 " 1945, c. 7, s. 13.

R. S. 19:13–12 " 1945, c. 7, s. 14.

R. S. 19:13–13 " 1945, c. 7, s. 16.

R. S. 19:13–15 amended 1944, c. 157.

R. S. 19:13–20 " 1945, c. 263.

Chapter 14. BALLOTS.

Additional Legislation.

Use of names of candidates for President and Vice-President instead of those of Presidential Electors, provided for, suppl., 1944, c. 16.

Chapter 15. BALLOTING.

R. S. 19:15–7 repealed 1944, c. 230, s. 4.

R. S. 19:15–13 to 19:15–16 " 1944, c. 230, s. 4.

R. S. 19:15–35 " 1944, c. 230, s. 4.

R. S. 19:15–36 " 1944, c. 230, s. 4.

Chapter 17. RETURNS BY DISTRICT BOARDS.

R. S. 19:17–1 amended 1945, c. 76, s. 1.

R. S. 19:17–3 " 1945, c. 76, s. 2.

Chapter 18. DISPOSITION OF BALLOT BOXES, ELECTION RECORDS AND EQUIPMENT.

R. S. 19:18–7 amended 1945, c. 76, s. 3.

Subtitle 3. PRIMARY ELECTIONS.

Chapter 23. PRIMARY FOR GENERAL ELECTION.

Article 1. Notice of Elections.

R. S. 19:23–1 see 1945, c. 7, ss. 4, 7.

Article 3. Nomination of Candidates.

Note: For certification of names for nomination and printing of primary ballots, official and samples, certain second-class counties, regulated, see 1945, c. 68, amended 1945, c. 290.

R. S. 19:23–8 amended 1945, c. 285.

R. S. 19:23–12 see 1945, c. 7, s. 15.

R. S. 19:23–13 " 1945, c. 7, s. 15.

R. S. 19:23–14 " 1945, c. 7, s. 19.

R. S. 19:23–17 amended 1944, c. 231.

R. S. 19:23–21 see 1945, c. 7, s. 17.

R. S. 19:23–22 " 1945, c. 7, s. 18.

Additional Legislation.

Date for filing nominating petitions, fixed during war time, 1945, c. 7, s. 2.

Article 3A. (new) Certification of Nominations and Furnishing of Ballots in Certain Second-class Counties.

Additional Legislation.

Certification of names for nomination and printing of primary ballots, official and samples, certain second-class counties, regulated, suppl., 1945, c. 68.

Sec. 2 of above amended 1945, c. 290, s. 1.

Sec. 3 " " " 1945, c. 290, s. 2.

Article 4. OFFICIAL BALLOTS.

Note: For certification of names for nomination and printing of primary ballots, official and samples, certain second-class counties, regulated, see 1945, c. 68, amended 1945, c. 290.

R. S. 19:23–24 see 1945, c. 7, s. 20.

Additional Legislation.

Printing of designations or slogans on ballots prohibited, certain cases, suppl., 1944, c. 8, s. 3.

Article 5. SAMPLE BALLOTS.

Note: For certification of names for nomination and printing of primary ballots, official and samples, certain second-class counties, regulated, see 1945, c. 68, amended 1945, c. 290.

Article 10. Canvass of Votes; Certification of Results.

R. S. 19:23–50 amended 1945, c. 76, s. 4.

R. S. 19:23–53 " 1945, c. 76, s. 5.

Chapter 24. PRIMARY FOR DELEGATES AND ALTERNATES TO NATIONAL CONVENTIONS.

R. S. 19:24–1 see 1945, c. 7, s. 4.

R. S. 19:24–2 " 1945, c. 7, s. 5.

R. S. 19:24–4 " 1945, c. 7, s. 17.

R. S. 19:24–5 amended 1944, c. 8, s. 1.

Chapter 25. PETITION INDORSING CANDIDATE FOR PRESIDENT.

R. S. 19:25–1 repealed 1944, c. 8, s. 2.

R. S. 19:25–2 " 1944, c. 8, s. 2.

Subtitle 4. SPECIAL ELECTIONS AND FILLING VACANCIES.

Chapter 27. GENERAL PROVISIONS.

Additional Legislation.

Filling certain vacancies in representation in House of Representatives, regulated, suppl., 1945, c. 206.

Subtitle 6. REGISTRATION OF VOTERS.

Chapter 30. MUNICIPALITIES NOT HAVING PERMANENT REGISTRATION.

Note: For requirement of permanent registration in all municipalities, see 1943, c. 218.

Chapter 31. MUNICIPALITIES HAVING PERMANENT REGISTRATION.

R. S. 19:31–6 amended 1945, c. 36, s. 1.

R. S. 19:31–7 " 1945, c. 36, s. 2.

R. S. 19:31–11 " 1944, c. 251; 1945, c. 75.

R. S. 19:31–13 " 1945, c. 117.

R. S. 19:31–15 " 1945, c. 18.

R. S. 19:31–21 " 1945, c. 77.

Additional Legislation.

Permanent registration in all municipalities after July 1, 1943, provided for, suppl., 1941, c. 273, s. 1.

Sec. 1 of above amended 1943, c. 218.

Chapter 31A. (new) SIGNATURE COMPARISON RECORDS; FORM AND USE.

Signature comparison record act, suppl., 1941, c. 177 (amended 1943, c. 219), repealed 1944, c. 230, s. 4.

Form, use, etc., of signature comparison record, provided for, suppl., 1944, c. 230, ss. 1-3.

Subtitle 7. ENFORCEMENT OF ELECTION LAW.

Chapter 32. SUPERINTENDENT OF ELECTIONS.

R. S. 19:32–1 amended 1944, c. 45.

R. S. 19:32–2 " 1945, c. 56, s. 11; 1945, c. 304.

R. S. 19:32–16 " 1945, c. 40.

R. S. 19:32–17 " 1945, c. 19.

Chapter 33. REMOVAL OF NAMES FROM REGISTERS BY COURTS.

R. S. 19:33–1 amended 1945, c. 270.

Subtitle 8. WAR TIME VOTING.

Note: For war time voting legislation, see Subtitle 16 (new), this Title.

Subtitle 13. PUBLIC ELECTION EXPENSES.

Chapter 45. LIABILITY FOR.

R. S. 19:45–6 amended 1944, c. 152.

R. S. 19:45–7 " 1944, c. 178.

Subtitle 15. VOTING MACHINES; PROCEDURE.

Chapter 48. VOTING MACHINES.

R. S. 19:48–4 amended 1945, c. 56, s. 1.

R. S. 19:48–6 " 1945, c. 56, s. 2.

R. S. 19:48–7 " 1945, c. 56, s. 3.

Additional Legislation.

Voting machines in first- and second-class counties, provided for, suppl., 1944, c. 7.

Sec. 6 of above amended 1945, c. 122.

Voting machines for municipal elections in certain first- and second-class counties, provided for, suppl., 1945, c. 59.

Chapter 49. BALLOTS.

R. S. 19:49–2 amended 1944, c. 127; 1945, c. 70.

R. S. 19:49–3 " 1945, c. 56, s. 4.

Chapter 50. INSTRUCTION CONCERNING VOTING MACHINES.

R. S. 19:50–1 amended 1945, c. 56, s. 5.

R. S. 19:50–2 " 1945, c. 56, s. 6.

R. S. 19:50–3 " 1944, c. 128; 1945, c. 56, s. 7.

Chapter 51. NUMBER OF REGISTERED VOTERS IN A DISTRICT.

R. S. 19:51–1 amended 1945, c. 56, s. 8.

Chapter 52. PROCEDURE AT POLLING PLACE.

R. S. 19:52–1 amended 1945, c. 56, s. 9.

R. S. 19:52–6 " 1943, c. 80.

R. S. 19:52–7 " 1945, c. 56, s. 10.

Additional Legislation.

Voting authorities, form and use of, provided, suppl., 1944, c. 213.

Subtitle 16. (new) ABSENTEE VOTING—MILITARY SERVICE.

Chapter 54. (new) IN NATIONAL EMERGENCY.

1942, c. 18 repealed 1945, c. 12, s. 1.

Chapter 55. (new) IN TIME OF WAR.

Filing of certificates, giving notices, etc., relating to nomination of candidates, regulated during war time, suppl., 1945, c. 7, ss. 3-22.

Military service voting act (1945), suppl., 1945, c. 11.

1944, c. 9 repealed 1945, c. 12, s. 2.

1944, c. 95 expired

1944, c. 208 "

Title 22. FEES AND COSTS.

Chapter 2. IN CIVIL CAUSES AND PROCEEDINGS IN THE COURTS.

R. S. 22:2–17 amended 1945, c. 276.

R. S. 22:2–50 " 1943, c. 202.

Additional Legislation.

Fees for probate of wills, certain cases, waived, 1944, c. 188.

Chapter 4. FEES OF CERTAIN STATE AND COUNTY OFFICERS.

Note: For fees on issuance of commission to notary public payable to, and accountable by, Secretary of State, see 1944, c. 243.

Title 23. FISH AND GAME, WILD BIRDS AND ANIMALS.

Chapter 2. BOARD OF FISH AND GAME COMMISSIONERS, ITS OFFICERS, EMPLOYEES AND DEPUTIES.

Note: For transfer of functions, powers and duties to State Department of Conservation, see 1945, c. 22.

R. S. 23:2–1 repealed 1945, c. 22, s. 44.

Chapter 3. LICENSES AND PERMITS.

R. S. 23:3–1 amended 1945, c. 116.

Chapter 4. GAME, WILD BIRDS AND ANIMALS.

R. S. 23:4–1 amended 1944, c. 163, s. 1; 1945, c. 107.

R. S. 23:4–8 " 1944, c. 78.

R. S. 23:4–12 " 1944, c. 163, s. 2.

R. S. 23:4–27 " 1943, c. 207.

R. S. 23:4–60 " 1945, c. 65.

Chapter 5. FISH.

Additional Legislation.

Uniform regulations on net fishing and licenses to net, 1941, c. 211.

Title of above amended 1942, c. 294, s. 1.

Sec. 11 " " " 1942, c. 294, s. 2.

Chapter 9. LOCAL AND SPECIAL PROVISIONS.

Article 6A. (new) Atlantic, Cape May, Cumberland, Gloucester and Salem Counties.

Note: For 1942, c. 55, amended to extend territorial, etc., effect, see Article 6B infra.

Article 6B. (new) Atlantic, Burlington, Cape May, Cumberland, Gloucester and Salem Counties.

Additional Legislation.

Hunting, etc., certain birds or animals while snow on ground, prohibited, 1942, c. 55.

Title of above amended 1943, c. 131, s. 1.

Sec. 1 " " " 1943, c. 131, s. 2.

Article 11. Mullica River and Tributaries.

Additional Legislation.

Erection, etc., of net or fishing device near fishery, certain cases, prohibited, 1944, c. 111.

Article 20. (new) Greenwood Lake.

Additional Legislation.

Reciprocal use of New York and New Jersey fishing licenses, provided for, suppl., 1943, c. 93.

Title 24. FOOD AND DRUGS.

Chapter 10. DAIRY PRODUCTS.

R. S. 24:10–16 amended 1942, c. 284.

Additional Legislation.

Delivery of milk and cream, hours of, regulated, 1945, c. 294.

Chapter 18. UNIFORM NARCOTIC DRUG LAW.

R. S. 24:18–2 amended 1944, c. 26.

Title 26. HEALTH AND VITAL STATISTICS.

Chapter 2. STATE DEPARTMENT OF HEALTH.

Article 1. Organization and Departmental Personnel.

R. S. 26:2–7 amended 1942, c. 309.

Article 2. Powers and Duties.

I. FEDERAL GRANTS FOR PUBLIC HEALTH WORK, MATERNAL AND CHILD WELFARE.

R. S. 26:2–60 amended 1944, c. 70, s. 1.

R. S. 26:2–61 " 1944, c. 70, s. 2.

L. (new) HOSPITALS FOR VENEREAL DISEASES.

Additional Legislation.

Maintenance and operation by department, provided for, suppl., 1944, c. 70, s. 3.

Chapter 2A. (new) HUMAN BLOOD AND ITS DERIVATIVES.

Program of collection, processing, storage and distribution, etc., of human blood and its derivatives to be established, etc., by Department of Health, 1945, c. 301.

Chapter 3. LOCAL BOARDS OF HEALTH.

R. S. 26:3–41 amended 1943, c. 115, s. 1.

R. S. 26:3–42 " 1943, c. 115, s. 2.

R. S. 26:3–43 " 1943, c. 115, s. 3.

Chapter 3B. (new) NUISANCES AFFECTING HEALTH.

Certain nuisances affecting health, etc., maintenance of, prohibited, suppl., 1945, c. 192.

Chapter 4. COMMUNICABLE DISEASES.

Note: For test for syphilis before marriage license issued, see 1938, c. 126, amended 1941, c. 427.

R. S. 26:4–27 amended 1945, c. 104, s. 1.

R. S. 26:4–28 " 1945, c. 104, s. 2.

R. S. 26:4–36 " 1945, c. 104, s. 3.

R. S. 26:4–37 " 1945, c. 104, s. 4.

R. S. 26:4–41 " 1945, c. 103.

R. S. 26:4–48 " 1945, c. 104, s. 5.

Additional Legislation.

Defendants in criminal proceedings, inmates of penal and correctional institutions, examination, treatment, etc., for venereal diseases, required, suppl., 1945, c. 101.

Migrant labor, examinations for venereal diseases, provided for, suppl., 1945, c. 102.

Quarantines and commitments, etc., for venereal diseases, medical treatment, when not required, suppl., 1945, c. 104, s. 6.

Chapter 6. DISPOSAL OF DEAD BODIES.

R. S. 26:6-7 amended 1945, c. 253.

Additional Legislation.

Monthly record of burials of deceased veterans required to be furnished by State Department of Health to Superintendents of Soldiers' Burials or Boards of Chosen Freeholders, suppl., 1945, c. 202, s. 1.

Records of internment of certain deceased veterans required to be furnished by Superintendents, etc., of cemeteries, etc., or undertakers, to Superintendents of Soldiers' Burials or Boards of Chosen Freeholders, suppl., 1945, c. 202, s. 2.

Chapter 8. REGISTRATION OF VITAL STATISTICS.

Article 6. Correction or Amendment of Marriage, Birth, Stillbirth or Death Certificates.

Note: For adjustment of birth or marriage records upon change of name, see 1945, c. 283.

Title 27. HIGHWAYS.

Subtitle 1. STATE HIGHWAY DEPARTMENT AND COMMISSIONER.

Chapter 1. CONSTITUTION AND GENERAL POWERS.

R. S. 27:1–11 amended 1944, c. 159.

Additional Legislation.

Appointment, tenure, etc., of general solicitor to department, 1939, c. 75, repealed 1944, c. 20, s. 20.

Subtitle 3. STATE HIGHWAYS.

Chapter 6. STATE HIGHWAY ROUTES.

Route 25A added 1939, c. 198; amended 1945, c. 58.

Route Trenton-Morrisville bridge to Route 26, 1943, c. 28.

Lincoln Tunnel approach highway, 1943, c. 52.

Route No. 29 southeasterly through Trenton, 1944, c. 37.

Route No. 44 to Route No. 48, 1944, c. 47.

Route intersection of Absecon boulevard and Brigantine boulevard to city of Brigantine, 1945, c. 1.

Route county highway No. 17 on a map of Cape May county added 1945, c. 20.

Chapter 7A. (new) FREEWAYS AND PARKWAYS.

Freeways and parkways, establishment, construction, maintenance, etc., provided for, suppl., 1945, c. 83.

Chapter 11. FINANCES.

Note: For General State Fund to be sole State Fund, etc., see 1945, c. 33.

Subtitle 4. STATE AID ROADS.

Chapter 13. STATE AID TO COUNTIES AND MUNICIPALITIES.

Additional Legislation.

State Aid Road Fund Account, provided for, 1943, c. 45.

Chapter 15. STATE AID TO MUNICIPALITIES

R. S. 27:15–1 amended 1944, c. 110, s. 1.

R. S. 27:15–4 " 1944, c. 110, s. 2.

R. S. 27:15–10 " 1944, c. 110, s. 3.

R. S. 27:15–11 " 1944, c. 110, s. 4.

Title 28. HISTORIC MEMORIALS, MONUMENTS AND SITES.

Chapter 1. HISTORIC SITES COMMISSION.

Note: For transfer of functions, powers and duties to State Department of Conservation, see 1945, c. 22.

R. S. 28:1–1 to 28:1–3	repealed	1945, c. 22, s. 44.
R. S. 28:1–12	"	1945, c. 22, s. 44.

Chapter 2. CERTAIN MEMORIALS, MONUMENTS AND SITES.

Note: For transfer of functions, powers and duties of Grover Cleveland Birthplace Association and New Jersey Veterans of All Wars Association to State Department of Conservation, see 1945, c. 22.

R. S. 28:2–2 to 28:2–6	repealed	1945, c. 22, s. 44.
R. S. 28:2–15	"	1945, c. 22, s. 44.
R. S. 28:2–16	"	1945, c. 22, s. 44.

Title 30. INSTITUTIONS AND AGENCIES.

Note: For release of inmates from penal and correctional institutions for induction into armed forces of the United States, see 1945, c. 54.

Subtitle 1. STATE DEPARTMENTS AND INSTITUTIONS GOVERNED THEREBY.

Chapter 4. MANAGEMENT, CONTROL AND OPERATION OF INSTITUTIONS IN GENERAL.

Note: For inmates of penal and correctional institutions, examination, treatment, etc., for venereal diseases, required, see 1945, c. 101.

R. S. 30:4–29 amended 1944, c. 52.

Subtitle 2. STATE BOARD OF CHILDREN'S GUARDIANS.

Chapter 5. ASSISTANCE TO AND CARE, CUSTODY, GUARDIANSHIP, ETC., OF CHILDREN.

R. S. 30:5–7 amended 1944, c. 194, s. 1.

R. S. 30:5–33 " 1944, c. 194, s. 2; 1945, c. 264.

R. S. 30:5–37 " 1944, c. 194, s. 3.

R. S. 30:5–44 " 1944, c. 194, s. 4.

Additional Legislation.

Claims for reimbursement for financial assistance, compromise, provided for, 1943, c. 89.

Subtitle 3. BLIND, DEAF AND DUMB AND FEEBLE-MINDED PERSONS.

Chapter 6. RELIEF OF BLIND, DEAF AND DUMB AND FEEBLE-MINDED.

R. S. 30:6–3 amended 1944, c. 241, s. 1.

R. S. 30:6–6 repealed 1944, c. 241, s. 5.

R. S. 30:6–7 " 1944, c. 241, s. 5.

R. S. 30:6–11 amended 1944, c. 241, s. 2.

R. S. 30:6–12 repealed 1944, c. 241, s. 5.

R. S. 30:6–13 amended 1944, c. 241, s. 3.

R. S. 30:6–16 " 1944, c. 241, s. 4.

Subtitle 4. SOLDIERS' HOMES.

Chapter 6A. HOMES FOR DISABLED SOLDIERS, SAILORS AND MARINES AND THEIR WIVES AND WIDOWS.

R. S. 30:6A–14 amended 1943, c. 129.

Subtitle 6. COUNTY AND MUNICIPAL INSTITUTIONS.

Chapter 8. PENAL INSTITUTIONS.

Note: For inmates of penal and correctional institutions, examination, treatment, etc., for venereal diseases, required, see 1945, c. 101.

R. S. 30:8–15 amended 1945, c. 44.

R. S. 30:8–20 " 1945, c. 149.

Chapter 9. ASYLUMS AND HOSPITALS.

Note: For right to examine hospital records in compensation cases and actions for damages, provided for, see 1945, c. 286.

R. S. 30:9–17 amended 1945, c. 173.

R. S. 30:9–29 " 1945, c. 181.

R. S. 30:9–40 " 1945, c. 43.

R. S. 30:9–50 " 1942, c. 328.

R. S. 30:9–58 " 1945, c. 252.

Additional Legislation.

Medical director, assistants, etc., appointment, salary, etc., for hospitals and medical centers, certain first-class cities and counties, suppl., 1941, c. 52.

Sec. 1 of above amended 1943, c. 56.

Retirement system and pension fund benefits, suppl., 1943, c. 58.

Subtitle 7. PRIVATE INSTITUTIONS.

Chapter 11. NURSING HOMES OR HOSPITALS.

Note: For right to examine hospital records in compensation cases and actions for damages, provided for, see 1945, c. 286.

Title 32. INTERSTATE AND PORT AUTHORITIES AND COMMISSIONS.

Subtitle 1. THE PORT OF NEW YORK AUTHORITY.

Article 7. General Reserve Fund.

1931, c. 5, title amended 1945, c. 197, s. 1.

R. S. 32:1–141 1931, c. 5, s. 1 " 1945, c. 197, s. 2.

Additional Legislation:

Establishment, acquisition, rehabilitation, etc., of motor truck terminals and issuance of bonds and acquisition of property therefor, provided for, suppl., 1945, c. 197, ss. 3-5.

Subtitle 4. DELAWARE RIVER BRIDGES.

Chapter 10. BRIDGE POLICE; OFFENSES ON BRIDGES.

R. S. 32:10–2 amended 1945, c. 198.

Title 33. INTOXICATING LIQUORS.

Chapter 1. ALCOHOLIC BEVERAGE LAW.

R. S. 33:1–4 amended 1944, c. 216; 1945, c. 229.

R. S. 33:1–12.1 repealed 1943, c. 47.

R. S. 33:1–25 amended 1943, c. 46.

R. S. 33:1–26 " 1943, c. 152.

R. S. 33:1–35 " 1943, c. 37.

R. S. 33:1–39 " 1943, c. 154

R. S. 33:1–47.1 " 1945, c. 259.

Additional Legislation.

Licensees not to limit amount of off premises sales; to post notice of disposal of stock of advertised brands, suppl., 1939, c. 171, repealed 1943, c. 153.

Licenses effective on expiration of licenses previously issued, renewals, suppl., 1939, c. 281.

Sec. 1 of above amended 1944, c. 187.

Club licenses, issuance, certain cases, provided for, suppl., 1945, c. 55.

Chapter 4. (new) COMMISSION ON ALCOHOLISM AND PROMOTION OF TEMPERANCE.

Commission constituted, functions, powers, duties, etc., 1945, c. 94.

Title 34. LABOR AND WORKMEN'S COMPENSATION.

Note: For discrimination, on account of race, creed or color, against persons to be employed on war or defense work prohibited, see 1942, c. 114, amended 1945, c. 174; for certain discriminatory practices in employment and otherwise, prohibited and Division Against Discrimination in the State Department of Education, established, see 1945, c. 169; for deliveries of milk and cream regulated, see 1945, c. 294.

Chapter 1. ORGANIZATION OF DEPARTMENT OF LABOR.

R. S. 34:1–57 amended 1945, c. 74, ss. 2, 1.

Additional Legislation.

Directorship of Workmen's Compensation Bureau, first encumbent provided for, suppl., 1945, c. 74, ss. 3, 1.

Chapter 2. CHILD AND FEMALE LABOR; MERCANTILE ESTABLISHMENTS.

Additional Legislation.

State Commission on Student Service established, powers, etc., suppl., 1942, c. 23.

Sec. 2 of above amended 1943, c. 195, s. 1.

Sec. 3 " " " 1943, c. 195, s. 2.

Sec. 23 " " " 1943, c. 44.

Certificates of merit for service (suppl., 1942, c. 23), suppl., 1943, c. 78.

Special dispensation for minors to work over hours, provided for, 1943, c. 146.

Chapter 6. INSPECTION AND REGULATION OF FACTORIES, MINES, WORKSHOPS AND OTHER INDUSTRIES.

Additional Legislation.

Industrial Homework Control and Licensing Law, 1941, c. 308.

Sec. 2 of above amended 1942, c. 307.

Chapter 8. EMPLOYMENT AGENCIES.

R. S. 34:8–2 amended 1944, c. 203.

Chapter 9A. (new) MIGRANT LABOR.

Note: For migrant labor, examinations for venereal diseases, provided for, see 1945, c. 102.

Migrant labor act (1945), 1945, c. 71.

Chapter 13A. (new) NEW JERSEY LABOR MEDIATION ACT.

Mediation of labor disputes, regulated, 1941, c. 100.

Sec. 4 of above amended 1945, c. 32, s. 1.

Sec. 9 " " " 1945, c. 32, s. 2.

State Board of Mediation, qualification of members prescribed, suppl., 1945, c. 32, s. 3.

Chapter 15. WORKMEN'S COMPENSATION.

Note: For right to examine hospital records in compensation cases and action for damages, provided for, see 1945, c. 286.

R. S. 34:15–10 amended 1945, c. 74, ss. 4, 1.

R. S. 34:15–12 " 1945, c. 74, ss. 5, 1, 20.

R. S. 34:15–13 " 1945, c. 74, ss. 6, 1, 20.

R. S. 34:15–14 " 1945, c. 74, ss. 7, 1.

R. S. 34:15–16 " 1945, c. 74, ss. 8, 1.

R. S. 34:15–22 " 1945, c. 74, ss. 9, 1.

R. S. 34:15–26 " 1945, c. 74, ss. 10, 1.

R. S. 34:15–31 " 1945, c. 53.

R. S. 34:15–36 " 1945, c. 74, ss. 11, 1, 20.

R. S. 34:15–37 " 1945, c. 74, ss. 12, 1, 20.

R. S. 34:15–38 " 1945, c. 74, ss. 13, 1.

R. S. 34:15–53 " 1945, c. 74, ss. 14, 1.

R. S. 34:15–55.1 " 1945, c. 74, ss. 15, 1.

R. S. 34:15–64 " 1945, c. 74, ss. 16, 1.

R. S. 34:15–66 " 1945, c. 74, ss. 17, 1.

R. S. 34:15–67 " 1945, c. 97.

R. S. 34:15–75 " 1945, c. 74, ss. 18, 1, 20.

R. S. 34:15–94 " 1945, c. 10, s. 1.

R. S. 34:15–95 " 1945, c. 10, s. 2; 1945, c. 74, ss. 19, 1.

Additional Legislation.

Limitation for filing petitions and instituting proceedings, certain cases, extended, suppl., 1943, c. 72.

Silicosis and Asbestosis, compensation provided for, suppl., 1944, c. 88.

New Jersey State Library

Title 35. LEGAL ADVERTISEMENTS.

Chapter 1. LEGAL NEWSPAPERS.

Additional Legislation.

Suspension of publication, war time, certain cases, provided for, 1943, c. 105.

Chapter 2. OFFICIAL ADVERTISING.

R. S. 35:2-1 amended 1944, c. 156.

Additional Legislation.

County and municipal advertising in newspaper published outside of county or municipality, authorized, suppl., 1944, c. 83.

Title 36. LEGAL HOLIDAYS.

Chapter 1. LEGAL HOLIDAYS AND EFFECT THEREOF.

Additional Legislation.

Mother's Day and Father's Day, provided for, 1944, c. 116.

Title 37. MARRIAGES AND MARRIED PERSONS.

Chapter 2. MARRIAGE LICENSES.

Additional Legislation.

Partnership contracts between husband and wife and others, authorized, and previous contracts validated, suppl., 1945, c. 130.

Title 38. MILITIA—SOLDIERS, SAILORS AND MARINES.

Subtitle 1. MILITIA.

Chapter 1. CLASSIFICATION OF MILITIA.

R. S. 38:1–1 amended 1942, c. 344.

Subtitle 2. SOLDIERS, SAILORS AND MARINES.

Chapter 16. TENURE OF OFFICE.

Note: For definition of public service in connection with rights, privileges and benefits of honorably discharged veterans, see 1945, c. 175.

Additional Legislation.

Tenure of employees, etc., of joint municipal commissions in war service, provided for, 1944, c. 249.

Policemen, firemen and motor vehicle inspectors, time spent in war service to be counted in determining seniority, etc., 1944, c. 86.

Chapter 17. BURIAL OF DECEASED SOLDIERS, SAILORS, MARINES AND NURSES.

Note: For monthly record of burials of deceased veterans required to be furnished by State Department of Health to Superintendents of Soldiers' Burials or Boards of Chosen Freeholders, see 1945, c. 202.

R. S. 38:17–1 amended 1945, c. 302.

Additional Legislation.

Records of veterans' graves, maintenance, etc., provided for, suppl., 1945, c. 201.

Chapter 18. COMPENSATION FOR BLIND SOLDIERS, SAILORS AND MARINES.

R. S. 38:18–1 amended 1945, c. 106, s. 1.

R. S. 38:18–2 " 1945, c. 106, s. 2.

R. S. 38:18–3 " 1945, c. 106, s. 3.

Chapter 20. EDUCATION OF WAR ORPHANS.

R. S. 38:20–1 amended 1944, c. 197.

R. S. 38:20–3 " 1945, c. 105.

Chapter 23. LEAVE OF ABSENCE FROM PUBLIC EMPLOYMENT.

Note: For public service in connection with rights, privileges and benefits of honorably discharged veterans, defined, see 1945, c. 175.

R. S. 38:23-2 amended 1945, c. 176.

Additional Legislation.

Leave of absence of State, county, municipal, school district, etc., employees for military service, made obligatory, 1941, c. 119.

Title of above amended 1942, c. 327, s. 1.

Sec. 1 " " " 1942, c. 327, s. 2.

Pension and retirement fund rights of State, county, municipal, school district, etc., employees in military or naval service, saved, etc., suppl., 1942, c. 252.

Title of above amended 1942, c. 326, s. 1.

Sec. 1 " " " 1942, c. 326, s. 2; 1944, c. 87.

Sec. 2 " " " 1942, c. 326, s. 3.

Chapter 23A. (new) SPECIAL PRIVILEGES AND EXEMPTIONS OF PERSONS IN MILITARY AND NAVAL SERVICE.

Oaths, affidavits, acknowledgments, proofs, etc., by persons in military service, taking before commissioned officers, authorized, 1941, c. 333.

Title of above amended 1945, c. 234, s. 1.

Sec. 1 " " " 1943, c. 156; 1945, c. 234, s. 2.

Time of war service not to be counted in determining maximum age limits for appointment or election to State, county, municipal or school district, office, position, etc., 1944, c. 98.

Definition of public service in connection with rights, privileges and benefits of honorably discharged veterans, suppl., 1945, c. 175.

Chapter 23B. (new) VETERANS' BUSINESS LOAN ACT (1944).

Note: For exemption from taxation of certain veterans' loans held by savings banks, see 1945, c. 80.

Veterans' Business Loan Act (1944), 1944, c. 126.

Sec. 5 of above amended 1945, c. 185, s. 1.

Sec. 6 " " " 1945, c. 185, s. 2.

Sec. 8 " " " 1945, c. 185, s. 3.

Sec. 9 " " " 1945, c. 185, s. 4.

Sec. 12 " " " 1945, c. 185, s. 5.

Sec. 14 " " " 1945, c. 185, s. 6.

Sec. 15 " " repealed 1945, c. 185, s. 14.

Sec. 16 " " amended 1945, c. 185, s. 13.

Veterans' loans, guarantee and insurance by authority, reserves, defaults, etc., provided for, suppl., 1945, c. 185, ss. 7-12.

Chapter 24. STATE SERVICE OFFICER.

Note: For transfer of powers and duties to Department of Economic Development, see 1944, c. 85, amended 1945, c. 128; for records of veterans' graves, maintenance, etc., see 1945, c. 201.

R. S. 38:24-1 repealed 1944, c. 85, s. 52.

R. S. 38:24-2 " 1944, c. 85, s. 52.

Chapter 25A. (new) SOUVENIRS, INSIGNIA AND EMBLEMS.

Designation of State souvenir of deceased veterans of the World War; sales regulated, 1938, c. 207.

Sec. 3 of above amended 1943, c. 85.

Subtitle 4. (new) INDUCTION INTO ARMED FORCES OF UNITED STATES.

Chapter 28. (new) INMATES OF PENAL AND CORRECTIONAL INSTITUTIONS.

Release of inmates from penal and correctional institutions for induction into armed forces of the United States, provided for, 1945, c. 54.

Title 39. MOTOR VEHICLES AND TRAFFIC REGULATION.

Subtitle 1. MOTOR VEHICLE AND TRAFFIC LAWS.

Chapter 2. DEPARTMENT OF MOTOR VEHICLES.

Note: For time spent in war service by motor vehicle inspectors, to be counted in determining seniority, etc., see 1944, c. 86.

R. S. 39:2–2 amended 1944, c. 44.

Chapter 3. MOTOR VEHICLES.

R. S. 39:3–4 amended 1944, c. 5.

R. S. 39:3–26 " 1945, c. 265.

R. S. 39:3–33 " 1943, c. 173.

R. S. 39:3–34 " 1942, c. 313; 1945, c. 222, s. 1.

R. S. 39:3–40 " 1945, c. 222, s. 2.

Additional Legislation.

Special licenses to certain minors to drive motor vehicles, in certain agricultural pursuits, provided for, suppl., 1942, c. 324.

Driving privileges, licensed drivers in war service, extended, certain cases, suppl., 1943, c. 98.

Sec. 1 of above amended 1944, c. 38.

Registry fee refund to persons in war service, certain cases, provided for, suppl., 1944, c. 228.

Use of "Press" sign, etc., on motor vehicles, restricted, suppl., 1943, c. 101.

Chapter 4. TRAFFIC REGULATION.

R. S. 39:4–98 amended 1942, c. 325.

Chapter 5. ENFORCEMENT AND PROCEDURE.

R. S. 39:5–3 amended 1942, c. 334, s. 1.
R. S. 39:5–9 " 1942, c. 334, s. 2.
R. S. 39:5–15 " 1942, c. 334, s. 3.
R. S. 39:5–17 " 1942, c. 334, s. 4.
R. S. 39:5–21 " 1942, c. 334, s. 5.
R. S. 39:5–29 " 1942, c. 334, s. 6.
R. S. 39:5–30 " 1945, c. 256.
R. S. 39:5–36 " 1942, c. 334, s. 7.
R. S. 39:5–40 " 1942, c. 334, s. 8.
R. S. 39:5–41 " 1942, c. 334, s. 9.
R. S. 39:5–42 " 1942, c. 334, s. 10.
R. S. 39:5–44 " 1942, c. 334, s. 11.
R. S. 39:5–45 " 1942, c. 334, s. 12.

Chapter 5A. (new) APPLICATION OF SUBTITLE TO HIGHWAYS OWNED BY PUBLIC OR SEMIPUBLIC CORPORATIONS.

Motor vehicle and traffic laws, when applicable on highways of public or semipublic, nonprofit institutions or corporations, suppl., 1945, c. 284.

Subtitle 2. OTHER LAWS REGULATING MOTOR VEHICLES.

Chapter 6. FINANCIAL RESPONSIBILITY.

R. S. 39:6–20 amended 1945, c. 189.

Title 40. MUNICIPALITIES AND COUNTIES.

Subtitle 1. COUNTIES AND MUNICIPALITIES, GENERALLY.

Note: For supervision of State Department of Local Government over certain municipalities, see 1938, c. 127, amended 1939, c. 364, 1941, c. 95; see 1938, c. 158, amended 1942, c. 39, ss. 8 and 12 repealed 1944, c. 112, art. 8, s. 10; for definition of public service in connection with rights, privileges and benefits of honorably discharged veterans, see 1945, c. 175.

Chapter 1. BONDS AND OTHER OBLIGATIONS.

Note: For transfer of powers and duties of State Auditor to State Department of Local Government; for personnel and powers of Funding Commission, see 1938, c. 158, amended 1942, c. 39, ss. 8 and 12 repealed 1944, c. 112, art. 8, s. 10.

R. S. 40:1–53 amended 1945, c. 221.

R. S. 40:1–63 " 1943, c. 53, s. 1; 1945, c. 26.

R. S. 40:1–71 " 1944, c. 235.

R. S. 40:1–81 " 1943, c. 53, s. 2.

R. S. 40:1–90 " 1943, c. 199.

Additional Legislation.

Purchase and retirement of bonds by counties and municipalities authorized, 1940, c. 240.

Title of above amended 1944, c. 137, s. 1.

Sec. 1 " " " 1944, c. 137, s. 2.

Variances from limits on maturities or on amounts of annual installments of bonds fixed in R. S. 40:1–25, provided for, suppl., 1945, c. 220.

Chapter 2. COUNTY AND MUNICIPAL BUDGETS.

Note: For transfer of powers and duties of State Auditor to State Department of Local Government, see 1938, c. 158, amended 1942, c. 39, ss. 8 and 12 repealed 1944, c. 112, art. 8, s. 10.

R. S. 40:2–17 amended 1942, c. 317.

R. S. 40:2–29 " 1945, c. 155.

R. S. 40:2–30 " 1943, c. 130.

Additional Legislation.

Budgets in certain municipalities on Atlantic Ocean, reserve for uncollected taxes, waived, certain cases, 1943, c. 184.

Sec. 1 of above amended 1943, c. 210, s. 1.

Sec. 5 " " repealed 1943, c. 210, s. 2.

Public Works Reserve, appropriation, when available for post-war capital purposes, 1945, c. 14.

Chapter 3. SINKING FUNDS AND SINKING FUND COMMISSIONERS, IN COUNTIES, MUNICIPALITIES AND SCHOOL DISTRICTS.

Note: For transfer of powers and duties of State Auditor to State Department of Local Government, see 1938, c. 158, amended 1942, c. 39, ss. 8 and 12 repealed 1944, c. 112, art. 8, s. 10.

R. S. 40:3–10 amended 1943, c. 48.

Chapter 4. AUDITS AND AUDITORS.

Note: For transfer of powers and duties of State Auditor to State Department of Local Government, see 1938, c. 158, amended 1942, c. 39; ss. 8 and 12 repealed 1944, c. 112, art. 8, s. 10.

Chapter 5. PUBLIC MONEYS AND FINANCIAL STATEMENTS.

Note: For transfer of powers and duties of State Auditor to State Department of Local Government, see 1938, c. 158, amended 1942, c. 39, ss. 8 and 12 repealed 1944, c. 112, art. 8, s. 10.

R. S. 40:5–13 amended 1944, c. 56.

Chapter 11. OFFICERS AND EMPLOYEES.

Note: For leave of absence for county and municipal employees for military service, see 1941, c. 119, amended 1942, c. 327.

Subtitle 2. COUNTIES.

Part 1. COUNTIES, GENERALLY.

Note: For time of war service not to be counted in determining maximum age limits for appointment or election to State, county, municipal or school district, office, position, etc., see 1944, c. 98.

Chapter 20. BOARDS OF CHOSEN FREEHOLDERS.

Note: For establishment and administration of ration banks, accounts, etc., see 1943, c. 142.

R. S. 40:20–4 amended 1945, c. 121.

R. S. 40:20–24 " 1942, c. 299.

R. S. 40:20–72 " 1944, c. 63.

R. S. 40:20–73 " 1945, c. 152.

Chapter 21. OFFICERS AND EMPLOYEES.

Note: For deductions from salaries, etc., of employees, provided for, see 1943, c. 69; 1943, c. 102.

R. S. 40:21–57 amended 1944, c. 61.

Additional Legislation.

County auditor, appointment regulated, suppl., 1944, c. 125.

Chief medical examiners, coroners, morgue keepers, second-class counties, appointment, powers, duties, etc., regulated, 1944, c. 182.

Chapter 23. GENERAL POWERS.

Additional Legislation.

Leasing of unused road machinery or equipment, in certain cases, authorized, suppl., 1942, c. 320.

Acceptance of gifts, etc., for specific purposes, provided for, 1943, c. 138.

Chapter 24. ORDINANCES AND RESOLUTIONS.

Additional Legislation.

Vote required for adoption of resolutions in absence of member of governing body in active military or naval service of the United States or of this State, 1942, c. 301.

Chapter 25. CONTRACTS.

Additional Legislation.

Purchases from United States Government by counties, special provisions relating to, suppl., 1945, c. 111.

Chapter 30. DRAINAGE.

Additional Legislation.

Drainage of lands by counties, provided for, suppl., 1945, c. 112.

Chapter 37. COUNTY PARKS.

Article 1A. (new) County Park Commissions in General.

Additional Legislation.

Leasing, etc., of real estate to United States Government, etc., terms, etc., provided for, 1943, c. 20.

Article 5. County Parks Established By Referendum.

Additional Legislation.

Policemen in war service, appointment, etc., substitutes for, provided for, suppl., 1943, c. 55.

County Park Commission employees, deductions and contributions for group insurance, authorized, suppl., 1945, c. 241.

Part 2. ELECTIVE COUNTY OFFICERS.

Chapter 38. COUNTY CLERKS.

R. S. 40:38–1 amended 1943, c. 21.

R. S. 40:38–5 " 1944, c. 68.

Additional Legislation.

Employees of County Clerk assigned for service in county courts, salaries fixed, certain second-class counties, suppl., 1944, c. 252.

County clerks' salaries, certain counties, fixed, suppl., 1945, c. 62.

Chapter 39. REGISTERS OF DEEDS AND MORTGAGES.

R. S. 40:39–2 amended 1943, c. 92.

Chapter 41. SHERIFFS AND CONSTABLES.

R. S. 40:41–2 amended 1943, c. 22, s. 1.

R. S. 40:41–3 " 1943, c. 22, s. 2.

R. S. 40:41–6 " 1944, c. 69.

R. S. 40:41–35 " 1943, c. 68.

Additional Legislation.

Sheriffs' offices, employees of identification bureau, salaries fixed, certain counties, 1943, c. 191.

Sheriffs' salaries, certain counties, fixed, suppl., 1945, c. 63.

Subtitle 3. MUNICIPALITIES GENERALLY.

Note: For tenure of employees, etc., of joint municipal commissions in war service, provided for, see 1944, c. 249; for time of war service not to be counted in determining maximum age limits for appointment or election to State, county, municipal or school district, office, position, etc., see 1944, c. 98.

Chapter 43. INCORPORATION; NEWLY CREATED MUNICIPALITIES; ANNEXATION; CONSOLIDATION; BOUNDARIES.

Additional Legislation.

Consolidation of borough under Local Government Board with township, terms and effect, provided for, 1945, c. 268.

Chapter 46. OFFICERS AND EMPLOYEES.

Note: For deductions from salaries, etc., of employees, provided for, see 1943, c. 69; 1943, c. 102.

R. S. 40:46-6.1 amended 1945, c. 138.

R. S. 40:46-26 " 1944, c. 99, s. 1.

Additional Legislation.

Salaries of persons holding municipal offices fixed by referendum, increase by ordinance, authorized, 1945, c. 277.

Chapter 47. FIRE AND POLICE.

Note: For time spent in war service by policemen and firemen to be counted in determining seniority, etc., see 1944, c. 86.

Article 1. Fire and Police Departments.

R. S. 40:47-3 amended 1945, c. 218.

R. S. 40:47-4 " 1945, c. 219.

Additional Legislation.

Filling vacancies, designation of vacancy filled, temporary appointment for members on military leave of absence, provided for, 1943, c. 163.

Annual State appropriation to municipalities employing full time policemen, firemen, etc., provided for, 1944, c. 254.

Article 3. Fire Departments Only.

B. VOLUNTEER COMPANIES.

R. S. 40:47-27 amended 1945, c. 126.

Additional Legislation.

Insurance protection for volunteer firemen by municipality or fire district, authorized, 1945, c. 47.

D. EXEMPT FIREMEN CERTIFICATES.

R. S. 40:47-53 amended 1944, c. 246.

F. (new) JOINT FIRE SERVICE BY MUNICIPALITIES.

Additional Legislation.

Joint fire departments, adjoining municipalities, establishment and maintenance, provided for, 1943, c. 206.

Chapter 48. GENERAL POWERS.

Note: For establishment and administration of ration bank accounts, etc., see 1943, c. 142; for acquisition, use and disposition of property, to extinguish exemption from local taxation, provided for, see 1944, c. 206.

Additional Legislation.

Brush, trash, garbage, etc., removal, etc., provided for, suppl., 1943, c. 71.

Appropriation for expenses of rationing boards, etc., provided for, 1943, c. 183.

Appropriations to military service, etc., organizations, authorized, suppl., 1945, c. 45.

Municipal sales tax, imposition by ordinance, certain seaside cities, authorized, suppl., 1945, c. 156.

Municipal and joint municipal Veterans' Service Bureau, establishment, maintenance, etc., authorized, suppl., 1945, c. 266.

Chapter 49. ORDINANCES AND RESOLUTIONS.

R. S. 40:49–6 amended 1945, c. 292.

Chapter 50. CONTRACTS.

Additional Legislation.

Contracts with United States Government or agency, without public advertisement, certain cases, authorized, 1943, c. 198.

Contracts for supplies of fuel for term exceeding fiscal year, authorized, suppl., 1945, c. 158.

Contracts for snow removal for term exceeding fiscal year, authorized, suppl., 1945, c. 160.

Chapter 52. LICENSES.

R. S. 40:52–1 amended 1944, c. 245.

Chapter 54. LIBRARIES AND READING ROOMS.

R. S. 40:54–8 amended 1944, c. 49.

R. S. 40:54–35 " 1943, c. 24.

Chapter 60. PUBLIC LANDS AND BUILDINGS.

R. S. 40:60–3 amended 1943, c. 39.

R. S. 40:60–26 " 1944, c. 160.

R. S. 40:60–32 " 1944, c. 199.

Additional Legislation.

Building covenants, conditions and limitations on lands sold by municipality, waiver provided for, suppl., 1943, c. 33.

Lands, etc., not needed for public use, exchange of, provided for, 1944, c. 77.

Acquisition, use and disposition of property, to extinguish exemption from local taxation, provided for, 1944, c. 206.

Chapter 61. PUBLIC PARKS AND PLAYGROUNDS.

Additional Legislation.

Public golf courses and recreational, etc., facilities, establishment, maintenance and operation, provided for, 1945, c. 282.

Chapter 62. PUBLIC UTILITIES MUNICIPALLY OWNED.

Additional Legislation.

Water service, extension to schools or municipal buildings, certain cases, provided for, suppl., 1945, c. 37.

Chapter 67. STREETS, TUNNELS, BRIDGES AND VIADUCTS.

Additional Legislation.

Conduits under streets, etc., permission to United States Government to lay, provided for, 1943, c. 209.

Chapter 69. WATERS AND WATERCOURSES.

Additional Legislation.

Water and water power rights and property, acquisition, operation, disposal, etc., of, authorized, 1944, c. 207.

Subtitle 4. COMMISSION FORM OF GOVERNMENT.

Part 1. MUNICIPALITIES GOVERNED BY COMMISSION GOVERNMENT, GENERALLY.

Chapter 72. COMMISSIONERS.

Additional Legislation.

Commissioner as acting recorder, certain cases, provided for, suppl., 1944, c. 236.

Chapter 75. ELECTION OF COMMISSIONERS.

R. S. 40:75–3 amended 1945, c. 8.

R. S. 40:75–9 " 1945, c. 230, s. 1.

R. S. 40:75–22 " 1945, c. 230, s. 2.

Additional Legislation.

Municipal election ballots other than military service ballots, when to be printed, suppl., 1945, c. 29.

Subtitle 5. MUNICIPALITIES GOVERNED BY MUNICIPAL COUNCIL AND MUNICIPAL MANAGER.

Chapter 81. MUNICIPAL COUNCIL.

R. S. 40:81–2 amended 1945, c. 48.

Chapter 83. OFFICERS AND EMPLOYEES.

Additional Legislation.

City engineer, tenure, certain cases, provided for, suppl., 1943, c. 190.

Chapter 84. ELECTIONS.

R. S. 40:84–5 amended 1942, c. 283; 1945, c. 9.

Additional Legislation.

Municipal election ballots other than military service ballots, when to be printed, suppl., 1945, c. 28.

Chapter 85. ABANDONMENT OF MUNICIPAL MANAGER FORM OF GOVERNMENT.

R. S. 40:85–1 amended 1945, c. 2.

Subtitle 6. BOROUGHS.

Chapter 87. OFFICERS.

R. S. 40:87–60 amended 1944, c. 99, s. 2.

Chapter 88. BOROUGH COUNCIL.

Additional Legislation.

Removal of snow, ice and other obstructions from roads and streets, not dedicated, provided for, suppl., 1944, c. 35.

Subtitle 8. CITY REFERENDUM CHARTER ACTS.

Chapter 108. CITIES WITH LESS THAN 12,000 INHABITANTS.

R. S. 40:108–1 1897, c. 30, s. 3 amended 1943, c. 70, s. 2.

R. S. 40:108–1 1897, c. 30, s. 7 " 1943, c. 70, s. 1.

Subtitle 11. TOWNSHIPS.

Chapter 145. OFFICERS.

R. S. 40:145–13 amended 1944, c. 155.

Chapter 146. TOWNSHIP COMMITTEE.

R. S. 40:146–14 amended 1945, c. 297.

R. S. 40:146–15 " 1943, c. 143.

R. S. 40:146–16 " 1943, c. 166, s. 1.

R. S. 40:146–17 to 40:146–19 repealed 1943, c. 166, s. 2.

Chapter 148. FINANCES.

R. S. 40:148–5 amended 1945, c. 309.

Chapter 150. STREETS AND HIGHWAYS.

R. S. 40:150–1 amended 1945, c. 35.

Chapter 151. FIRE DISTRICTS.

Note: For insurance protection for volunteer firemen by municipality or fire district, see 1945, c. 47.

R. S. 40:151–25 amended 1943, c. 81.

Chapter 155. STREET LIGHTING DISTRICTS.

R. S. 40:155–6 amended 1943, c. 83.

Subtitle 13. CITIES.

Chapter 171. OFFICERS.

Additional Legislation.

Mayor, powers of, certain cases, extended, 1944, c. 90.

Title 41. OATHS AND AFFIDAVITS.

Chapter 2. WHO MAY ADMINISTER OATHS OR TAKE AFFIDAVITS.

Note: For oaths, affirmations, affidavits and proofs of instruments by persons in military or naval service; taking before commissioned officer, authorized, see 1941, c. 333, amended 1943, c. 156, 1945, c. 234.

R. S. 41:2–4 amended 1944, c. 59, s. 1.

R. S. 41:2–5 " 1944, c. 59, s. 2.

R. S. 41:2–11 " 1944, c. 59, s. 3.

R. S. 41:2–15 " 1944, c. 59, s. 4.

Title 43. PENSIONS AND RETIREMENT AND UNEMPLOYMENT COMPENSATION.

Note: For definition of public service in connection with rights, privileges and benefits of honorably discharged veterans, see 1945, c. 175.

Subtitle 1. GENERAL PROVISIONS.

Chapter 1. ELIGIBILITY FOR PENSION FUND.

Additional Legislation.

Maximum age limit for membership in Pension Fund or Retirement System, time of military service not to be counted in calculating, 1945, c. 305.

Chapter 4. VETERANS.

R. S. 43:4–1 amended 1944, c. 211.

R. S. 43:4–2 " 1943, c. 87; 1944, c. 191.

Subtitle 2. STATE PENSIONS AND RETIREMENT.

Chapter 7. OFFICERS AND EMPLOYEES OF PENAL INSTITUTIONS.

Additional Legislation.

Officers and employees of State penal institutions; pensions and prison officers pension fund, 1941, c. 220.

Title of above amended 1943, c. 193, s. 1.

Sec. 2 " " " 1943, c. 193, s. 2.

Sec. 19 " " " 1943, c. 186.

Subtitle 3. COUNTY PENSIONS AND RETIREMENT.

Chapter 9. PENSIONS PAYABLE FROM PUBLIC FUNDS.

Article 7. (new) County Clerk.

Additional Legislation.

Retirement on pension, certain cases, 1943, c. 194.

Chapter 9A. (new) PENSIONS PAYABLE FROM PUBLIC FUNDS WITH CONTRIBUTIONS.

Pensions on retirement of certain Clerks and Deputy Clerks of certain District Courts, provided for, suppl., 1945, c. 281.

Chapter 10. PENSION FUNDS.

Article 1A. (new) Employees of Counties of Over 800,000 Inhabitants.

Additional Legislation.

Pension fund system established and regulated, 1943, c. 160.

Sec. 7 of above amended 1944, c. 48.

Sec. 19 " " " 1944, c. 158.

Sec. 20 " " " 1945, c. 214.

Article 4. Police of Counties of 200,000 to 400,000 Inhabitants.

Additional Legislation.

Article not applicable to certain members of police departments, suppl., 1945, c. 244.

Article 5. Probation Officers of Counties of Over 83,000 Inhabitants.

R. S. 43:10–57 amended 1944, c. 234.

Article 6. Sheriff's Employees in Counties of the First and Second Classes.

Additional Legislation.

Sheriff's employees pension funds, certain counties, membership extended, 1944, c. 229.

Subtitle 4. MUNICIPAL PENSIONS.

Chapter 12. PENSIONS PAYABLE FROM PUBLIC FUNDS.

Note: For pensions on retirement of certain Clerks and Deputy Clerks of certain District Courts, see 1945, c. 281.

Article 11. (new) Township Employees.

Additional Legislation.

Retirement on pension; certain assessors of taxes in townships, 1940, c. 36.

Sec. 1 of above amended 1945, c. 271.

Collector of taxes, certain cases, 1944, c. 154.

Retirement on pension of certain health officers in townships, authorized, suppl., 1945, c. 287.

Article 12. (new) Borough Employees.

Additional Legislation.

Superintendent of public works, certain cases, 1944, c. 223.

Chapter 13. PENSION FUNDS.

Article 4A. (new) Employees of Towns.

Additional Legislation.

Pension funds for employees of certain towns in first-class counties, established and regulated, suppl., 1943, c. 189.

Article 5. Employees of Villages in Counties of the First Class.

R. S. 43:13–44 amended 1945, c. 213, s. 1.

R. S. 43:13–45 " 1945, c. 213, s. 2.

R. S. 43:13–46 " 1945, c. 213, s. 3.

R. S. 43:13–48 " 1945, c. 213, s. 4.

R. S. 43:13–50 " 1945, c. 213, s. 5.

Additional Legislation.

"Salary" and "half pay" defined, suppl., 1945, c. 213, s. 6.

Subtitle 5. STATE, COUNTY AND MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM.

Chapter 14. STATE SYSTEM.

Note: For membership in system of employees of State University of New Jersey authorized, see 1945, c. 49.

R. S. 43:14–1 amended 1943, c. 119; 1944, c. 201, s. 1; 1945, c. 272.

R. S. 43:14–17 " 1944, c. 201, s. 2.

R. S. 43:14–29 " 1942, c. 286; 1944, c. 201, s. 3; 1945, c. 288.

R. S. 43:14–32 " 1944, c. 193.

Additional Legislation.

New members, heretofore or hereafter enrolled, payment of arrearages to obtain additional benefits, provided for, suppl., 1943, c. 116.

Membership, application for, etc., after induction in military, etc., service, provided for, suppl., 1943, c. 118.

Chapter 15. COUNTY AND MUNICIPAL SYSTEM.

R. S. 43:15–2 amended 1945, c. 246.

Additional Legislation.

Membership, application for, etc., after induction in military, etc., service, provided for, suppl., 1943, c. 117.

Subtitle 6. PENSION FUND FOR POLICEMEN AND FIREMEN; TRAFFIC OFFICERS ON COUNTY ROADS.

Chapter 16. ESTABLISHMENT OF FUND BY REFERENDUM.

R. S. 43:16–1 amended 1944, c. 253, s. 1.

R. S. 43:16–2 " 1944, c. 253, s. 2.

R. S. 43:16–3 " 1944, c. 253, s. 3; 1945, c. 150.

R. S. 43:16–4 " 1944, c. 253, s. 4.

R. S. 43:16–5 " 1943, c. 27; 1944, c. 253, s. 6.

R. S. 43:16–6 " 1944, c. 253, s. 7.

R. S. 43:16–7 " 1943, c. 77; 1944, c. 253, s. 8.

R. S. 43:16–11 repealed 1944, c. 253, s. 9.

Additional Legislation.

Definitions and additional provisions, suppl., 1944, c. 253, ss. 5, 10 to 14.

Chapter 16A. (new) POLICE AND FIREMEN'S RETIREMENT SYSTEM.

Municipal, county, etc., police and firemen's retirement system, established and regulated, 1944, c. 255.

Sec. 1 of above amended 1945, c. 148, s. 1.
Sec. 3 " " " 1945, c. 148, s. 2.
Sec. 4 " " " 1945, c. 148, s. 3.
Sec. 9 " " " 1945, c. 148, s. 4.
Sec. 10 " " " 1945, c. 148, s. 5.
Sec. 15 " " " 1945, c. 148, s. 6.
Sec. 16 " " " 1945, c. 148, s. 7.
Sec. 20 " " " 1945, c. 148, s. 8.
Sec. 23 " " " 1945, c. 148, s. 9.

Adoption by referendum, effect of, and persons eligible to membership upon, suppl., 1945, c. 135, ss. 10-16.

Subtitle 9. SOCIAL SECURITY.

Chapter 21. UNEMPLOYMENT COMPENSATION.

R. S. 43:21-3 amended 1945, c. 72.
R. S. 43:21-5 " 1945, c. 73, s. 1; 1945, c. 308, s. 1.
R. S. 43:21-6 " 1945, c. 308, s. 2.
R. S. 43:21-8 " 1945, c. 73, s. 2.
R. S. 43:21-10 " 1945, c. 203; 1945, c. 308, s. 3.
R. S. 43:21-14 " 1944, c. 80; 1945, c. 307.
R. S. 43:21-16 " 1945, c. 308, s. 4.
R. S. 43:21-19 " 1945, c. 73, s. 3.
R. S. 43:21-20 repealed 1945, c. 308, s. 5.
R. S. 43:21-21 amended 1945, c. 73, s. 4; 1945, c. 308, s. 6.

Additional Legislation.

Refunds of contributions, certain cases, provided for, suppl., 1944, c. 81.

Taking over of Employment Service Division of Commission by Federal agencies, authorized, suppl., 1941, c. 386.

Civil service and pension rights of employees transferred, saved, suppl., 1943, c. 171, and above supplemented.

Agreements, etc., with United States agencies, etc., for veterans placement, payment of veterans' benefits, etc., provided for, suppl., 1944, c. 232.

Title 44. POOR.

Note: For issuance of bonds for relief by municipalities, see 1939, c. 332, amended 1939, c. 395, 1940, c. 185, 1941, c. 107.

Chapter 4. SETTLEMENT AND RELIEF OF POOR; COUNTY REFERENDUM LAW.

R. S. 44:4–28 amended 1943, c. 112.

Chapter 6. FREE DENTAL CLINICS.

Additional Legislation.

Appropriations by counties for dental clinics for indigent children, provided for, suppl., 1944, c. 224.

Chapter 7. OLD AGE ASSISTANCE.

R. S. 44:7–1 amended 1943, c. 164, s. 1.

R. S. 44:7–3 " 1943, c. 164, s. 2.

R. S. 44:7–5 " 1943, c. 164, s. 3; 1944, c. 84, s. 1.

R. S. 44:7–12 " 1943, c. 164, s. 4; 1944, c. 84, s. 2.

R. S. 44:7–14 " 1943, c. 164, s. 5; 1945, c. 273, s. 1.

R. S. 44:7–15 " 1945, c. 273, s. 2.

R. S. 44:7–18 " 1943, c. 164, s. 6; 1944, c. 84, s. 3.

R. S. 44:7–19 " 1943, c. 164, s. 7.

R. S. 44:7–21 " 1943, c. 164, s. 8.

R. S. 44:7–25 " 1943, c. 164, s. 9.

R. S. 44:7–30 " 1943, c. 164, s. 10.

R. S. 44:7–32 " 1943, c. 164, s. 11.

Chapter 8. FINANCIAL ASSISTANCE TO CERTAIN NEEDY PERSONS.

Note: For food stamps, etc., misuse of, prohibited, see 1941, c. 204, s. 1 amended 1942, c. 315, s. 1, s. 2 repealed 1942, c. 315, s. 2.

Additional Legislation.

State Municipal Aid Administration, 1940, c. 151.

Sec. 2 of above amended 1942, c. 340, s. 1.

Sec. 3 " " " 1942, c. 340, s. 2.

Administration of State aid for relief law (1941) 1941, c. 28.

Sec. 9 of above amended 1943, c. 11.

Sec. 12 " " " 1944, c. 162.

Physical rehabilitation of persons rejected for service in the armed forces of the United States by reason of physical disability, by State Municipal Aid Administration, provided for, 1942, c. 306.

Title 45. PROFESSIONS AND OCCUPATIONS.

Note: For business of selling, etc., motor fuels, etc., at retail, regulated, see 1938, c. 163, amended 1938, c. 204, 1938, c. 401, 1939, c. 62, 1942, c. 260, s. 509 added 1939, c. 63.

Subtitle 1. PROFESSIONS AND OCCUPATIONS REGULATED BY STATE BOARDS OF REGISTRATION AND EXAMINATION.

Chapter 3. ARCHITECTS.

R. S. 45:3-6	amended	1945, c. 262, s. 1.
R. S. 45:3-8	"	1943, c. 75, s. 1.
R. S. 45:3-9	"	1943, c. 75, s. 2.
R. S. 45:3-10	"	1943, c. 75, s. 3; 1945, c. 262, s. 2.

Chapter 4. BARBERS.

Additional Legislation.

Regulation of barbering, licensing of barbers and creation of State Board of Barber Examiners, etc., 1938, c. 197.

Sec. 20 of above amended 1944, c. 149.

Certificates of registration and permits to former holders, upon honorable discharge of applicants from military or naval service of the United States or of this State, provided for, suppl., 1942, c. 322.

Chapter 4A. BEAUTY CULTURE.

R. S. 45:4A-2	amended	1943, c. 9, s. 8.
R. S. 45:4A-8	"	1943, c. 9, s. 9.
R. S. 45:4A-10	"	1943, c. 9, s. 10.
R. S. 45:4A-11	"	1943, c. 9, s. 11.
R. S. 45:4A-14	"	1943, c. 9, s. 12.
R. S. 45:4A-15	"	1943, c. 9, s. 13; 1943, c. 122.
R. S. 45:4A-18	"	1943, c. 9, s. 14.
R. S. 45:4A-23	"	1943, c. 9, s. 15.

Additional Legislation.

Licenses to practice and practice of beauty culture, regulated, suppl., 1943, c. 9, ss. 1-7.

Chapter 5. CHIROPODY.

R. S. 45:5–7 amended 1943, c. 95, s. 1.

R. S. 45:5–8 " 1943, c. 95, s. 2.

R. S. 45:5–10 " 1943, c. 95, s. 3.

R. S. 45:5–11 " 1943, c. 95, s. 4.

Additional Legislation.

Injunction against unauthorized practitioners, provided for, suppl., 1943, c. 95, s. 5.

Chapter 6. DENTISTS.

R. S. 45:6–7 amended 1945, c. 193, s. 1.

Additional Legislation.

Payment of penalty, etc., equivalent to conviction, suppl., 1945, c. 193, s. 2.

Chapter 8. ENGINEERS, PROFESSIONAL, AND LAND SURVEYORS.

Additional Legislation.

Practice of professional engineering and land surveying, regulated (Revision, 1938), 1938, c. 342.

Licenses, renewal without fee, holder in war service, provided for, suppl., 1943, c. 90.

Chapter 9. MEDICINE AND SURGERY.

R. S. 45:9–8 amended 1942, c. 342; 1944, c. 166, s. 1.

R. S. 45:9–14 " 1943, c. 17.

R. S. 45:9–16 " 1944, c. 166, s. 2.

R. S. 45:9–21 " 1943, c. 74; 1944, c. 167.

Additional Legislation.

Payment of penalty equivalent to conviction, suppl., 1944, c. 166, s. 3.

Chapter 11. NURSES.

R. S. 45:11–7 amended 1942, c. 346, s. 1; 1945, c. 13, s. 1.

R. S. 45:11–10 " 1942, c. 346, s. 2.

R. S. 45:11–11 repealed 1945, c. 13, s. 2.

R. S. 45:11–12 amended 1942, c. 346, s. 3.

R. S. 45:11–19 " 1942, c. 346, s. 4.

Chapter 14. PHARMACY.

Additional Legislation.

Renewal of certificate of registration of holder in war service, provided for, suppl., 1944, c. 132.

Sec. 1 of above amended 1945, c. 177, s. 1.

Chapter 15. REAL ESTATE BROKERS, SALESMEN AND AUCTIONEERS.

Additional Legislation.

Licenses, issuance to officers of real estate corporations, certain cases, provided for, 1943, c. 60.

Real estate brokers' licenses, issuance to certain persons, authorized, 1945, c. 223.

Subtitle 2. OCCUPATIONS SUBJECT TO OTHER REGULATION.

Chapter 24. TRANSIENT MERCHANTS OR ITINERANT VENDORS; HAWKERS AND PEDDLERS.

R. S. 45:24–9 amended 1943, c. 99.

Title 46. PROPERTY.

Subtitle 1A. (new) REAL AND PERSONAL PROPERTY.

Chapter 2A. (new) POWERS OF APPOINTMENT.

Releases of and covenants, etc., not to exercise powers, provided for, 1943, c. 57.

Chapter 2B. (new) POWERS OF ATTORNEY.

Powers of attorney by persons in military service, execution, recording, effect, etc., provided, 1943, c. 157.

Title of above amended 1945, c. 233, s. 1.

Sec. 1 " " " 1945, c. 233, s. 2.

Sec. 3 " " " 1945, c. 233, s. 3.

Sec. 6 " " " 1945, c. 233, s. 4.

Chapter 2C. (new) TRUST DEEDS.

Trust deeds by persons in military service, execution, recording, effect, etc., provided, 1943, c. 155.

Sec. 2 of above amended 1945, c. 110.

Subtitle 2. REAL PROPERTY ONLY.

Chapter 3. ESTATES AND INTERESTS IN REAL PROPERTY AND ALIENATION THEREOF IN GENERAL.

R. S. 46:3-18 amended 1943, c. 145.

Chapter 8. LEASEHOLD ESTATES; LANDLORD AND TENANT.

Termination of tenancies and recovery of possession of demised premises, by landlord, limited and regulated, certain cases, 1945, c. 84.

Subtitle 3. SIGNATURES, SEALS, ACKNOWLEDGMENTS AND PROOFS.

Chapter 14. ACKNOWLEDGMENTS AND PROOFS.

Note: For acknowledgment of deeds, etc., by persons in military or naval service, taking before commissioned officer, authorized, see 1941, c. 333, amended 1943, c. 156, 1945, c. 234.

Subtitle 4. RECORDING, REGISTRATION, FILING AND INDEXING OF DEEDS AND OTHER INSTRUMENTS.

Chapter 16. INSTRUMENTS ENTITLED TO RECORD.

R. S. 46:16–1 amended 1945, c. 275, s. 1.

Additional Legislation.

Recording of nontestamentary trust instruments not acknowledged or proved, provided for, suppl., 1943, c. 147.

Chapter 18. RECORD OF AND RECORD ENTRIES AS TO INSTRUMENTS AFFECTING MORTGAGES.

R. S. 46:18–8 amended 1945, c. 145.

Chapter 19. MECHANICS OF RECORDATION.

R. S. 46:19–1 amended 1945, c. 275, s. 2.

R. S. 46:19–3 " 1944, c. 36.

Subtitle 6. PERSONAL PROPERTY ONLY.

Chapter 32. UNIFORM CONDITIONAL SALES LAW.

R. S. 46:32–17 amended 1945, c. 274.

Title 47. PUBLIC RECORDS.

Chapter 2. PUBLIC RECORD OFFICE.

R. S. 47:2–1 repealed 1945, c. 50, s. 22.

R. S. 47:2–2 " 1945, c. 50, s. 22.

R. S. 47:2–9 " 1945, c. 50, s. 22.

Title 48. PUBLIC UTILITIES.

Note: For permission to United States Government to lay conduits under streets, etc., when approved by Public Utility Commissioners, authorized, see 1943, c. 209.

Chapter 3. PUBLIC UTILITIES IN GENERAL.

Article 3A. (new) Presumption of Consent of Owner From the Use of Highways, etc.

Additional Legislation.

Presumption of consent of owners to placing of certain poles in public places, established after ten years, suppl., 1945, c. 231.

Chapter 7. ELECTRIC LIGHT, HEAT AND POWER COMPANIES.

Note: For presumption of consent of owners to placing of certain poles in public places, established after ten years, see 1945, c. 231.

Chapter 12. RAILROADS.

Note: For extension of time for completion of certain railroads, see 1941, c. 3; 1943, c. 4; 1945, c. 3.

R. S. 48:12-158 amended 1943, c. 150.

R. S. 48:12-162 repealed 1943, c. 94.

Chapter 17. TELEGRAPH AND TELEPHONE COMPANIES.

Note: For presumption of consent of owners to placing of certain poles in public places, established after ten years, see 1945, c. 231.

Chapter 21. SOUTH JERSEY TRANSIT AUTHORITY.

Note: For transfer of powers and duties to Department of Economic Development, see 1944, c. 85, amended 1945, c. 128.

R. S. 48:21-1 to 48:21-19 repealed 1944, c. 85, s. 52.

Title 50. SHELLFISH.

Chapter 1. BOARD OF SHELL FISHERIES.

Note: For transfer of functions, powers and duties to State Department of Conservation, see 1945, c. 22.

R. S. 50:1–1 to 50:1–4 repealed 1945, c. 22, s. 44.

Chapter 2. GENERAL REGULATORY PROVISIONS.

R. S. 50:2–10 amended 1945, c. 38, s. 1.

Chapter 3. REGULATIONS APPLICABLE TO DELAWARE RIVER, DELAWARE BAY AND THEIR TRIBUTARIES; DEPARTMENT OF MAURICE RIVER COVE.

Article 1. Method of Taking Shellfish; Size; Closed Seasons.

R. S. 50:3–6 amended 1945, c. 38, s. 2.

Article 4. (new) Licensing of Oyster Shuckers and Dealers.

Additional Legislation.

1943, c. 182, 1944, c. 142; repealed 1945, c. 39, s. 17.

Article 5. (new) Licensing of Oyster Shuckers, Planters and Dealers.

Licensing of oyster shucking houses, oyster planters and oyster dealers, provided for, suppl., 1945, c. 39.

Chapter 4. REGULATIONS APPLICABLE TO ATLANTIC COAST; DEPARTMENT OF ATLANTIC COAST.

R. S. 50:4–1 amended 1943, c. 134.

Title 51. STANDARDS, WEIGHTS, MEASURES AND CONTAINERS.

Chapter 1. WEIGHTS, MEASURES AND CONTAINERS.

R. S. 51:1–82 amended 1943, c. 135.

Additional Legislation.

Age limits for weighmasters and weighers during war time, provided for, suppl., 1943, c. 8.

Title 52. STATE GOVERNMENT, DEPARTMENTS AND OFFICERS.

Note: For annual State appropriation to municipalities employing full time policemen, firemen, etc., provided for, see 1944, c. 254.

Subtitle 1. GENERAL PROVISIONS.

Note: For time of war service not to be counted in determining maximum age limits for appointment or election to State office, position, etc., see 1944, c. 98.

Chapter 7. NOTARIES PUBLIC.

Additional Legislation.

Appointments, fees for commissions and filing of statements required by R. S. 52:7–8, provided for, 1944, c. 243.

Chapter 9C. NEW JERSEY COUNCIL.

Note: For transfer of powers and duties to Department of Economic Development, see 1944, c. 85, amended 1945, c. 128.

R. S. 52:9C–1 repealed 1944, c. 85, s. 52.

R. S. 52:9C–2 amended 1943, c. 111; repealed 1944, c. 85, s. 52.

R. S. 52:9C–3 repealed 1944, c. 85, s. 52.

R. S. 52:9C–4 " 1944, c. 85, s. 52.

Chapter 52:9H. (new) STATE FINANCES.

General State Fund to be sole State Fund; single budget and one general appropriation law, provided for, 1945, c. 33.

Chapter 9I. (new) COMMISSION ON STATE TAX POLICY.

Constitution, powers, duties, etc., suppl., 1945, c. 157, ss. 1-6.

Chapter 9G. (new) STATE COMMISSION ON POST-WAR ECONOMIC WELFARE.

Commission created, powers and duties, provided for, 1943, c. 192.

Sec. 1 of above amended 1944, c. 94, s. 1.
Sec. 2 " " " 1944, c. 94, s. 2.
Sec. 3 " " " 1944, c. 94, s. 3.

Subtitle 2. LEGISLATURE.

Note: For requirement of submission of bills for appropriation, apportionment or payment of State funds to Emergency State Commission on State Fiscal Affairs, see 1943, c. 2.

Subtitle 3. EXECUTIVE AND ADMINISTRATIVE DEPARTMENTS, OFFICERS AND EMPLOYEES.

Chapter 14. GENERAL PROVISIONS.

Note: For leave of absence for State employees for military service, see 1941, c. 119, amended 1942, c. 327; for time of war service not to be counted in determining maximum age limits for appointment or election to State office, position, etc., see 1944, c. 98; for certain discriminatory practices in employment and otherwise, prohibited and Division Against Discrimination in the State Department of Education, established, see 1945, c. 169.

Article 1. Co-operation between Departments.

Additional Legislation.

Interdepartmental transfer of employees, provided for, 1943, c. 216.

Article 3. Salaries, etc., of Officers and Employees in general.

Additional Legislation.

Deductions from salaries, etc., of employees, provided for, 1943, c. 69; 1943, c. 102.

Salary increases and bonuses, provided for, 1943, c. 124; 1944, c. 119.

Rate of mileage for use of private car by State officer or employee, fixed, 1943, c. 188.

Specific statutory maxima and minima of salaries and salary increases for State employees, abolished, salary ranges to be established by Civil Service Commission, 1945, c. 86.

Article 6. Investment of Moneys.

R. S. 52:14–33 amended 1944, c. 13.

Article 8A. (new) Rationing Provisions.

Additional Legislation.

Ration bank accounts, etc., authority to establish and administer, provided for, 1943, c. 142.

Article 9. (new) Post-War Reserve Account.

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"Post-war reserve account" in general State fund, creation, etc., provided for, 1944, c. 218.

Chapter 15. GOVERNOR.

R. S. 52:15–3 amended 1945, c. 88.

Chapter 16. SECRETARY OF STATE AND REGISTER OF PREROGATIVE COURT.

R. S. 52:16–3 amended 1945, c. 90.

Chapter 17. ATTORNEY GENERAL.

Note: For 1939, c. 101, repealed, see 1944, c. 20, s. 20.

R. S. 52:17–1 to 52:17–11 repealed 1944, c. 20, s. 20.

Chapter 17A. (new) DEPARTMENT OF LAW.

Department of Law, established, powers, etc., 1944, c. 20, ss. 1-19.

Chapter 18. STATE TREASURER.

R. S. 52:18–1 amended 1945, c. 89.

R. S. 52:18–18 " 1944, c. 79.

R. S. 52:18–22 repealed 1944, c. 112, art. 8, s. 10.

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Additional Legislation.

Deposit of United States Bonds by the Treasurer in Federal Reserve Bank without the State, in certain cases, authorized, 1942, c. 348.

Investment of certain moneys in United States securities, authorized, 1944, c. 148.

State Treasurer's Seal, style and use, 1945, c. 93.

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Note: For transfer of powers and duties to State Department of Taxation and Finance, see 1944, c. 112.

Article 1. In General.

R. S. 52:19–16 to 52:19–28 repealed 1944, c. 112, art. 8, s. 10.

Article 2. Division of Accounting.

R. S. 52:19–29 to 52:19–36 repealed 1944, c. 112, art. 8, s. 10.

Article 3. (new) Auditing and Preauditing Force.

Additional Legislation.

State central payroll system, installation, etc., authorized, 1942, c. 291.

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Note: For transfer of powers and duties to State Department of Taxation and Finance, see 1944, c. 112.

Article 1. Organization and Personnel.

R. S. 52:20–3 repealed 1944, c. 112, art. 8, s. 10.

Article 2. Powers and Duties of Commission.

R. S. 52:20–8 to 52:20–12 repealed 1944, c. 112, art. 8, s. 10.

R. S. 52:20–16 " 1944, c. 112, art. 8, s. 10.

Chapter 20A. (new) EMERGENCY STATE COMMISSION ON STATE FISCAL AFFAIRS.

Commission established, powers, duties, etc., 1943, c. 2.

Chapter 21. STATE PLANNING BOARD.

Note: For transfer of powers and duties to Department of Economic Development, see 1944, c. 85, amended 1945, c. 128.

R. S. 52:21–1 to 52:21–11 repealed 1944, c. 85, s. 52.

Chapter 22. STATE BUDGET AND STATE BUDGET COMMISSIONER.

Note: For transfer of powers and duties to State Department of Taxation and Finance, see 1944, c. 112; for fiscal year, Highway Department, fixed, see 1944, c. 159; for Governor's Budget Message to contain all appropriations recommended under one budget, see 1945, c. 33.

R. S. 52:22–1 to 52:22–22 repealed 1944, c. 112, art. 8, s. 10.

Chapter 23. COMMISSIONER OF FINANCE.

Note: For transfer of powers and duties to State Department of Taxation and Finance, see 1944, c. 112.

R. S. 52:23–1 to 52:23–16 repealed 1944, c. 112, art. 8, s. 10.

Chapter 24. STATE AUDITOR.

Note: For transfer of powers and duties of State Auditor to State Department of Local Government, see 1938, c. 158, amended 1942, c. 39, ss. 8 and 12 repealed 1944, c. 112, art. 8, s. 10.

Chapter 25. STATE PURCHASING DEPARTMENT.

Note: For transfer of powers and duties to State Department of Taxation and Finance, see 1944, c. 112.

Article 2. Organization and Personnel.

R. S. 52:25–7 to 52:25–10 repealed 1944, c. 112, art. 8, s. 10.

Article 3. General Powers and Duties of Commissioner.

R. S. 52:25–15 repealed 1944, c. 112, art. 8, s. 10.

Article 4. Standards and Specifications.

R. S. 52:25–17 to 52:25–21 repealed 1944, c. 112, art. 8, s. 10.

Article 5. Requisitions and Purchases.

R. S. 52:25–22 repealed 1944, c. 112, art. 8, s. 10.

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Chapter 26. STATE LIBRARY AND PUBLIC LIBRARY COMMISSION.

Note: For transfer of functions, powers, duties, etc., of State Library and Public Library Commission to Division of the State Library, Archives and History in the Department of Education, see 1945, c. 50.

R. S. 52:26–1 repealed 1945, c. 50, s. 22.

R. S. 52:26–4 " 1945, c. 50, s. 22.

R. S. 52:26–6 " 1945, c. 50, s. 22.

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Chapter 27. MUNICIPAL FINANCE COMMISSION.

Note: For personnel and powers of commission, see 1938, c. 158, amended 1942, c. 39, ss. 8 and 12 repealed 1944, c. 112, art. 8, s. 10.

Chapter 27A. (new) STATE DEPARTMENT OF LOCAL GOVERNMENT.

Note: For transfer of powers and duties to State Department of Taxation and Finance, see 1944, c. 112.

Article 1. (new) In General.

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Sec. 12 " " " 1944, c. 112, art. 8, s. 10.

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Sec. 3 of above amended 1945, c. 128, s. 1.

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R. S. 52:31–1 repealed 1944, c. 112, art. 8, s. 10.

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R. S. 52:31–7 " 1944, c. 112, art. 8, s. 10.

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Constitution, functions, powers and duties of Commission, prescribed, 1945, c. 310.

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R. S. 53:1–2 amended 1945, c. 85, s. 1.

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Note: For transfer of powers and duties to State Department of Taxation and Finance, see 1944, c. 112.

R. S. 54:1–3 to 54:1–5 repealed 1944, c. 112, art. 8, s. 10.

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R. S. 54:2–39 amended 1944, c. 240.

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R. S. 54:3–7 amended 1944, c. 189, s. 1.

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R. S. 54:4–3.3 amended 1944, c. 24, s. 1.

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R. S. 54:4-9 amended 1942, c. 281, s. 2; 1943, c. 120, s. 2; 1945, c. 163, ss. 3, 9, 10.

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R. S. 54:4-16 amended 1945, c. 163, ss. 5, 9, 10.

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R. S. 54:4-20 amended 1945, c. 132, ss. 9, 16, 17, 18.

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R. S. 54:4-22 amended 1945, c. 132, ss. 10, 16, 17.

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R. S. 54:4-23 amended 1942, c. 281, s. 3; 1943, c. 120, s. 3.

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R. S. 54:4-35 amended 1942, c. 281, s. 4; 1943, c. 120, s. 4.

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Reduction of assessments by reason of destruction, etc., or alteration of buildings, etc., certain cases, provided for, suppl., 1945, c. 260, s. 1.

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Sec. 2 of above amended 1945, c. 137, s. 1.

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R. S. 54:4–75 amended 1944, c. 46.

R. S. 54:4–78 " 1944, c. 134.

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R. S. 54:4–92 to 54:4–94 repealed 1943, c. 185.

Additional Legislation.

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R. S. 54:5–19 amended 1944, c. 108.

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R. S. 54:13–1 amended 1945, c. 132, ss. 11, 16, 17; repealed 1945, c. 162, s. 27.

R. S. 54:13–2 to 54:13–8 repealed 1945, c. 162, s. 27.

R. S. 54:13–11 amended 1945, c. 132, ss. 12, 16, 17.

R. S. 54:13–13 repealed 1945, c. 132, s. 15.

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R. S. 54:13–15 amended 1945, c. 132, ss. 13, 16, 17.

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R. S. 55:2–6 amended 1943, c. 67, s. 1.

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R. S. 55:3–24 amended 1943, c. 67, s. 2.

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R. S. 55:4–10 amended 1943, c. 67, s. 4.

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R. S. 55:5–4 amended 1943, c. 67, s. 6.

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R. S. 55:6–15 amended 1943, c. 67, s. 8.

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R. S. 55:8–22 amended 1943, c. 67, s. 9.

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Note: For transfer of powers and duties to Department of Economic Development, see 1944, c. 85, amended 1945, c. 128.

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Note: For transfer of functions, powers and duties to State Department of Conservation, see 1945, c. 22.

R. S. 58:16–2 repealed 1945, c. 22, s. 44.

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345		*	
346		45	11
347		*	
348		52	18
349		12	8
350		Val.	

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 6 following.

SCHEDULE 2

TABLE OF ALLOCATION OF 1943 STATUTES

Pamphlet Laws 1943		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
1		*	
2		52	20A (new)
3		Val.	
4		*	
5		*	
6		*	
7		*	
8		51	1
9		45	4A
10		54	49
11		44	8
12		2	16
13		17	34
14		17	26
15		17	34
16		17	34
17		45	9
18		*	
19		App. A	4
20		40	37
21		40	38
22		40	41
23		2	7
24		40	54
25		Val.	
26		*	
27		43	16
28		27	6
29		Val.	
30		Val.	
31		*	
32		2	26
33		40	60
34		*	
35		*	
36		8	2
37		33	1
38		54	35
39		40	60
40		2	192
41		2	190
42		2	195
43		2	195
44		34	2
45		27	13
46		33	1
47		33	1
48		40	3
49		9	17
50		Val.	
51		Val.	
52		*	
53		40	1
54		*	
55		40	37
56		30	9
57		46	2A (new)
58		30	9
59		2	212
60		45	15
61		54	3
62		*	
63		54	4
64		55	14A (added)
65		2	32
66		2	32
67	1	55	2
	2-3	55	3
	4-5	55	4
	6-7	55	5
	8	55	6
	9	55	8
	10	55	10
68		40	41
69		52	14
70		40	108

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 6 following.

Pamphlet Laws 1943		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
71		40	48
72		34	15
73		2	32
74		45	9
75		45	3
76		58	14
77		43	16
78		34	2
79		2	47
80		19	52
81		40	151
82		3	26
83		40	155
84		3	26
85		38	25A(new)
86		2	213
87		43	4
88		3	17
89		30	5
90		45	8
91		18	14
92		40	39
93		23	9
94		48	12
95		45	5
96		*	
97		9	18
98		39	3
99		45	24
100		4	12
101		39	3
102		52	14
103		*	
104		9	3
105		35	1
106		4	16
107		*	
108		*	
109		*	
110		54	50
111		52	9C
112		44	4
113		2	85
114		2	27
115		26	3
116		43	14
117		43	15
118		43	14
119		43	14
120		54	4
121		*	
122		45	4A
123		*	
124		52	14
125		*	
126		*	
127		*	
128		*	
129		30	6A
130		40	2
131		23	9
132		*	
133		*	
134		50	4
135		51	1
136		2	202
137		4	16
138		40	23
139		*	
140		*	
141		*	
142		52	14
143		40	146
144		54	5
145		46	3
146		34	2
147		46	16
148	1-11	17	34
	12	17	33
149		54	5
150		48	12
151		*	
152		33	1
153		33	1
154		33	1
155		46	2C(new)
156		38	23A(new)
157		46	2B(new)
158		Val.	
159		17	28
160		43	10
161		Val.	

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 6 following.

Pamphlet Laws 1943		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
162		*	
163		40	47
164		44	7
165		54	36
166		40	146
167		Val.	
168		Val.	
169		Val.	
170		14	12
171		43	21
172		18	15
173		39	3
174		17	18
175		14	8
176		14	8
177		18	10
178		2	26
179		18	13
180		18	13
181		18	10
182		50	3
183		40	48
184		40	2
185		54	4
186		43	7
187		18	5
188		52	14
189		43	13
190		40	83
191		40	41
192		52	9G (new)
193		43	7
194		43	9
195		34	2
196		*	
197		*	
198		40	50
199		40	1
200		11	24A (new)
201	1-2	18	6
	3-7	18	7
202		22	2
203		2	32
204		54	5
205		2	202
206		40	47
207		23	4
208		App. A	4
209		40	67
210		40	2
211		*	
212		18	14
213		*	
214		4	1
215		2	27
216		52	14
217		*	
218		19	31
219		19	31A (new)

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 6 following.

SCHEDULE 3

TABLE OF ALLOCATION OF 1944 STATUTES

Pamphlet Laws 1944		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
1		Val.	
2		Val.	
3		18	7
4		*	
5		39	3
6		*	
7		19	48
8	1	19	24
	2	19	25
	3	19	23
9		19	55 (new)
10		2	192
11		2	202
12		2	171A (new)
13		52	14
14		2	202
15		*	
16		19	14
17		*	
18		*	
19		55	14C (new)
20	1-19	52	17A (new)
	20	52	17
	20	27	1
	20	11	4
21		3	2
22		17	6
23		2	212
24		54	4
25	1	17	8
	2	Val.	
26		24	18
27	1-26, 28	17	29A (new)
	27	17	29
28		2	212
29		*	
30		17	4
31		2	220
32		2	182
33		*	
34		*	
35		40	88
36		46	19
37		27	6
38		39	3
39		2	212
40		*	
41		*	
42		*	
43		4	9
44		39	2
45		19	32
46		54	4
47		27	6
48		43	10
49		40	54
50		Val.	
51		*	
52		30	4
53		2	202
54		52	30
55		18	5
56		40	5
57		*	
58		*	
59		41	2
60		Val.	
61		40	21
62		*	
63		40	20
64		11	22
65	1-4	11	1
	5-9	11	2
	10	11	5
	11	11	7
66		2	182

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 6 following.

Pamphlet Laws 1944		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
67		2	7
68		40	38
69		40	41
70		26	2
71		54	4
72		17	38
73		17	34
74		54	35
75		54	38
76		2	60
77		40	60
78		23	4
79		52	18
80		43	21
81		43	21
82		17	12
83		35	2
84		44	7
85	1-51	52	27C (new)
	52	12	12
	52	38	24
	52	48	21
	52	52	9C
	52	52	21
	52	55	14
86		38	16
87		38	23
88		34	15
89		Val.	
90		40	171
91		Val.	
92		*	
93		*	
94		52	9G (new)
95		19	55
96		2	87
97		54	5
98		38	23A (new)
99	1	40	46
	2	40	87

Pamphlet Laws 1944		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
100		17	38
101		17	35
102		17	48A (new)
103		*	
104		17	6
105		1	9
106		18	14
107		18	14
108		54	5
109		3	2
110		27	15
111		23	9
112	1 (art. 1)	52	27B (new)
	1-8 (art. 2)		
	1-38 (art. 3)		
	1-4 (art. 4)		
	1 (art. 5)		
	1-16 (art. 6)		
	1-6 (art. 7)		
	1-9 (art. 8)		
	10 (art. 8)	52	18
	10 (art. 8)	52	19
	10 (art. 8)	52	20
	10 (art. 8)	52	22
	10 (art. 8)	52	23
	10 (art. 8)	52	25
	10 (art. 8)	52	31
	10 (art. 8)	54	1
	10 (art. 8)	52	27A (new)
113		18	13
114		3	16
115		54	4
116		36	1
117		Val.	
118		*	
119		*	
120		*	
121		58	18 (new)
122		*	
123		*	

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 6 following.

Pamphlet Laws 1944		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
124		*	
125		40	21
126		38	23B (new)
127		19	49
128		19	50
129		3	7
130		3	25
131		2	58
132		45	14
133		2	202
134		54	4
135		Val.	
136		2	8
137		40	1
138		*	
139		16	12
140		18	16
141		19	2
142		50	3
143		16	1
144		*	
145		*	
146		18	13
147		17	6
148		52	18
149		45	4
150		*	
151		54	4
152		19	45
153	1	17	28
	2	17	32
154		43	12
155		40	145
156		35	2
157		19	13
158		43	10
159		27	1
160		40	60
161		Val.	
162		44	8
163		23	4
164		2	32
165		2	8
166		45	9
167		45	9
168		18	3
169		55	14D (new)
170		*	
171		17	36
172		13	13
173		2	3
174		2	26
175		17	22
176	1	17	4
	2	Val.	
177		18	4
178		19	45
179		*	
180		18	13
181		3	8
182		40	21
183		2	32
184		2	32
185		18	13
186		2	32
187		33	1
188		22	2
189		54	3
190		2	199
191		43	4
192		*	
193		43	14
194		30	5
195		2	121
196		9	6
197		38	20

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 6 following.

Pamphlet Laws 1944		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
198		2	184
199		40	60
200		*	
201		43	14
202		4	1
203		34	8
204		54	6
205		*	
206		40	60
207		40	69
208		19	55
209		17	16
210		18	14
211		43	4
212		18	14
213		19	52
214		58	14
215	1	14	2
	2	14	11
216		33	1
217		18	2
218		52	14
219		*	
220		54	38A (new)
221		17	34
222		*	
223		43	12
224		44	6
225		*	
226	1-3	18	4A (new)
	4	18	5
227		5	5
228		39	3
229		43	10
230	1-4	19	31A (new)
	4	19	15
231		19	23
232		43	21
233		*	
234		43	10
235		40	1
236		40	72
237		15	15
238		3	7
239		9	3
240		54	2
241		30	6
242		3	42A (new)
243		52	7
244		Val.	
245		40	52
246		40	47
247		54	5
248		*	
249		38	16
250		App. A	4
251		19	31
252		40	38
253		43	16
254		40	47
255		43	16A (new)

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 6 following.

SCHEDULE 4

TABLE OF ALLOCATION OF 1945 STATUTES

Pamphlet Laws 1945		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
1		27	6
2		40	85
3		*	
4		*	
5		*	
6		*	
7	1-2	19	23
	3-48	19	55 (new)
8		40	75
9		40	84
10		34	15
11		19	55 (new)
12	1	19	54 (new)
	2	19	55 (new)
13		45	11
14		40	2
15		11	22
16		*	
17		Val.	
18		19	31
19		19	32
20		27	6
21		18	13
22		13	1A (new)
23		17	24
24		*	
25		17	12
26		40	1
27		App. A	4
28		40	84
29		40	75
30		*	
31		*	
32		34	13A (new)
33		52	9H (new)
34		*	
35		40	150
36		19	31
37		40	62
38	1	50	2
	2	50	3
39		50	3
40		19	32
41		Val.	
42		18	13
43		30	9
44		30	8
45		40	48
46		2	101
47		40	47
48		40	81
49		18	22
50		18	24
51	1-3	18	2
	4	18	22
	5-12	18	3
	13-14	*	
	15	18	22
52		*	
53		34	15
54		38	28 (new)
55		33	1
56	1-3	19	48
	4	19	49
	5-7	19	50
	8	19	51
	9-10	19	52
	11	19	32
57		18	13
58		27	1
59		19	48
60		*	
61		2	7
62		40	38
63		40	41
64		2	7
65		23	4
66		54	4A (new)

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 6 following.

Pamphlet Laws 1945		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
67		App A	7
68		19	23
69		*	
70		19	49
71		34	9A (new)
72		43	21
73		43	21
74	2-3	34	1
	4-20	34	15
75		19	31
76	1-2	19	17
	3	19	18
	4-5	19	23
77		19	31
78		*	
79		2	32
80		54	4
81		17	6
82		17	22
83		27	7A (new)
84		46	8
85		53	1
86		52	14
87		17	1
88		52	15
89		52	18
90		52	16
91		*	
92		*	
93		52	18
94		33	4 (new)
95		54	2
96		3	7
97		34	15
98		4	1
99		*	
100		2	8
101		26	4
102		26	4
103		26	4
104		26	4
105		38	20
106		38	18
107		23	4
108		*	
109		15	8
110		46	2C (new)
111		40	25
112		40	30
113		3	8
114		*	
115		*	
116		23	3
117		19	31
118		Val.	
119		3	7
120		52	27B (new)
121		40	20
122		19	48
123		2	32
124		*	
125		54	3
126		40	47
127		54	36
128		52	27C (new)
129		2	7
130		37	2
131		14	3
132	1-8	54	18A (new)
	9-10	54	4
	11-13	54	13
	14	54	17
	15	17	32
		54	13
		54	17
		54	4
	16-18	54	18A (new)
133		18	7
134		Val.	
135		2	32
136		2	32
137		54	4
138		40	46
139		16	15A (new)
140		17	12
141		17	12
142		17	12
143		17	12
144		17	12
145		46	18
146		17	12
147		55	14A (added)

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 6 following.

Pamphlet Laws 1945		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
148		43	16A (new)
149		30	8
150		43	16
151		*	
152		40	20
153		2	192
154		54	5
155		40	2
156		40	48
157	1-6	52	9I (new)
	7	*	
158		40	50
159		Val.	
160		40	50
161		17	50 (new)
162		54	10A (new)
163		54	4
164		*	
165		*	
166		*	
167		2	24
168		10	1
169	1-27	18	25 (new)
	28	*	
170		*	
171		10	2
172		18	14
173		30	9
174		10	1
175		38	23A (new)
176		38	23
177		45	14
178		17	35
179		17	6
180		*	
181		30	9
182		Val.	
183		9	17
184		19	12
185		38	23B (new)
186		17	18
187		17	34
188		17	38
189		39	6
190		3	16
191		2	176
192		26	3B (new)
193		45	6
194		3	16
195		58	5
196		9	3
197		32	1
198		32	10
199		17	9
200		2	10
201		38	17
202		26	6
203		43	21
204	1	4	1
	2-4	4	5
205		*	
206		19	27
207		*	
208		17	4
209		Val.	
210		3	2
211		18	2
212		18	22
213		43	13
214		43	10
215		18	24
216		*	
217		2	114
218		40	47
219		40	47
220		40	1
221		40	1
222		39	3
223		45	15
224	1-4	17	17
	5	17	33
	6	17	22
225		17	38
226	1	17	18
	2	17	24
227		17	35
228		17	34
229		33	1
230		40	75
231		48	3
232		54	5
233		46	2B (new)

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 6 following.

Pamphlet Laws 1945		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
234		38	23A (new)
235		4	16
236		Val.	
237		*	
238		*	
239		*	
240		*	
241		40	37
242		2	117
243		Val.	
244		43	10
245		*	
246		43	15
247		53	1
248		9	3
249		Val.	
250		2	50
251		*	
252		30	9
253		26	6
254		*	
255		*	
256		39	5
257		17	2
258		2	27
259		33	1
260		54	4
261		18	14
262		45	3
263		19	13
264		30	5
265		39	3
266		40	48
267		*	
268		40	43
269		*	
270		19	33
271		43	12
272		43	14
273		44	7
274		46	32
275	1	46	16
	2	46	19
276		22	2
277		40	46
278		2	8
279		2	8
280		2	8
281		43	9A (new)
282		40	61
283		2	67
284		39	5A (new)
285		19	23
286		2	101A (new)
287		43	12
288		43	14
289		2	181
290		19	23
291		9	18
292		40	49
293		3	42A (new)
294		24	10
295		4	12
296		2	178
297		40	146
298		Val.	
299		18	13
300		58	15A (new)
301		26	2A (new)
302		38	17
303		*	
304		19	32
305		43	1
306		54	49
307		43	21
308		43	21
309		40	148
310	1-7	52	31
	8	*	

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 6 following.

SCHEDULE 5

TABLE OF NUMBERED SECTIONS ADDED TO REVISED STATUTES (1937)

(1942, C. 281 to end—1943-1945)

Title 15.

Section Added	Act By Which Added
15:15–2	1944, c. 237

SCHEDULE 6

TABLE OF PUBLIC VALIDATING ACTS.

(1942, C. 281 to end—1943-1945)

Title 2. ADMINISTRATION OF CIVIL AND CRIMINAL JUSTICE.

Judicial sales ..... 1944, c. 91
1945, c. 159

Title 9. CHILDREN—JUVENILE AND DOMESTIC RELATIONS COURTS.

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