

LAWS=NEW JERSEY
1933

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ACTS

OF THE

One Hundred and Fifty-Seventh Legislature

OF THE

STATE OF NEW JERSEY

AND

Eighty-Ninth Under the New Constitution



1933

New Jersey State Library

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The following laws, passed by the One Hundred and Fifty-seventh 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.

THOMAS A. MATHIS,
Secretary of State.

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OF THE
One Hundred and Fifty-seventh Legislature
OF NEW JERSEY

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LAWS



ACTS

PASSED BY THE

One Hundred and Fifty-seventh Legislature

CHAPTER 1

AN ACT to amend an act entitled "An act respecting the salaries or compensation of officers and employees of and persons holding positions under the government of this State," approved June tenth, one thousand nine hundred and thirty-two.

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

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

Section 8
amended.

8. The deductions as provided for in this act shall be made from the salary or compensation of all officers, employees or persons holding office, positions or employment under the government of this State notwithstanding such officers, employees or persons holding positions may not be paid directly from the treasury of this State but may be paid from proceeds derived from appropriations, license fees or from other sources. The moneys thus deducted from the salary or compensation of any such officer, employee or person holding position under the government of this State, shall be deposited by the Treasurer of this State in the general State fund for the use of the State.

All State
officers and
employees
affected.

Sums de-
ducted placed
in State
treasury.

2. This act shall take effect on January tenth, one thousand nine hundred and thirty-three.

Act effective.

Approved January 17, 1933.

A. HARRY MOORE,
Governor.

CHAPTER 2

AN ACT to amend an act entitled "A supplement to an act entitled 'An act for the relief of the unemployed and dependents in the several counties and municipalities of this State and making appropriations therefor,' approved October thirteenth, one thousand nine hundred and thirty-one," approved December fifteenth, one thousand nine hundred and thirty-one.

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

Section 5
amended.

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

Repealer.

5. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed and this act shall take effect immediately, but shall become inoperative on and after January thirty-first, one thousand nine hundred and thirty-four.

Act
inoperative.

2. This act shall take effect immediately.
Approved January 25, 1933.

CHAPTER 3

AN ACT to amend an act entitled "A supplement to an act entitled 'An act for the relief of the unemployed and dependents in the several counties and municipalities of this State and making appropriations therefor,' approved October thirteenth, one thousand nine hundred and thirty-one," approved October twenty-seventh, one thousand nine hundred and thirty-one.

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

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

2. This act shall take effect immediately, but shall become inoperative from and after the thirty-first day of January, one thousand nine hundred and thirty-four. Act inoperative.

2. This act shall take effect immediately.

Approved January 25, 1933.

CHAPTER 4

AN ACT to amend an act entitled "An act for the relief of the unemployed and dependents in the several counties and municipalities of this State and making appropriations therefor," approved October thirteenth, one thousand nine hundred and thirty-one.

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

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

Emergency relief administration.	<p>1. There is hereby created a temporary State Emergency Relief Administration whose principal executive and administrative officer shall be a State Director of Emergency Relief who shall be appointed by the Governor, with the advice and consent of the Senate, for a term of one year and until his successor is appointed and qualified. Each county in this State is hereby declared to be a relief district within the meaning of this act, and all relief measures undertaken and all grants of funds made to communities and political subdivisions of the State for relief purposes shall be undertaken through and made to the several districts as herein provided. The Commissioner of Institutions and Agencies, the Commissioner of Labor, and the Commissioner of Municipal Accounts shall constitute a State Administrative Council. Such council shall be responsible to the State Director and shall, subject to his direction and assignment, administer the detailed expenditures of State funds, determine and regulate the assistance granted to county relief districts and other local political subdivisions in accordance with the rules and regulations prescribed by him and perform such other duties and assume such other responsibility with respect to the State program for emergency relief as he may prescribe. The State Director shall also have authority to appoint a county director of emergency relief in each county of this State and such other employees and assistants as he may deem necessary to carry out the provisions of this act, and such advisory councils and committees as he may deem necessary. The State Director, the county directors and the several members of such councils and committees as may be appointed shall serve without compensation, but they may be paid the necessary and actual expenses incurred by them in the performance of their duties hereunder out of appropriations herein made. The director shall also have sole authority to appoint such temporary assistants and employees as he may find necessary and fix their compensation and period of service, it</p>
Director.	
Term.	
County relief districts.	
Administrative council.	
Council responsible to director.	
Duties.	
Rules and regulations.	
County director.	
Assistants.	
No compensation.	
Expenses met.	
Paid assistants.	

being declared as the intention of this authority that in so far as may be found practicable the necessary employees and assistants required by the State Director or by county directors in the handling of all relief work undertaken hereunder shall be recruited from the present public officers and employees of the State, county and municipal governments, and that in all cases they shall serve without compensation. The salaries and expenses of such temporary assistants and employes as may be so appointed shall likewise be paid out of appropriations herein made. The principal office of the Emergency Relief Administration shall be at the State Capitol, but offices may be maintained at other places and in other public buildings as the State Director may determine. The State Director, the members of the administrative council and each county director shall, before entering upon the duties of his office, take and subscribe the usual oath of office, the same to be filed in the office of the Secretary of State. The State Director may bond in such sums as he may deem sufficient any assistant, employee or officer charged with the handling of and accounting for State funds. The Emergency Relief Administration shall continue to function only until such time as the Governor shall by proclamation declare that the emergency necessitating its creation has ceased to exist.

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

10. This act shall take effect immediately, but shall become inoperative from and after the thirty-first day of January, one thousand nine hundred and thirty-four.

3. This act shall take effect immediately.

Approved January 25, 1933.

How paid.

Offices.

Oath.

Bonds.

Continuance.

Section 10 amended.

When act inoperative.

CHAPTER 5

AN ACT to amend an act entitled "An act relative to moneys received from the State by any county or municipality in aid of any approved program for the relief of unemployed and dependents," approved December fifteenth, one thousand nine hundred and thirty-one.

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

Section 2
amended.

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

Repealer.

2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed and this act shall take effect immediately, but shall become inoperative on and after January thirty-first, one thousand nine hundred and thirty-four.

When act
inoperative.

2. This act shall take effect immediately.

Approved January 25, 1933.

CHAPTER 6

AN ACT to amend an act entitled "A further supplement to an act entitled 'An act to establish a State Highway Department and to define its powers and duties, and vesting therein all of the powers and duties now devolved by law upon the Commissioner of Public Roads, and the existing State Highway Commission and Highway Commission,' approved March thirteenth, nineteen hundred and seventeen," approved December fifteenth, one thousand nine hundred and thirty-one.

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

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

2. These powers shall be in addition to and not in limitation of the powers heretofore conferred upon the State Highway Commission and the powers herein conferred shall cease on the thirty-first day of January, one thousand nine hundred and thirty-four. Powers deemed additional.

2. This act shall take effect immediately.
Approved January 25, 1933, Act inoperative.

CHAPTER 7

AN ACT authorizing municipalities other than counties to issue notes or bonds for the relief of the poor during the present emergency of unemployment.

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

Authorizing
issuance
of bonds.

1. The governing body of any municipality other than a county may issue notes or bonds for the purposes of relief to the poor for which no other appropriations have been made or shall be made by said municipality, and any such notes or bonds issued for any of said purposes are hereby declared to be issued as an emergency.

Temporary
bonds
issued.

2. In order that any municipality may be able to finance its program for relief of the poor, such municipality is hereby authorized to issue temporary notes or bonds, by resolution of the governing body thereof, from time to time as said funds are needed. Within three months from the time the State has made its full contribution in aid of such purpose the municipality shall refinance such temporary notes or bonds then unpaid as follows: notes or bonds shall be issued for the payment of the temporary notes or bonds theretofore authorized, less, however, the amount of the aid contributed by the State. Such notes or bonds shall bear interest at a rate not exceeding six per centum per annum, and shall be payable in not more than eight equal annual installments commencing not more than two years from the date of issue. Any municipality issuing notes or bonds pursuant to the provisions of this act shall in each and every year raise by taxation a sum sufficient to pay the interest or interest and principal of any such notes or bonds when due. The amount of any such notes or bonds so issued to the extent of not exceeding

Refinancing.

Interest.

Payment of
interest and
principal.

Amount
issued.

one-half of one per centum of the assessed valuation of the taxable real property (including improvements) of such municipality, computed upon the next preceding three years' valuations thereof may be deducted from any annual or supplemental debt statement required by law to be made or filed, and such notes or bonds may be issued notwithstanding any debt limitation prescribed by any other law, and shall be general obligations of the municipality. Except as otherwise provided in this act the mode and method of procedure for the issuance and sale of notes or bonds under this act shall conform to the provisions of an act entitled "An act to authorize and regulate the issuance of bonds and other obligations and the incurring of indebtedness, by county, city, borough, village, town, township, or any municipality governed by an improvement commission or any municipality governed by a board of commissioners," as said title was amended as here given by act approved March twenty-second, one thousand nine hundred and twenty-six. No notes or bonds issued under the authority of this act shall be issued except for the financing of a plan or program approved by the State Director of Emergency Relief, unless such municipality shall, by resolution, undertake relief in excess of that outlined in any program submitted and approved by said director.

General
obligation.
Method of
issuing.

Construing act.

3. This act shall take effect immediately, but shall become inoperative on and after January thirty-first, one thousand nine hundred and thirty-four.

Act
inoperative.

Approved January 25, 1933.

CHAPTER 8

A SUPPLEMENT to an act entitled "An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations," approved April eighth, one thousand nine hundred and twenty-one.

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

Registration
fees paid
by non-
resident
owners.

1. Every motor vehicle, omnibus or motor drawn vehicle belonging to any person not a resident of this State, for which registration in this State is required by reason of the fact that the laws of the State, territory, federal district of the United States or the province in the Dominion of Canada in which the nonresident resides requires the payment of a registration fee from a resident of New Jersey for the operation of a similar motor vehicle, omnibus or motor drawn vehicle in said State, territory, federal district or province, even though the said resident of New Jersey has complied with the laws of this State with respect to the registration of said motor vehicle, omnibus or motor drawn vehicle, shall not be registered in this State unless a registration fee is paid to the Commissioner of Motor Vehicles equal in amount to that collected by the authorized official or body of the State, territory, district or province of the nonresident for the registration of the motor vehicle, omnibus or motor drawn vehicle belonging to the said nonresident; but in no case shall the fee be less than the amount

Amount
of fee.

as is now or hereafter provided for by the laws of this State for the registration of a similar motor vehicle, omnibus or motor drawn vehicle.

2. This act shall take effect immediately.

Approved January 25, 1933.

CHAPTER 9

AN ACT to amend an act entitled "An act concerning municipal finances," approved April twenty-eighth, anno Domini one thousand nine hundred and thirty-one.

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

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

Section 101 amended.

101. Whenever it shall be made to appear to a justice of the Supreme Court from any petition filed with him by or on behalf of the holder of any notes or bonds of any municipal corporation of this State, verified by the petitioner, or his or its duly authorized agent, that such municipality has defaulted for over sixty days in the payment of the principal or interest of any of its outstanding notes or bonds held by such petitioner, it shall be lawful for said justice of the Supreme Court to make a summary investigation into the facts disclosed in said petition, and for that purpose he shall have the power to subpoena witnesses and call before him any officers of said municipality. If it shall be established to the satisfaction of said justice that said municipality is so in default, he may make an order to that effect and file the same, together with the said petition, in the office of the clerk of the Supreme Court.

In case of municipal default.

Summary investigations.

Order filed.

Approved January 25, 1933.

CHAPTER 10

AN ACT to supplement an act entitled "An act to revise and amend 'An act for the taxation of railroad and canal property,' approved April tenth, eighteen hundred and eighty-four," approved March twenty-seventh, eighteen hundred and eighty-eight.

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

Reviewing
assessment
of taxes.

Supersedes
issued.

Proceedings.

1. Upon the granting of any writ of certiorari to review any tax assessed under the act to which this act is a supplement, the court shall require that the prosecutor pay that part of said tax which is not in dispute, and if the parties are unable to agree upon the amount thereof the same shall be ascertained by the court directly or by reference to a Supreme Court commissioner, and a supersedeas shall be issued to stay the collection of the disputed portion of the tax until the final determination of the proceedings to review said tax. In all proceedings to review any such tax under the provisions of this act, the prosecutor shall have the benefit of the provisions of section eleven of an act entitled "An act relative to the writ of certiorari" (Revision of 1903), approved April eighth, one thousand nine hundred and three.

2. This act shall take effect immediately.
Approved January 25, 1933.

CHAPTER 11

AN ACT to amend an act entitled "An act to revise and amend an act entitled 'An act for the taxation of railroad and canal property,' approved April tenth, one thousand eight hundred eighty-four," approved March twenty-seventh, one thousand eight hundred eighty-eight.

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

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

Section 12
amended.

12. The said State board of assessors shall meet on the third Monday of November at the State House, in Trenton, for the purpose of reviewing their assessment, and may adjourn from time to time till they shall have finished the hearing; upon the written complaint of any company or person considering itself or himself aggrieved, and specifying the grievance, or of the Attorney-General or of any member of the board, on behalf of the State, that the property of any company is assessed too low, either in the whole or in any taxing district, or that property has been omitted, they shall review the said assessment, and correct the same as shall appear just; and to that end, said board shall have power to remove any illegal discrimination or lack of uniformity of taxation found to exist between property assessed under this act and property assessed under any other act; the Attorney-General shall attend such meetings of said board in person or by deputy; no complaint that any company or person is assessed too low, or that any property has been omitted, shall be acted upon until the company or person so assessed shall be notified of such complaint by five days' notice, to

Reviewing
assessments.

Complaint.

Illegal dis-
crimination.

Notice of
complaint.

Subpoenas. be served on such company or person by leaving the same at the office of such company or at the usual place of abode of such person, if a resident of this State; the board shall have the power to issue subpoenas and examine witnesses and call for the production of books and papers, and they shall be entitled to use their personal knowledge and judgment as to the value of property; they shall certify to the comptroller of the State all corrections which they shall make in any assessment; the proceedings provided for by this section shall be completed before the fifteenth day of January following the making of said assessment, and all complaints must be presented on or before the third Monday of November, or shall be deemed to have been waived.

Certification of corrections. Proceedings completed. Complaints presented.

2. This act shall take effect immediately.
Approved January 25, 1933.

CHAPTER 12

AN ACT respecting the salaries or compensation of officers and employees of and persons holding positions in the several school districts of this State.

Preamble. WHEREAS, due to present economic conditions, an emergency exists which requires that the board of education of every school district in this State be enabled to fix and determine, by resolution, the amount of salary or compensation to be paid to officers and employees of and persons holding positions in any such school district; therefore,

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

Board of education empowered to fix salaries. 1. The board of education of every school district in this State shall have full authority, by

resolution, to fix and determine the salaries and compensation to be paid to officers and employees of and persons holding positions in any such school district, between the first day of July, one thousand nine hundred and thirty-three, and the first day of July, one thousand nine hundred and thirty-four, notwithstanding any such person be under tenure or not; *provided, however*, that no salary or compensation of any officer or employee of or person holding a position in any school district shall be increased between the first day of July, one thousand nine hundred and thirty-three, and the first day of July, one thousand nine hundred and thirty-four; *and provided, further*, that if any such person be a member of the Teachers' Pension and Annuity Fund of the State of New Jersey, or any employees' pension fund, such person may continue to pay, or cause to be paid, into such pension fund the same amount as if such salary or compensation had not been changed, and upon the death or retirement of such member, he or his beneficiary shall be entitled to the same benefits as if his salary or compensation had not been changed; *and provided, further*, that in fixing salaries or compensation there shall be no discrimination among or between individuals in the same class of service; *provided, however*, that the existing minimum salary of teachers of seventy dollars per month shall not be changed.

Proviso.

Proviso.

Proviso.

Proviso.

2. Nothing in this act contained shall be construed to affect or impair the continuity of position or employment under any tenure of office statute.

Construing act.

3. This act shall take effect immediately.

Approved February 4, 1933.

CHAPTER 13

A SUPPLEMENT to an act entitled "An act concerning counties," approved March fourth, one thousand nine hundred and eighteen.

Preamble.

WHEREAS, due to present economic conditions an emergency exists which requires that the board of chosen freeholders in every county be enabled to fix and determine, by resolution, the amount of salary or compensation to be paid to officers and employees of and persons holding positions in any such county; therefore,

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

Board of freeholders empowered to fix salaries.

1. The board of chosen freeholders of every county shall have full authority, by resolution, to fix and determine the salaries and compensation to be paid to officers and employees of and persons holding positions in any such county, between the first day of January, one thousand nine hundred and thirty-three, and the first day of January, one thousand nine hundred and thirty-four; *provided, however,* that no salary or compensation of any officer or employee of or person holding a position in any county shall be increased between the first day of January, one thousand nine hundred and thirty-three, and the first day of January, one thousand nine hundred and thirty-four; *and provided, further,* that if any such person be a member of any pension or retirement fund, such person may continue to pay, or cause to be paid, into such pension or retirement fund the same amount as if such salary or compensation had not been changed, and upon the death or retirement of such member, he or his beneficiary shall be entitled to the same benefits as if his salary or compensation had not been changed; *and provided, further,* that in fixing

Proviso.

Proviso.

Proviso.

salaries or compensation there shall be no discrimination among or between individuals in the same class of service.

2. Nothing in this act contained shall be construed to affect or impair the continuity of position or employment under any civil service law, or any tenure of office statute. Construing act.

3. This act shall take effect immediately.

Approved February 4, 1933.

CHAPTER 14

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

WHEREAS, due to present economic conditions an emergency exists which requires that the governing body of every municipality be enabled to fix and determine, by resolution, the amount of salary or compensation to be paid to officers and employees of and persons holding positions in any such municipality; therefore, Preamble.

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

1. The governing body of every municipality shall have full authority, by resolution, to fix and determine the salaries and compensation to be paid to officers and employees of and persons holding positions in any such municipality, between the first day of January, one thousand nine hundred and thirty-three, and the first day of January, one thousand nine hundred and thirty-four; *provided, however,* that no salary or compensation of any officer or employee of or person holding a position in any municipality shall be increased between the Governing body empowered to fix salaries. Proviso.

- Proviso. first day of January, one thousand nine hundred and thirty-three, and the first day of January, one thousand nine hundred and thirty-four; *and provided, further*, that if any such person be a member of any pension or retirement fund, such person may continue to pay, or cause to be paid, into such pension or retirement fund the same amount as if such salary or compensation had not been changed, and upon the death or retirement of such member, he or his beneficiary shall be entitled to the same benefits as if his salary or compensation had not been changed; *and provided, further*, that in fixing salaries or compensation there shall be no discrimination among or between individuals in the same class of service.
- Proviso. 2. Nothing in this act contained shall be construed to affect or impair the continuity of position or employment under any civil service law, or any tenure of office statute.
- Construing act. 3. This act shall take effect immediately.
- Approved February 4, 1933.

CHAPTER 15

A SUPPLEMENT to an act entitled "An act concerning counties," approved March fourth, nineteen hundred and eighteen.

- Preamble. WHEREAS, certain functions of local administration are carried out by boards, commissions, officers and/or agencies through funds required to be raised by the several counties, and
- Preamble. WHEREAS, in many such instances the county authorities have no control over the amount of funds to be raised for such purposes by reason of the fact that the amount thereof is determined, in some instances, by legislative enactment, in other instances by the disbursing agency itself

and in other instances by special bodies created for that purpose, so that counties seeking to bring about a reduction in the costs of local administration are frequently hampered in such effort by the demands of such boards, commissions, officers or agencies, and

WHEREAS, it is deemed in the interest of economic relief during the existing economic emergency that the several counties be empowered to reduce the amount of funds to be raised for the aforesaid purposes proportionably with reductions by the respective counties in budget items within their respective control. Preamble.

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

1. Wherever appropriations to be expended by any board, commission, officer or agency for local administrative purposes shall not rest in the discretion of the board of chosen freeholders of the county but are fixed by statute or any State or county agency, the board of chosen freeholders is hereby authorized, in its discretion, to reduce the amount of such appropriation so fixed by a percentage not exceeding the percentage of reduction made by the board of chosen freeholders in the total of the items within the control of the board of chosen freeholders, as compared with the total of such budget items in the county budget for the year one thousand nine hundred and thirty. Freeholders empowered to reduce appropriation.

2. Said board of chosen freeholders may, in its discretion, likewise refuse to appropriate for the use of any such board, commission, officer or agency, where the budget thereof is determined by such board, commission, officer or agency or by a special body created for that purpose, any sum greater than the sum appropriated therefor for the year one thousand nine hundred and thirty-two, less the percentage, thereto applied, of the reduction in county budgetary appropriations defined in section one hereof. Board may refuse to appropriate.

Budget may
be opened.

Time for
adoption of
budget ex-
tended.

Construing
act.

Application
of act.

3. Any budget for the calendar year one thousand nine hundred and thirty-three, heretofore adopted, may be opened for the purposes of this act. The time now limited by statute for the adoption of the budget is hereby extended for a period of fifteen days from the date now fixed by law.

4. Nothing in this act contained shall be construed to affect or impair the rights of any person in any pension fund, or continuity of position or employment under any civil service law or any tenure of office statute.

5. This act shall apply to budgets for the fiscal year, one thousand nine hundred and thirty-three only.

6. This act shall take effect immediately.

Approved February 4, 1933.

CHAPTER 16

A SUPPLEMENT to an act entitled "An act concerning municipalities," approved March twenty-seventh, nineteen hundred and seventeen.

Preamble.

WHEREAS, certain functions of local administration are carried out by boards, commissions, officers and/or agencies through funds required to be raised by the several municipalities, and

Preamble.

WHEREAS, in many such instances the municipal authorities have no control over the amount of funds to be raised for such purposes by reason of the fact that the amount thereof is determined, in some instances, by legislative enactment, in other instances by the disbursing agency itself, and in other instances by special bodies created for that purpose, so that municipalities seeking to bring about a reduction in the costs of local administration are frequently hampered in such effort by the demands of such boards, commissions, officers or agencies, and

WHEREAS, it is deemed in the interest of economic relief during the existing economic emergency that the several municipalities be empowered to reduce the amount of funds to be raised for the aforesaid purposes proportionately with reductions by the respective municipalities in budget items within their respective control,

Preamble.

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

1. Wherever appropriations to be expended by any board, commission, officer or agency for local administrative purposes shall not rest in the discretion of the governing body of the municipality but are fixed by statute or any State or county agency, the governing body is hereby authorized, in its discretion, to reduce the amount of such appropriation so fixed by a percentage not exceeding the percentage of reduction made by the governing body in the total of the items within the control of the governing body, excluding appropriations for emergency relief as compared with the total of such budget items in the municipal budget for the year 1930.

Governing body empowered to reduce appropriations.

2. Said governing body may, in its discretion, likewise refuse to appropriate for the use of any such board, commission, officer or agency, where the budget thereof is determined by such board, commission, officer or agency or by a special body created for that purpose, any sum greater than the sum appropriated therefor for the year 1932, less the percentage, thereto applied, of the reduction in municipal budgetary appropriations defined in section one hereof.

Governing body may refuse to appropriate.

3. Any budget for the calendar year 1933 heretofore adopted, may be opened for the purposes of this act. The time now limited by statute for the adoption of the budget is hereby extended for a period of fifteen days from the date now fixed by law.

Budget may be opened.

Time extended for adoption of budget.

4. Nothing in this act contained shall be construed to affect or impair the rights of any person

Construing act.

in any pension fund, or continuity of position or employment under any civil service law or any tenure of office statute.

Application
of act.

5. This act shall apply to budgets for the fiscal year one thousand nine hundred and thirty-three only.

6. This act shall take effect immediately.

Approved February 4, 1933.

CHAPTER 17

AN ACT respecting the salaries or compensation of officers and employees of and persons holding positions under the government of this State, whose salaries or compensation are paid by counties or municipalities.

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

Deduction
from salary.

1. The governing body of every county or municipality may, by resolution, direct that the treasurer or other like officer of any county or municipality, deduct from the salary or compensation to be paid to any officer or employee of or person holding a position under the government of this State, whose salary or compensation is paid by any such county or municipality, beginning with the first day of January, one thousand nine hundred and thirty-three, and ending on the thirty-first day of December, one thousand nine hundred and thirty-three, such sum of money as such governing body shall deem proper, but such deductions shall not exceed in percentage the amount authorized to be deducted in any schedule adopted or to be adopted by any such county or municipality for officers, employees and persons holding positions in any such county or municipality; *provided, however,* that in making deductions from salaries or compensation there

Amount of
deductions.

Proviso.

shall be no discrimination among or between individuals in the same class of service.

2. The amount deducted pursuant to the provisions of this act shall form part of the general funds of any such county or municipality, and shall be subject to current appropriation.

Reverts to
general fund.

3. No salary or compensation of any officer or employee of or person holding a position under the government of this State, whose salary or compensation is paid by any such county or municipality, shall be increased between the first day of January, one thousand nine hundred and thirty-three, and the first day of January, one thousand nine hundred and thirty-four.

No increase
in salary.

4. If any officer or employee of or person holding a position under the government of this State, whose salary or compensation is paid by any county or municipality, shall receive two or more salaries or compensations from the State and/or any political subdivision thereof, such salaries or compensations shall be added together and the total thereof shall be considered and treated as one sum, and the deductions herein authorized shall be made from such total sum, as constituting the salary or compensation received by such officer or employee of or person holding a position under the government of this State, whose salary or compensation is paid by any such county or municipality.

Dual salaries
treated as one.

5. Notwithstanding the passage and approval of this act, the amount to be deducted from the salary or compensation of any officer or employee of or person holding a position under the government of this State, whose salary or compensation is paid by any county or municipality, by reason of membership in any pension fund, shall be at his option from the total salary or compensation due such officer or employee of or person holding a position as aforesaid in any such county or municipality, without regard to the amount deducted from such salary or compensation pursuant to the provisions

Deduction
from total
salary.

of this act, or from such reduced salary or compensation.

Construing
act.

6. Nothing in this act contained shall be construed to affect or impair the rights of any person in any pension fund, or continuity of position or employment under any civil service law or tenure of office statute.

7. This act shall take effect immediately.

Approved February 4, 1933.

CHAPTER 18

AN ACT authorizing the board of chosen freeholders of every county and the governing body of every municipality to fix the salary or compensation of its members.

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

Board may
fix salaries.

1. The board of chosen freeholders of every county and the governing body of every municipality may, by resolution, fix the salary or compensation of its members, any law, general or special to the contrary notwithstanding, but, in no event, may the salary of such members be increased.

No increase.

Act
inoperative.

2. This act shall take effect immediately, and shall become inoperative on January first, one thousand nine hundred and thirty-four.

Approved February 4, 1933.

CHAPTER 19

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

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

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

Section 95 amended.

95. It shall be the duty of the prosecutor of the pleas for each county to use all reasonable and lawful diligence for the detection, arrest, indictment and conviction of offenders against the laws; and all necessary expenses incurred thereby, certified to and approved under his hand, by a judge of the Court of Oyer and Terminer, or judge of the Court of Quarter Sessions for any county, shall be paid by the board of chosen freeholders thereof, whenever the same shall be approved by such board of chosen freeholders; *provided, however,* that the amount or amounts to be expended shall not exceed the amount fixed by the board of chosen freeholders in its regular or emergency appropriation, unless such expenditure is specifically authorized by order of the justice of the Supreme Court presiding in such county.

Prosecution of offenders.

As to expenses.

Proviso.

2. This act shall take effect immediately.

Approved February 4, 1933.

CHAPTER 20

AN ACT concerning county and municipal budgets.

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

Reopening
budget.

1. All counties and municipalities shall have fifteen days additional time beyond the time now limited by law within which to fix and adopt their respective budgets, and all budgets already adopted may be re-opened.

Act
inoperative.

2. This act shall take effect immediately but shall become inoperative on July first, one thousand nine hundred and thirty-three.

Approved February 4, 1933.

CHAPTER 21

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

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

Section 3
amended.

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

Pay of petit
jurors.

3. Every person summoned as a petit juror in the Supreme Court, Circuit Courts, the Courts of Oyer and Terminer and general jail delivery, Common Pleas and the General Quarter Sessions of the Peace, shall receive the sum of three dollars for every day's attendance at such courts, to be paid at

the expiration of each term of service, by the sheriff of the county in which the juror shall serve, or at such other time or times within said term as the board of chosen freeholders shall direct; *provided, however,* that the board of chosen freeholders of any county, in an emergency, may, by resolution, reduce the amount herein fixed to such an amount as the board may determine.

Proviso.

2. This act shall take effect immediately.

Approved February 4, 1933.

CHAPTER 22

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

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

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

Section 1
amended.

1. If the voters in any school district in which the appropriations are voted by the inhabitants of that district shall reject the entire budget or any items of appropriation necessary to meet the annual cost of education in the district submitted at the annual district school election, the board of education shall within fifteen days submit again at a special district school election called for that purpose, the items that were rejected at the annual district school election. The items to be submitted at this special district meeting may be in the same

Procedure
when budget
rejected.

Another
election.

Resubmission.

Second rejection.

Municipal action.

Amount placed in tax levy.

In case of failure to certify State Commissioner to act.

Certified amount included in tax levy.

or less amounts than those submitted at the said annual election. Should the voters at the second election reject any of the items as submitted, the governing body of the municipality in which said school district is located, or in consolidated school districts the governing bodies of the municipalities comprising said school district, after consultation with the local board of education, shall within ten days after the receipt of the proposed school budget from said board of education, certify to the county board of taxation the amount or amounts which said governing body or governing bodies determine to be necessary to provide a thorough and efficient system of schools in said district. The amount or amounts so certified shall be included in the tax levied for such municipality or municipalities for such purposes. Should the governing body or governing bodies of such municipalities fail to certify to the county board of taxation within said time an amount which in their judgment is necessary for any of the items which the voters had rejected at the second election, or should the governing bodies of the municipalities comprising a consolidated school district fail to agree and certify different amounts, then in either such case the Commissioner of Education of the State of New Jersey shall determine and certify to the county board of taxation the amount or amounts which in his judgment shall be necessary to provide a thorough and efficient system in said district. The amount or amounts so certified shall be included in the tax levied for such municipality or municipalities for such purposes.

2. This act shall take effect immediately.

Approved February 8, 1933.

CHAPTER 23

An Act authorizing, validating, ratifying and confirming bonds of any city for poor relief or unemployment relief.

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

1. All bonds for the funding of floating indebtedness incurred to finance temporarily the relief of the poor or the relief of the unemployed of any city, issued prior to the date when this act shall take effect, and all bonds for the funding of said indebtedness of any city issued subsequent to the date when this act shall take effect for which payment at not less than the par value thereof has been received by any such city prior to the date when this act shall take effect (including all proceedings for the issuance of any such bonds, both issued and to be issued, taken prior to the date when this act shall take effect), are hereby authorized, validated, ratified and confirmed, notwithstanding any lack of statutory authority therefor and notwithstanding any defects or irregularities in said proceedings.

Validating
issue of
bonds for
relief of
poor or un-
employed.

2. This act shall take effect immediately.
Approved February 8, 1933.

CHAPTER 24

An Act to amend an act entitled "An act to regulate elections" (Revision of 1930), approved April eighteenth, one thousand nine hundred and thirty.

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

Paragraph 557 amended.

1. Paragraph five hundred and fifty-seven, section six, article XXXVIII, of the act of which this act is amendatory be and the same is hereby amended so that the same shall read as follows:

Compensation of Members of the District Boards:

Paying election boards.

Par. 557, Sec. 6. The compensation of each member of the district boards for all services performed by them under the provisions of this act shall be paid within thirty days after each general election and shall be as follows:

Rates of compensation.

For each registry day other than the primary registry day, including the services in making and completing the house-to-house canvass in municipalities not having permanent registration, ten dollars; for the primary registry day, including all services rendered in holding the primary election, except services in mailing the ballots, fifteen dollars; for mailing the primary election sample ballots, two dollars; for mailing the general election sample ballots, three dollars; for all services on general election day, including the counting of votes and delivery of returns and ballot box with contents to the municipal clerk, fifteen dollars; for all services at any special election, fifteen dollars. The same shall be in lieu of all other fees and payments whatsoever.

Special elections.

2. This act shall take effect immediately.

Approved February 16, 1933.

CHAPTER 25

An Act to amend an act entitled "An act to regulate elections" (Revision of 1930), which act was approved April eighteenth, one thousand nine hundred and thirty.

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

1. Article four, paragraph forty, section four, of the act to which this act is an amendment be and the same is hereby amended to read as follows:
Redistricting.

Par. 40 Sec. 4. Whenever in any two consecutive general elections in any election district over six hundred or less than two hundred and fifty votes shall have been cast, the county board in counties of the first class and the governing board or body of the municipalities in counties other than counties of the first class except as hereinafter provided, wherein such election district shall lie, may readjust the boundary lines of such election district and other election districts necessary to effect the change so that none of the election districts affected shall have more than five hundred and fifty or less than three hundred and fifty registered voters, and for this purpose shall have power to consolidate any number of districts and subdivide the same, and in redistricting the election districts in counties having a population of less than sixty thousand which as heretofore provided may contain seven hundred voters, a like procedure may be followed; *provided*, that in every division, change or readjustment the geographical compactness of each district shall be maintained as nearly rectangular as possible and the lines of such district shall not extend beyond the boundary lines of the ward in the municipality, or of the municipality, as the case may be, in which such district is located; *provided*,

Paragraph 40 amended.

Division of election districts.

Number of voters to district.

Proviso.

Proviso.

Preparation
of register,
etc.

further, that it shall not be lawful for such board or governing body to make division of any election district between the first day of March and the day of the general election in any year. The preparation of the signature copy registers, registers of the voters and the party primary poll books of the preceding primary election and the polling books of the preceding general election if made necessary for any purpose by reason of redistricting of the election districts, as aforesaid, shall be done by the commissioner in municipalities having permanent registration and by the municipal clerk in all other municipalities.

Repealer.

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

3. This act shall take effect immediately.

Approved February 16, 1933.

CHAPTER 26

An Act to authorize the representation of the State of New Jersey in the inaugural ceremonies of the Honorable Franklin Delano Roosevelt as President of the United States on March fourth, one thousand nine hundred and thirty-three, and making an appropriation for the expenses thereof.

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

Representa-
tion at Presi-
dential inau-
guration.

1. The Governor of this State is hereby authorized and requested to cause to be issued the necessary orders for the participation of the Governor of this State, his staff, seven members of the Senate appointed by the President thereof, and seven members of the Assembly to be appointed by the Speaker thereof, representing the State of New Jersey, in the inaugural ceremonies at Washington, incident to the inauguration of Honorable

Franklin Delano Roosevelt as President of the United States on March fourth, one thousand nine hundred and thirty-three.

2. For the purpose of carrying into effect the provisions of this act there is hereby appropriated the sum of five thousand dollars (\$5,000.00), or so much thereof as may be necessary.

3. This act shall take effect immediately.

Approved February 21, 1933.

CHAPTER 27

An Act concerning banks, trust companies and savings banks.

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

1. The Commissioner of Banking and Insurance is hereby authorized and empowered in addition to all other powers, whenever in his judgment the circumstances warrant it, to authorize any and all banks, trust companies and savings banks under his jurisdiction

(a) To extend for a period of ninety days, and for a further period if he deems it expedient, payment of any time accounts where notice of withdrawal has been given or may hereafter be given.

(b) To authorize the postponement for any length of time of the payment of any proportion of the deposits in demand accounts of any individual, firm or corporation as he may deem necessary and expedient, to be determined by him according to the ability of any bank, trust company or savings bank to pay such withdrawals.

(c) To authorize all such banks, trust companies and savings banks to thereafter receive new deposits which shall be segregated from the old de-

Appropriation.

Additional power granted Commissioner.

Extend period of payment of accounts.

Postpone payment of deposits.

Segregating new deposits.

Investment
of deposits.

posits, and said new deposits shall not be subject to the restrictions or limitations herein or that may hereafter be imposed by the Commissioner of Banking and Insurance, pursuant to the provisions herein, and said new deposits shall be invested in such liquid assets as may be approved by the Commissioner of Banking and Insurance in order that banks, trust companies and savings banks may at all times have sufficient funds to meet the demands on such new deposits in accordance herewith.

Rules governing.

(d) Whenever the Commissioner of Banking and Insurance shall authorize and empower any bank, trust company or savings bank to act under the provisions of this act, he is hereby empowered to make and adopt such rules and regulations as he may deem proper for the protection of the institution and may require daily reports in detail touching their financial condition.

Daily reports.

2. This act shall take effect immediately.
Approved February 21, 1933.

CHAPTER 28

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

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

Section 37
amended.

1. Section thirty-seven of the act entitled "An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof," ap-

proved October nineteenth, one thousand nine hundred and three, is hereby amended to read as follows:

37. The State appropriation and the State school tax shall not be apportioned in any year to any district which shall not have maintained a public school for at least nine months during the preceding school year; *provided*, that where the preceding school year is the period beginning the first day of July, one thousand nine hundred and thirty-three, and ending the thirty-first day of December, one thousand nine hundred and thirty-three, it shall be sufficient that such district shall have maintained a public school for at least three and one-half months during such period; *and provided, further*, that said appropriation and said State school tax shall be apportioned to a new district, or to a district in which the school shall have been discontinued on account of the repairing of an old or the erection of a new school building.

Nine months' term.

Proviso.

Proviso.

2. Section seventy-four of said act is hereby amended to read as follows:

Section 74 amended.

74. On or before the eighth day of December in each year, the board of education of such city school district shall prepare and deliver to each member of said board of school estimate an itemized statement of the amount of money estimated to be necessary for the current expenses of and for repairing and furnishing the public schools of such district for the ensuing school year, and also the amount which shall have been apportioned to such district by the county superintendent, and authorized by law to be used to meet the expenses of such district for such year.

Estimate for school year.

3. Section seventy-five of said act is hereby amended to read as follows:

Section 75 amended.

75. Between the first and fifteenth day of December in each year, said board of school estimate shall fix and determine the amount of money necessary to be appropriated for the use of the public school in such district for the ensuing school year, exclusive of the amount which shall have been appor-

Moneys necessary determined.

Certification
by board of
school esti-
mate.

Appropriation
made.

Tax levied.
Proviso.

Proviso.

Meeting
emergencies
or under-
estimation.

tioned to it by the county superintendent of schools in the manner set forth in the preceding paragraph. Said board of school estimate shall, on or before the last-named date, make two certificates of said amount, signed by at least three members of the said board, one of which certificates shall be delivered to the board of education of said school district and the other to the common council, board of finance or other body in the city having the power to make appropriation of money raised by taxes in such city. Said common council, board of finance or other body shall, upon receipt of said notice, appropriate by including the amount so certified as aforesaid in the tax ordinance and said amount shall be assessed, levied and collected in the same manner as money appropriated for other purposes in such city shall be assessed, levied and collected; *provided*, that any amount in excess of one and one-half per centum of the valuation of the assessable ratables of such city as determined by the county board of taxation, of the county in which said city is situated, shall be appropriated only with the concurrence and consent of said common council, board of finance or other body expressed by its resolution duly passed; *and provided, further*, that if the charter of the city shall limit the amount of tax or the rate of taxation in said city, so that the purposes of this section cannot be carried out, or shall otherwise by its terms prevent the carrying out of said purposes, said charter of limitation shall be hereafter held not to apply to the raising of money under the provisions of this section.

Whenever a city board of education shall decide that it had underestimated in its annual estimate under section seventy-four of this act, the amount of moneys necessary for the current expenses of and for repairing and furnishing the public schools of said school district for the said school year or whenever a city board of education shall decide that it is necessary to raise additional funds for repairing or making usable any property destroyed or made unusable by accident or other cause of

such district which were not foreseen when its said annual estimate was made up or to defray the expenses of any and all emergencies which had arisen since the making of the said annual estimate, said board of education shall prepare and deliver to each member of the said board of estimate of the said school district, a statement of the amount of money estimated to be necessary for such purpose or purposes, said board of school estimate shall thereupon meet within a reasonable time and shall fix and determine the amount necessary for such purpose or purposes and shall make two certificates of such amount, one of which certificate shall be delivered to said board of education and the other to the common council, board of finance or other body in the city having the power to make appropriations of money raised by taxes in such city, hereinafter designated as the governing body; said governing body shall thereupon immediately appropriate such sum or sums for such purpose or purposes and shall raise said sum or sums in the manner provided by law for the raising of said funds by said city in emergencies and that the raising of the funds required by the certificate of the board of school estimate, in such a case, shall be considered an emergency. Upon raising of said funds the governing body shall cause said sum or sums to be forthwith paid to the custodian of school funds of the school district for said purpose or purposes.

Determining
additional
amount
necessary.

Amount
raised.

Payment to
custodian of
school fund.

4. Section seventy-nine of said act is hereby amended to read as follows:

Section 79
amended.

79. An election of members of the board of education shall be held in each township, incorporated town or borough school district, on the second Tuesday in December in each year, at a school-house or such other convenient public place within the district as may be selected by the board of education. In case the second Tuesday falls on a holiday, the election shall be held on the following Wednesday. In any school district where the enrollment of school pupils exceeds one thousand, the

Annual
election.

board of education of such school district, in its discretion, may select an additional school house or school houses or such other additional convenient public place or public places within the district for such election or for any special meetings of the legal voters of the district. Not less than seven notices of such election, specifying the day, time and place or places thereof, shall be posted by the district clerk at least ten days before the date of such election; one of such notices shall be posted on each schoolhouse within the district and at such other public places therein as the board of education of such district shall direct. Any district clerk who shall fail to post notices calling said election as required by this section shall pay a fine of twenty dollars, to be recovered in a court for the trial of small causes by any resident of said school district. A plurality of the votes cast shall be sufficient to elect a member of a board of education.

Notices.

Failure to post.

School voting districts.

Whenever the board of education in any school district shall, under and by the authority of this act, establish two or more voting places in said district, they shall also and at the same time establish the lines of voting districts in said school district and shall give public notice thereof in the same manner as is herein otherwise provided for notice to be given of school meetings and elections. No person shall vote at any such election elsewhere than at the place designated for voters of the voting district in which said person resides.

Section 183-a added.

5. Said act is further amended by adding thereto a new section, to read as follows:

Use of amounts apportioned.

183-a. Any amounts apportioned to any school district from the proceeds of the State school tax or other State school funds, either by the State Board of Education or by the Commissioner of Education, or by the county superintendent of schools, during the calendar year one thousand nine hundred and thirty-three, shall be used by such school district to meet the expenses of such school district for the school year beginning on the first

day of January, one thousand nine hundred and thirty-four. Any amounts so apportioned to any school district during any subsequent calendar year shall be used by such school district to meet the expenses of the school district for the school year immediately following such calendar year.

Subsequent
apportion-
ments.

6. Section two hundred thirty-eight of said act is hereby amended to read as follows:

Section 238
amended.

238. The school year which began on the first day of July, one thousand nine hundred and thirty-two, shall end on the thirtieth day of June, one thousand nine hundred and thirty-three. The next succeeding school year for the purposes of this act shall begin on the first day of July, one thousand nine hundred and thirty-three, and end on the thirty-first day of December, one thousand nine hundred and thirty-three. Each school year thereafter shall be the calendar year.

School year.

7. Said act is further amended by adding thereto a new section, to read as follows:

Section 79 (a)
added.

79. (a) The term of office of each member of a board of education of a school district in which an annual election shall be held as provided in section seventy-nine of this act shall expire on the first day of January following the election of his successor pursuant to section seventy-eight of this act.

Expiration of
term of
members of
school board.

8. Section two and section five of this act shall take effect immediately, and the remainder of this act shall take effect on the first day of July, one thousand nine hundred and thirty-three.

When act
effective.

Approved February 21, 1933.

CHAPTER 29

AN ACT to validate acknowledgements or proofs of deeds.

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

Certain
acknowledg-
ments
validated.

Proviso.

1. All acknowledgments or proofs on deeds of conveyance heretofore made or taken before masters in chancery of New Jersey or attorneys at law of New Jersey who are also the grantees in said deeds, shall be good and sufficient in law and in equity for all purposes whatsoever; *provided, however,* that all such deeds shall have been recorded in the office of the proper recording officer of the county in which the lands therein conveyed are situated for a period of at least five years.

2. This act shall take effect immediately.

Approved February 25, 1933.

CHAPTER 30

AN ACT concerning county and municipal finances.

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

One-fifth of
deferred
charges in-
cluded in
tax levy.

1. In any county or municipality where provision shall not have been made for the appropriation in full in the budget or tax ordinance of the year one thousand nine hundred and thirty-three for all deferred assets or deferred charges, as hereinafter particularly defined, such county or municipality may, by resolution, direct that at least one-fifth of the amount of all known deferred assets or deferred charges shall be included in the budget or

tax ordinance or tax levy for the year one thousand nine hundred and thirty-three.

2. Deferred assets or deferred charges, as herein defined, shall be construed to include the following:

What constitute deferred assets or charges.

(a) Deficits in miscellaneous revenues.

(b) Deficits in tax revenues.

(c) Deficits by reason of tax remissions or abatement of taxes more than three years in arrears.

(d) Deficits or anticipated deficits in the operation of any municipal enterprise or utility account.

(e) Deficits by reason of overexpenditure of appropriation or expenditure in the absence of appropriation.

(f) Deficits by reason of tax revenue notes of 1929 or years prior thereto.

(g) Deficits occasioned by any interfund borrowings.

3. In each case where a county or municipality is desirous of distributing such deferred assets or charges, as herein described, application for permission so to do shall be made by the governing body of any county or municipality to the Commissioner of Municipal Accounts of this State. If such application shall be approved, the Commissioner of Municipal Accounts shall endorse on the same the word "approved" and append his signature thereto and return the same to the governing body of the county or municipality so applying. If such commissioner shall disapprove of the same, he shall endorse on the said application the word "disapproved" and shall sign his name thereto and return the same to the governing body of such county or municipality, and each application shall be disposed of by the Commissioner of Municipal Accounts within ten days from the date of the receipt thereof by him.

Permission to distribute deferred charges sought from Commissioner of Municipal Accounts.

Action by Commissioner.

4. Where any budget for the year one thousand nine hundred and thirty-three has been approved or adopted by any county or municipality, the

Commissioner may order budget changed.

Commissioner of Municipal Accounts may, by his order in writing, direct that any such budget be changed so that there may be included therein or excluded therefrom any of the items mentioned in this act, and any order so made by the Commissioner of Municipal Accounts shall be valid and binding upon such county or municipality.

Act liberally construed.

5. This act shall take effect immediately and as its object is to give a measure of relief to counties and municipalities during the present period of economic depression it shall be liberally construed to accomplish said purpose.

Approved February 25, 1933.

CHAPTER 31

AN ACT to amend an act entitled "An act to amend an act entitled 'An act respecting the orphans' court, and relating to the powers and duties of the ordinary and the orphans' court and surrogates' (Revision, 1898), approved June fourteenth, one thousand eight hundred and ninety-eight," which amendment was approved April fifteenth, one thousand nine hundred and fifteen.

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

Section 24 amended.

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

Foreign will recorded to make title.

24. A copy of any will or of the record of any will of a decedent not resident in this State at the time of his death, admitted to probate in any State or Territory of the United States or the District of Columbia, or in any foreign state or kingdom, and of the certificate, order or decree of probate

thereof, and if title to land of said decedent depends or shall depend on the conveyance by an executor or executors, administrator with the will annexed or administrators with the will annexed, of the record of the grant of letters testamentary thereon, or of the administration with the will annexed thereon, or of the copy of the letters testamentary thereon, or of administration with the will annexed thereon, exemplified and authenticated according to the act of Congress, if it be the record of any State or Territory of the United States or the District of Columbia, or certified in the manner required by the laws of the foreign state or kingdom in which such will shall have been proved and recorded to make it legal evidence in such foreign state or kingdom, if it be the record of a foreign state or kingdom, heretofore or hereafter filed and recorded in the office of the surrogate of any county in this State, shall, if it thereby appears that said will was executed in accordance with the laws of this State, have the same force and effect in respect to all lands and real estate whereof the testator died seized, as if said will had been admitted to probate and said letters testamentary or of administration with the will annexed thereon had been issued in this State; and such will and the certificate, order or decree of probate thereof shall be of like force and effect, although the records so exemplified or certified as aforesaid are or shall be devoid of or defective in respect to the proofs of the execution thereof, whenever it shall appear from the attestation clause or from the attestation clause and proofs attached to the will or forming part thereof that such will was executed in accordance with the laws of this State; and all conveyances of such real estate heretofore or hereafter made by any executor or executors, or administrator or administrators with the will annexed, trustee or trustees, substituted trustee or trustees, or the survivor or survivors of them, or by any devisee or devisees or persons claiming under such devisees, shall be as valid as if said will had been

Force and effect.

Validity of conveyance.

Certified
copies in
evidence.

admitted to probate and letters testamentary or of administration with the will annexed had been issued in this State, and such record or certified copies of said will, proofs, order for probate and letters or of the record thereof, shall be received in evidence in all courts of this State.

2. This act shall take effect immediately.

Approved March 1, 1933.

CHAPTER 32

AN ACT authorizing and regulating the issuance of bonds by municipalities other than counties for financing the relief of the poor.

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

Purposes for
which bonds
may be
issued.

1. The governing body of any municipality other than a county shall have power by ordinance to authorize from time to time the issuance of bonds for the following purposes: (a) The expenditures and estimated expenditures for the purpose of relieving the poor made or to be made on or before the thirty-first day of December, one thousand nine hundred thirty-four, including, but not limited to, the financing of a plan or program approved by any State authority; (b) the sum or sums necessary to reimburse any account of such municipality from which funds have heretofore or shall on or before said date be applied to the relief of the poor; (c) the aggregate amount needed to pay the principal of and interest on floating debt incurred on or before said date for the relief of the poor and not funded into permanent notes or bonds under any other act, and (d) the costs and estimated costs of the issuance of the bonds hereby authorized. The words "relief of the poor" in

"Relief of
poor" defined.

this act shall mean all expenses of relieving the poor, including, but not limited to, direct relief for, and wages to poor persons, expenses of administration, supervision, the purchase of materials and supplies, and other purposes incidental to poor relief.

2. Such bonds may be sold at not less than their par value at public sale or at private sale without public advertisement by the governing body or by a financial officer of such municipality to whom the governing body shall have delegated such power of sale, may be in any denominations, shall bear interest at a rate not exceeding six per centum (6%) per annum, payable semiannually, and each issue shall be payable in not more than eight annual installments commencing not more than two years from the date of said bonds. No annual installment shall exceed by more than fifty per centum (50%) the amount of the smallest prior annual installment of such issue. Such bonds may be issued notwithstanding any debt or other limitation prescribed by any other law. No supplemental debt statement need be made or filed in connection with the authorization of such bonds, but the amount of such bonds shall be included in computing the net debt in any supplemental or annual debt statement thereafter made or filed in connection with subsequent borrowing for other purposes. The mode and method or procedure for the issuance of such bonds need not conform to the provisions of any other law.

3. Such bonds shall be general obligations of such municipality and a tax sufficient in amount to pay the principal of and interest on such bonds shall be levied and collected by such municipality in the year in which the same shall become due. Such bonds may contain a recital that they are issued pursuant to this act and such recital shall be conclusive evidence of their validity and of the regularity of their issuance.

Sale of
bonds.

Rate.

Payments.

Amount of
installment.

Amount in-
cluded in
net debt.

General
procedure.

Provision for
principal and
interest.

Powers
deemed
additional.

4. The powers conferred by this act shall be in addition to the powers conferred by any other laws, and bonds may be issued hereunder for the purposes herein provided notwithstanding that other laws may provide for the issuance of bonds for like purposes and without regard to the restrictions contained in such other laws.

5. This act shall take effect immediately.

Approved March 1, 1933.

CHAPTER 33

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

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

Certain de-
ficiencies not
reported.

1. The State Comptroller shall not be required to transmit to the county collector of any county a statement or statements of the deficiency in amount of taxes directed to be raised for public schools or for other State purposes for the year one thousand nine hundred and thirty-two or prior years.

When act
inoperative.

2. This act shall become inoperative and void on the first day of February, one thousand nine hundred and thirty-four.

3. This act shall take effect immediately.

Approved March 1, 1933.

CHAPTER 34

AN ACT concerning liquidation of building and loan associations.

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

1. Whenever, under the provisions of any law of this State or the order of any court, liquidation of a building and loan association of this State shall hereafter begin, any mortgage shareholder of said association shall be entitled to receive from the liquidating agent, on written request made within ninety days after the time liquidation shall begin, a written extension for such period as said mortgage shareholder shall desire, not to exceed five years from the time liquidation shall begin, of the time within which money due under the bond and mortgage held by said association against such mortgage shareholder's property shall be paid; *provided*, any default shall have been made good; *and provided*, the other covenants and agreements of said bond and mortgage shall be agreed to be performed; *and provided*, there shall be agreed to be paid monthly, in reduction of the principal sum due on said bond and mortgage, a sum agreed on by the liquidating agent and said mortgage shareholder or a sum fixed by the liquidating agent and equivalent to not more than one-half of one per centum ($\frac{1}{2}$ of 1%) of the amount of the original loan evidenced by said bond and mortgage, together with interest on unpaid balances of said principal sum; *and provided*, that in the event that such mortgage shareholder shall have defaulted in the performance of the covenants of the bond and mortgage held by said association against such mortgage shareholder's property and such default shall have, at the time liquidation shall begin, existed for more than two months, then the

Extension of
time for
paying
mortgage.

Proviso.

Proviso.

Proviso.

Monthly
reduction.

Proviso.

- liquidating agent shall have authority, in the discretion of such liquidating agent, to refuse such extension or to grant such extension on such terms as shall be approved by such liquidating agent; and the liquidating agent shall have full authority to execute and deliver such instruments as shall be necessary to make effective such agreements and extensions as are herein provided for.
- Refusal of extension.
- Notice of intended liquidation.
2. The liquidating agent shall, before beginning liquidation of any building and loan association of this State, give notice by mail to each mortgage shareholder of any such association of the fact that liquidation will begin and shall enclose with each said notice a copy of this act.
- Compromise.
3. This act shall not be construed to prevent a liquidating agent from making any compound or compromise which he shall otherwise have authority to make.
- Explanation of terms.
4. The words "mortgage shareholder," as used in this act, shall mean an owner of land mortgaged to a building and loan association of this State to secure payment of a bond which is payable, wholly or partially, in shares of said association. The words "liquidating agent," as used in this act shall be construed to include within its definition trustees, receivers, the Commissioner of Banking and Insurance and any other person or persons who may, by statute or court order, be authorized to take possession of the assets of any building and loan association of this State and/or liquidate it.
- Use of liquidating dividends.
5. Nothing in this act contained shall prevent liquidating dividends applicable to shares of an association in liquidation which are held as collateral for indebtedness owing to said association from being used by the liquidating agent to reduce the amount of such indebtedness.
6. This act shall take effect immediately.
- Approved March 1, 1933.

CHAPTER 35

AN ACT to further amend an act entitled "An act concerning building and loan associations" (Revision of 1925), approved March twelfth, one thousand nine hundred and twenty-five.

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

1. Section twenty-three, as heretofore amended, of the act to which this act is an amendment, be and the same is hereby further amended to read as follows:

Section 23
amended.

23. May merge or consolidate.

Any two or more such associations in any county may merge or consolidate into a single association by the vote or written assent of two-thirds of the members of each association present at a meeting, upon such terms as shall have been agreed upon by two-thirds of the board of directors of each association, or, in the case of any association whose property and business are in the possession of the Commissioner of Banking and Insurance, upon such terms as shall be designated by the commissioner, notice of which terms having been given to each member of such associations in the calls for the meetings at which the proposed merger or consolidation is to be considered by the members of such associations, or upon such modified terms as may be adopted at such meetings of members of said associations. Before such notice shall be mailed it shall be approved, as to form, by the Commissioner of Banking and Insurance. Members of such associations who do not attend such meetings or who do not vote at such meetings shall, if said merger or consolidation shall have been approved by the members as aforesaid, be deemed to assent to such merger or consolidation. Notice of the meetings at which the proposed merger or con-

Associations
may merge.

Approval by
Commissioner.

Assent by
members.

Notice of
intended
meeting.

solidation is to be considered shall be given by mail to the members of such association at their addresses appearing upon the books of such association, not less than ten nor more than twenty days prior to such meetings. Such terms of merger may provide that the business of the association into which or with which such other association or associations shall merge or consolidate, may be carried on at the place or places where the business of the association or associations so merged or consolidated may have been carried on prior to such merger or consolidation, subject to the limitations contained in section seventeen of this act, and for the exchange of shares in the association or associations so merged or consolidated for shares of the same or a different class of the association into which such association or associations shall be merged or consolidated and fixing the time or times prior to which notice of withdrawal of such shares so issued upon merger or consolidation in exchange for the shares in the association or associations so merged or consolidated shall not be given, and if the withdrawal of such shares is so postponed, such fact shall be printed or stamped upon the face of the certificates and/or pass books evidencing shares so to be issued. Before any merger or consolidation shall become effective such associations shall jointly certify to the Commissioner of Banking and Insurance that they have complied with all of the requirements of this section, such certificate to be under the hands of the respective presidents and respective secretaries of such associations, except that the commissioner shall execute such certificate for any association whose property and business are in the possession of the commissioner, instead of the president and secretary of such association. The commissioner shall in writing approve or disapprove of such merger or consolidation within fifteen days. The approval of the commissioner of any merger or consolidation shall be endorsed upon such certificate, which shall be recorded by the clerk of the

Place of business.

Exchange of shares.

Notice of compliance certified to Commissioner.

Action by Commissioner.

Approval.

county where such associations are located and filed with the Department of Banking and Insurance. Upon the recording and filing of such certificate endorsed with the approval of the commissioner as herein prescribed, the merger shall take effect according to its terms. Upon merger of any such association into another as herein provided:

When merger
in effect.

Result of
merger.

(a) Its corporate existence shall be merged into that of such other association; and all and singular its rights, privileges and franchises, and its right, title and interest in and to all property of whatsoever kind, whether real, personal or mixed, and things in action, and every right, privilege, interest or asset of conceivable value or benefit then existing which would inure to it under an unmerged existence, shall be deemed fully and finally, and without any right of reversion, transferred to and vested in the association into which it shall have merged, without further act or deed, and such last-mentioned association shall have and hold the same in its own right as fully as the same was possessed and held by the merged association from which it was, by operation of the provisions hereof, transferred.

All rights,
franchises,
property, etc.,
vested in
merged
association.

(b) Its rights, obligations and relations to any person, member, creditor, trustee or beneficiary of any trust, shall remain unimpaired, and the association into which it shall have been merged shall, by such merger, succeed to all such relations, obligations and liabilities, as though it had itself assumed the relation or incurred the obligation or liability; and its liabilities and obligations to creditors existing for any cause whatsoever shall not be impaired by such merger; nor shall any obligation or liability of any member in any such association which is a party to such merger be affected by any such merger, but such obligations and liabilities shall continue as fully and to the same extent as existed before such merger.

Rights and
relations
unimpaired.

Obligations
continued.

(c) A pending action or other judicial proceeding to which any such association that shall be so

Judicial
proceedings
may be
prosecuted.

merged is a party shall not be deemed to have abated or to have discontinued by reason of the merger, but may be prosecuted to final judgment, order or decree in the same manner as if the merger had not been made; or the association, into which such other association shall have been

Substitutions.

merged, may be substituted as a party to such action or proceeding, and any judgment, order or decree may be rendered for or against it that might have been rendered for or against such other association if the merger had not occurred.

2. This act shall take effect immediately.

Approved March 1, 1933.

CHAPTER 36

AN ACT to further amend an act entitled "An act concerning building and loan associations" (Revision of 1925), approved March twelfth, one thousand nine hundred and twenty-five, as heretofore amended and supplemented.

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

Section
59 amended.

1. Section fifty-nine, as heretofore amended, of the act to which this act is an amendment, be and the same is hereby further amended to read as follows:

59. Proceedings against delinquent or unsafe associations:

Causes for
revocation of
authority.

(a) Whenever it shall appear to the Commissioner of Banking and Insurance that the interests of the creditors or shareholders of any such association are being jeopardized because such association has violated its charter or any law of this State, or is conducting its business in an unsafe or unauthorized manner, or if such association shall

refuse to submit its books, papers and concerns to the inspection of said commissioner or any examiner appointed by him, or if any officer or director thereof shall refuse to be examined upon oath touching the concerns of any such association, or if any such association shall suspend payment of its obligations, or if from any examination or report provided for by this act the commissioner shall have reason to conclude that such association is in an unsound or unsafe condition to transact business, or that it is insolvent, or that it is unsafe or inexpedient for it to continue business, or if any such association shall neglect or refuse to observe an order of the commissioner issued pursuant to section fifty-eight of this act, he shall have authority in case of any such association of another State to revoke and cancel its authority to do business in this State, and in case of any such association of this State:

(1) To apply to the Chancellor for an injunction restraining such association from the transaction of any further business, or the transfer or disposal of its property in any manner whatsoever, and the Chancellor, being satisfied of the sufficiency of the application, may order an injunction and appoint a receiver with power to sue for, collect, receive and take into his possession all the goods and chattels, rights and credits, moneys and effects, lands and tenements, books, papers, choses in action, bills, notes and property of every description belonging to such association, and sell, convey and assign the same, and hold and dispose of the proceeds thereof under the direction of the Court of Chancery; or the application of the commissioner may be for an injunction against excessive expenses of management, or for the removal of the attorney or conveyancer or of one or more of the officers, or directors, or employees or agents of such association, or for such other relief or correction as the particular facts may seem to demand, and the Chancellor, after hearing, shall have the power to grant such orders, and in his discretion,

Application
for injunction.

Receiver
appointed.

If expenses
excessive.

Chancellor
may modify
order.

from time to time, to modify or revoke the same, as the evidence in the case, the situation of the parties and the interests involved shall seem to require.

Commissioner
to take
charge.

Business
continued.

Notice
given.

No liens.

Judgments,
etc., stayed.

Resumption
of business.

Operations
continued.

(2) Forthwith to take possession of the property and business of such association and retain such possession until the property and business of such association shall be returned to the management of the board of directors of such association, or its affairs be finally liquidated as herein provided. On taking possession of the property and business of any such association, the commissioner may continue the operation of the business of such association until the property and business of such association shall be returned to the management of the board of directors of such association, or such association shall merge or consolidate with any other association or associations, or until liquidation of such association shall commence, as herein provided. On taking possession of the property and business of any such association the commissioner shall forthwith give notice of such fact to any and all banks, trust companies, corporations, associations and individuals, holding or in possession of any assets of such association. No bank, trust company, corporation, association, or individual knowing of such taking possession by the commissioner, or notified as aforesaid, shall have a lien or charge for any payment, advance or clearance thereafter made, or liability thereafter incurred against any of the assets of the association of whose property and business the commissioner shall have taken possession as aforesaid. Upon taking possession of the property and business of any such association by the commissioner, all judgments, decrees, levies, and executions against the property of the association shall be thereafter stayed until otherwise ordered by the Court of Chancery. Such association may, with the consent of the commissioner, resume business at any time after such taking possession upon such conditions as may be approved by him. Upon taking pos-

session of the property and business of such association the commissioner is authorized to continue the operation of the business of such association; to designate the terms upon which such association may merge or consolidate with any other association or associations; *provided, however,* such terms shall subsequently be adopted at a meeting of the members of such association, as provided in section twenty-three of this act; to call meetings of the members of such association; to collect moneys due to such association; do such other acts as are necessary to conserve its assets and business; to receive and collect dues on shares theretofore issued by such association and to segregate the same from all other receipts and to hold the same in trust until the property and business of such association shall be returned to the management of its board of directors or until such association shall merge or consolidate with any other association or associations, or until liquidation of such association shall commence as herein provided; such dues shall, upon the return of the property and business of such association to the management of its board of directors or upon the merger of such association with any other associations, be applied, without impairment, to the credit of the member paying the same, to such of his share values as shall exist after such conditions as may be approved by the commissioner for the return of such association to the management of its board of directors have been complied with and/or upon the completion of such merger. The commissioner may proceed to liquidate the affairs of such association as hereinafter provided. Upon proceedings to liquidate the affairs of such association, he shall repay, out of the funds held in trust by him as hereinbefore provided, without impairment, such sums as shall have been paid as dues by members of such association after such taking possession on shares which have not been pledged as security for a mortgage loan, and shall, out of such funds, apply, without impairment,

Proviso.

Collections.

Receipts segregated.

Dues applied to credit of members.

Liquidation of affairs.

Repayment.

toward reduction of the principal sum due on the bond and mortgage, the dues received by him on shares pledged as security on such bond and mortgage. The commissioner is empowered and authorized, in the name of such association, to demand, sue for, collect, receive and take into his possession all the goods and chattels, rights and credits, moneys and effects, lands and tenements, books, and papers, choses in action, bills, notes and property of every description of such association, and in his discretion to compound and settle with any debtor or creditor of such association, or with persons having possession of its property or in any way responsible at law or in equity to such association, upon such terms and conditions and in such manner as he shall deem just and beneficial to such association, and in case of mutual dealings between the association and any person to allow just set-offs in favor of such persons in all cases in which the same ought to be allowed according to law and equity, and the commissioner shall have power in the name of such association to sell, convey and assign all or any part of the said estate, rights and interests, including bills, notes and choses in action, and shall hold the proceeds less the costs and expenses of administration and liquidation and, under the direction of the Court of Chancery, shall dispose of the same. For the purpose of executing and performing any of the powers and duties hereby conferred upon him, the commissioner may, in the name of such association, prosecute and defend any and all suits and other legal proceedings and may, in the name of such association, execute, acknowledge and deliver any and all deeds, assignments, releases, warrants to cancel mortgages; and other instruments necessary or proper to effectuate any sale of real or personal property or compromise or compound claims or to restore to any person any property deposited or transferred as security for the payment of any debt or the performance of any obligation upon the payment of such debt or the

Take possession of all property, etc.

Settlement.

Set-offs.

Obligations sold.

Prosecution of suits, etc.

performance of such obligation, and any deed or other instrument executed pursuant to the authority hereby given, shall be valid and effectual for all purposes, as though the same had been executed by the officers of such association by authority of its board of directors. The commissioner may in his discretion apply to the Court of Chancery for instructions or directions touching the sale of any property of such association or the compounding of debts or claims. The commissioner may, under his hand and official seal, appoint one or more special assistant deputy commissioners of banking and insurance, as agent or agents, to assist him in the operation of the business of such association, or in the duty of liquidation and distribution, and the commissioner may from time to time, authorize a special assistant deputy commissioner to perform such duties connected with such operation, liquidation and distribution as the commissioner may deem proper, and the commissioner may employ such counsel and procure such expert assistance and advice as may be necessary in the operation of the business of such association or the liquidation and distribution of the assets of such association, and may retain such of the officers or employees thereof as he may deem necessary, and the compensation of the special assistant deputy commissioner, counsel and other employees and assistants, and all expenses of administration and liquidation, shall be fixed by the commissioner, subject to the approval of the Court of Chancery on notice to such association, and shall upon the certificate of the commissioner be paid out of the funds of such association in the hands of the commissioner. The commissioner shall require from a special assistant deputy commissioner and from such assistants such security for the faithful performance of their duties as he may deem proper. Upon proceeding to liquidate the affairs of any association, the commissioner shall cause notice to be given by advertisement, in such newspaper or newspapers as he may direct, weekly for three consecutive

Validity of
instruments.

Advice
sought.

Assistants
in
liquidation.

Assigned to
certain
duties.

Compensation
of counsel
and
assistants.

Assistants
bonded.

Notice to
present
claims.

months, calling on all persons who may have claims against such association to present the same to the commissioner, and make legal proof thereof at a place and within a time, not earlier than the last day of publication, to be therein specified. The commissioner shall mail a similar notice to all persons whose names appear as creditors upon the books of such association. If the commissioner doubts the justice and validity of any claim, he may reject the same and serve notice of such rejection upon the claimant either by mail or personally. An affidavit of the service of such notice, which shall be prima facie evidence thereof, shall be filed with the commissioner. An action upon a claim so rejected must be brought within three months after such service, unless the commissioner or the Court of Chancery, for reason shown, grant further time, not exceeding three months. In rendering judgment in such action, the court, if judgment be for the claimant, shall determine the status or rank of such claim. Claims presented after the expiration of the time fixed in the notice to creditors shall be entitled to share in the distribution only to the extent of the assets in the hands of the commissioner equitably applicable thereto. The moneys collected by the commissioner shall be from time to time deposited in one or more State banks of deposit, savings banks or trust companies, and in case of the suspension or insolvency of the depository, such deposits shall be preferred before all other deposits. At any time after the expiration of the date fixed for the presentation of claims the Court of Chancery may by order authorize the commissioner to declare out of the funds remaining in his hands after the payment of expenses one or more dividends to creditors, and after the expiration of one year from the first publication of notice to creditors he may declare a final dividend to creditors, such dividends to be paid to such persons, and in such amounts and upon such notice as may be directed by the Court of Chancery. Objections to any claim not rejected

Notice to creditors.

Rejecting claims.

Notice of service.

Action on rejected claims.

Deposit of collections.

Declaration of dividends.

Final dividend.

Objections to claims.

by the commissioner may be made by any party interested by filing a copy of such objections with the commissioner, who shall present the same to the Court of Chancery at the time of the next application to declare a dividend, and said court shall thereupon dispose of said objections or may order a reference for that purpose, and should the objections to any claim be sustained by the court or by the referee, such claim shall not be allowed by the commissioner until the claimant shall have established his claim by the judgment of a court of competent jurisdiction. The court may make proper provision for disposition of moneys due to former members whose shares have been lapsed or cancelled or whose membership has been terminated prior to such taking possession. Whenever any such association, of whose property and business the commissioner shall have taken possession as aforesaid, or any member thereof deems itself or himself aggrieved by any act of the commissioner done pursuant to this section, such association or such member may, at any time after such taking possession, apply to the Court of Chancery to enjoin further proceedings, and said court, after citing the commissioner to show cause why further proceedings should not be enjoined, and hearing the allegations and proofs of the parties and determining the facts may, upon the merits, dismiss such application or enjoin the commissioner from further proceedings, or from the doing of any act which will not be in the best interests of the shareholders or grant such other or further relief as may be equitable and just. Whenever the commissioner shall have paid to each and every creditor of such association whose claim or claims as such creditor shall have been duly proved and allowed, the full amount of such claims, and shall have made proper provision for unclaimed and unpaid amounts credited to former members whose shares had, prior to such taking possession, been canceled, or lapsed, or whose membership had, prior to such taking possession been otherwise

Provision
for lapsed
or canceled
shares.

Party ag-
grieved may
enjoin
proceedings.

Hearing.

Commissioner
to give
notice to
shareholders
of winding up.

terminated, and shall have paid all the expenses of liquidation, and shall have made disposition of the dues received by him after taking possession in accordance with the provisions of this section, the commissioner shall call a meeting of the shareholders of such association by giving notice thereof for thirty days in one or more newspapers published in the county where the principal office of such association was located or by mailing ten days' notice thereof to each shareholder at his address as the same appears on the books of such association. At such meeting the shareholders shall determine whether the commissioner shall be continued as liquidator and shall wind up the affairs of such association, or whether an agent or agents shall be elected for that purpose, and in so determining the shareholders shall vote by ballot, in person or by proxy, each shareholder to have one vote; and the votes of a majority of the shareholders shall be necessary to a determination. In case it is determined to continue the liquidation under the commissioner, he shall complete the liquidation, and after paying the expenses thereof, he shall distribute the moneys remaining in his hands to the shareholders of such association in proportion to the several holdings of shares in such manner and upon such notice as may be directed by the Court of Chancery. In case it is determined to appoint an agent or agents to liquidate, the shareholders shall thereupon select such agent or agents by ballot, a majority of the shareholders present and voting, in person or by proxy, being necessary to a choice. Such agent or agents shall execute and file with the commissioner a bond to the State of New Jersey in such amount, with such securities and in such form as shall be approved by the commissioner, conditioned for the faithful performance of all the duties of his or their trust, and thereupon the commissioner shall transfer and deliver to such agent or agents all the undivided and uncollected or other assets of such association then remaining in his hands; and upon

Determination
of share-
holders as to
procedure.

Completion of
liquidation.

Selection
of agent.

Agent bonded.

such transfer and delivery, the said commissioner shall be discharged from any and all further liability to such association and its creditors. Such agent or agents shall convert the assets coming into his or their possession into cash, and shall account for and make distribution of the property of said association as is herein provided in the case of distribution by the commissioner, except that the expenses thereof shall be subject to the direction and control of a court of record of competent jurisdiction. In case of the death, removal or refusal to act of any such agent or agents, the shareholders, on the same notice, to be given by the commissioner upon proof of such death, removal or refusal to act being filed with him, and by the same vote hereinbefore provided, may elect a successor, who shall have the same powers and be subject to the same liabilities and duties as the agent originally elected. Unclaimed dividends to shareholders or creditors remaining unpaid in the hands of the commissioner for six months after the date of the order for final distribution shall be deposited by him in one or more State banks of deposit, savings banks or trust companies, to the credit of the commissioner in his name of office, in trust for the persons entitled thereto. The commissioner shall report to the Legislature annually in his report the names of associations so taken possession of and liquidated and the sums of unclaimed and unpaid dividends with respect to each of them respectively. The commissioner may pay over the moneys so held by him to the persons respectively entitled thereto upon being furnished satisfactory evidence of their right to the same. He may apply the interest earned by the moneys so held by him towards defraying the expenses in the payment and distribution of such unclaimed dividends to the shareholders and creditors entitled to receive the same, and he shall include in his annual report to the Legislature a statement of the amount of interest earned by such unclaimed dividends.

Agents to
convert assets
into cash.

Successor
to agent.

Disposition
of unclaimed
dividends.

Annual report
by Commis-
sioner to
Legislature.

Use of
interest.

Action by
Attorney-
General
under
certain
conditions.

Application
for in-
junction.

Summary
hearing.

Restraining
order.

Appointment
of receiver.

(b) Whenever any association shall become insolvent or shall suspend its ordinary business for want of funds to carry on the same, and the Commissioner of Banking and Insurance shall have refused, upon the demand of any creditor or shareholder to apply to the Chancellor or take possession of the property and business of such association pursuant to the provisions of paragraph (a) above, the Attorney-General or any creditor, or shareholder, may by petition or bill of complaint setting forth the facts and circumstances of the case, apply to the Court of Chancery for a writ of injunction and the appointment of a receiver or receivers or trustees, and the court being satisfied by affidavit or otherwise of the sufficiency of said application, and of the truth of the allegations contained in the petition or bill, and upon such notice, if any, as the court by order may direct, may proceed in a summary way to hear the affidavits, proofs and allegations which may be offered on behalf of the parties, and if upon such inquiry it shall appear to the court that such association has become insolvent and is not about to resume its business in a short time thereafter, with safety to the public and advantage to the shareholders, it may issue an injunction to restrain such association and its officers and agents from exercising any of its privileges or franchises and from collecting or receiving any debts, or other moneys due it, or paying out, selling, assigning or transferring any of its estate, moneys, funds, lands, tenements or effects, except to a receiver appointed by the court, until the court shall otherwise order; and may appoint a receiver, in which case the duties and powers of said receiver shall be the same as if he had been appointed under the provisions of an act entitled "An act concerning corporations," approved April twenty-first, one thousand eight hundred and ninety-six, and acts supplemental thereto and amendatory thereof.

2. This act shall take effect immediately.

Approved March 1, 1933.

CHAPTER 37

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

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

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

Section 1
amended.

1. The following days and half days, namely, the first day of January, commonly called New Year's Day; the twelfth day of February, called Lincoln's Birthday; the twenty-second day of February, known as Washington's Birthday; the day now designated and known as Good Friday; the thirtieth day of May, known as Decoration Day; the fourth day of July, called Independence Day; the first Monday of September, known as Labor Day; the twelfth day of October, known as Columbus Day; the eleventh day of November, known as Armistice Day; the twenty-fifth day of December, known as Christmas Day; any general election day in this State; every Saturday from twelve o'clock at noon until twelve o'clock at midnight, which is hereby designated a half holiday, and any day heretofore or hereafter appointed, ordered or recommended by the Governor of this State, or the President of the United States, as a day of thanksgiving or fasting and prayer, or other religious observance, or as a bank holiday or holidays, shall, for all purposes whatsoever as re-

Legal
holidays.

Regarding banking. regards the presenting for payment or acceptance, and of the protesting and giving notice of the dishonor of bills of exchange, bank checks and promissory notes, maturing after the passage of this act, be treated and considered as the first day of the week, commonly called Sunday, and as public holidays or half holidays, and all such bills, checks and notes otherwise presentable for acceptance or payment on any of said days shall be deemed to be payable and be presentable for acceptance or payment on the secular or business day next succeeding such holiday or half holiday; *provided, however,* that instruments payable on demand may, at the option of the holder, be presented for payment before twelve o'clock noon on Saturday when that entire day is not a holiday; *and provided, further,* that in construing this section every Saturday, unless a whole holiday, as aforesaid, shall, until twelve o'clock noon, be deemed a secular or business day, except as is hereinbefore provided in regard to bills of exchange, bank checks and promissory notes, and the days and half days aforesaid shall be considered as the first day of the week commonly called Sunday, except bank holidays declared as aforesaid, and as public holidays or half holidays, for all purposes whatsoever as regards the transaction of business in the public offices of this State, or counties of this State; on all other days or half days, excepting Sundays, such offices shall be kept open for the transaction of business.

When banks open.

2. This act shall take effect immediately.

Approved March 6, 1933.

CHAPTER 38

AN ACT relating to the issuance and sale of bonds
or notes of counties and municipalities.

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

1. Any county or municipality authorized to issue and sell its bonds or notes by any act or acts heretofore enacted shall have power to sell said bonds or notes, if such bonds or notes are payable not less than one year after the date of their issuance, at not less than ninety-nine per centum (99%) of the par value of such bonds or notes; or, if such bonds or notes are payable in less than one year after the date of their issuance, at a discount which, if added to the interest agreed to be paid, will not make the interest cost greater than seven per centum (7%) per annum, anything to the contrary notwithstanding contained in any act heretofore enacted; *provided, however,* that any such sale shall be made or confirmed by resolution of the governing body of such county or municipality adopted by a two-thirds vote of all the members thereof.

Sale of
bonds.

Sale at
discount.

Interest
cost.

Proviso.

2. This act shall be inoperative after December thirty-first, nineteen hundred and thirty-three.

When act
inoperative.

3. This act shall take effect immediately.

Approved March 7, 1933.

CHAPTER 39

AN ACT to amend an act entitled "An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations," approved April eighth, one thousand nine hundred and twenty-one.

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

Section 10
amended.

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

Drivers
must be
licensed.

Age.

Examination.

Expiration
of license.

10. (1) No person shall hereafter drive an automobile or motor cycle upon any public highway in this State unless licensed to do so in accordance with the provisions of this act. No person under the age of seventeen years shall be licensed to drive automobiles or motor cycles, nor shall any person be licensed to drive automobiles or motor cycles until said person shall have passed a satisfactory examination as to his ability as an operator, which examination shall include a test of the knowledge on the part of said person of such portions of the mechanism of automobiles or motor cycles as is necessary in order to insure the safe operation of a vehicle of the kind or kinds indicated by the applicant. Driver's license certificates shall expire on the thirty-first of December of each year. Said licensee shall be entitled to drive any registered automobile or motor cycle.

The annual license fee to be charged shall be three dollars for drivers of motor vehicles and one dollar for operators of motor cycles.

License
fee.

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

Learner's
permit.

Proviso.

Fee.

No applicant for a driver's license shall employ or procure the employment of another person to take the license examination for said applicant, and every person is forbidden to take a driver's license examination in the name of or in the place of the applicant for the said driver's license.

Personal
examination
by applicant.

Fine for violation.

Every person guilty of violating this provision shall be subject to a fine of not less than two hundred dollars (\$200.00) or more than five hundred dollars (\$500.00), or imprisonment for not less than thirty days or more than ninety days, or both, at the discretion of the court.

Attempting to secure license without examination.

Any person who attempts to or procures a driver's license without taking the examination for a driver's license as hereinabove provided, or any person who attempts to or procures a driver's license for another who has not taken an examination therefor shall be subject to a fine of not less than two hundred dollars (\$200.00) or more than five hundred dollars (\$500.00), or imprisonment for not less than thirty days or more than ninety days, or both, at the discretion of the court.

Penalty.

License shown on demand.

(3) Each license to drive an automobile shall have endorsed thereon, in the proper handwriting of the said licensee, the name of the said licensee. And the said license and the registration certificate of the motor vehicle must be in the possession of the driver or operator at all times when the said driver or operator is in charge of a motor vehicle or motor cycle on the highways of this State. And said licensee, when thereupon requested by any motor vehicle inspector, police officer or magistrate while in the performance of the duties of his office under this act, shall exhibit said license and motor vehicle registration certificate to said officer and write his name in the presence of said officer to the end that he may thereby determine the identity of said licensee, and at the same time determine the correctness of the registration certificate as provided in section nine, subdivision three, of the act to which this act is an amendment.

Reciprocity granted nonresidents.

(4) Any passenger type motor car, omnibus, motor vehicle used for the transportation of goods, wares and merchandise, motor cycle, or motor drawn vehicle belonging to a nonresident, which has been registered in accordance with the laws of the State, territory, federal district of the United

States, or the province of the Dominion of Canada in which the nonresident resides, with respect to the registration of motor vehicles and which has conspicuously displayed thereon the registration number thereof, may be operated in this State during such portion of the entire year, without complying with the provisions of this act with respect to registration, as the free operation of a similar type of vehicle belonging to a resident of this State, registered in compliance with the laws of this State and whose registration number is conspicuously displayed thereon, is permitted in the State, territory, federal district or province of the nonresident.

The Commissioner of Motor Vehicles is charged with the enforcement of this section and shall have the power to suspend the operating privilege of all, a class or a part of any class of motor vehicles and motor drawn vehicles registered in another State, territory, federal district or province of Canada when in his judgment said State, territory, federal district or province prohibits the free operation therein of a class or part of any class of motor vehicles or motor drawn vehicles belonging to the residents of this State which have been properly registered in accordance with the laws of this State. He shall also have power to suspend, for violation of any of the provisions of this act or on other reasonable grounds, the operating privilege of any motor vehicle or motor drawn vehicle belonging to a nonresident.

The Commissioner, when suspending such privilege, shall notify the official or body performing the registration duty in the State, territory, federal district or province of the nonresident of such action and give public notice of the same and cause police authorities to be notified.

If such motor vehicle or motor drawn vehicle whose operating privilege has been suspended shall thereafter be driven in the State of New Jersey, the same is hereby construed to be a violation of

Enforcement.

Suspension
of privilege.Notification
of suspension.Penalty for
driving
after sus-
pension.

subdivision one of section nine of this act and the driver of such vehicle shall be subject to the penalty prescribed therefor.

Touring
privilege.

Proviso.

Proviso.

Proviso.

Proviso.

(5) The touring privilege as hereinbefore provided is also extended to any nonresident chauffeur or driver; *provided*, that the said chauffeur or driver has complied with the law of his resident State with respect to the licensing of drivers or chauffeurs; *and provided*, that said nonresident shall not operate a motor vehicle registered under the laws of this State unless he is seventeen years of age or over; *and provided, further*, that no nonresident shall be permitted to avail himself of the right of driving a New Jersey registered vehicle under his reciprocity privilege unless he is a holder of a driver's license from the State in which he resides; *and provided, however*, that he shall at all times while operating a motor vehicle in New Jersey under his reciprocity privilege have in his possession the registration certificate of the car which he shall be then operating and his driver's license, and shall exhibit said registration certificate and driver's license to any motor vehicle inspector, police officer, or magistrate, who in the performance of the duties of his office shall request the same.

2. This act shall take effect immediately.

Approved March 8, 1933.

CHAPTER 40

AN ACT to amend an act entitled "An act to amend an act entitled 'An act appropriating moneys paid or to be paid to the State of New Jersey from the Delaware River Joint Commission,' approved June thirtieth, one thousand nine hundred and thirty-one," approved June thirteenth, one thousand nine hundred and thirty-two.

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

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

1. From the moneys paid or to be paid to the State by the Delaware River Joint Commission under the provisions of an act entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware river and the improvement of the facilities for transportation across the said river; authorizing the New Jersey Interstate Bridge Commission on behalf of the State of New Jersey for these purposes to enter into an agreement with the Commonwealth of Pennsylvania creating the Delaware River Joint Commission and specifying the powers and duties thereof, including the power to finance projects by the issuance of revenue bonds; transferring to the new commission all the powers of the Delaware River Bridge Joint Commission and making an appropriation," approved June thirtieth, one thousand nine hundred and thirty-one, excepting such sum as may be paid to the Sinking Fund Commission as required by Article VI, subsection (g) of the above mentioned act, there is hereby appropriated to the general treasury fund to be used for State purposes the balance of said moneys. Balance of
fund appro-
priated for
general State
fund.

2. This act shall take effect immediately.

Approved March 8, 1933.

CHAPTER 41

AN ACT to amend an act entitled "An act to amend 'An act to amend an act entitled "An act concerning municipalities," approved March twenty-seventh, one thousand nine hundred and seventeen,' which amendment was approved December second, one thousand nine hundred and thirty."

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

Section 11,
Article XVIII
amended.

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

Advertising
sale of land.

11. No land or any right or interest therein shall be sold by any municipality except at public sale and to the highest bidder, after public advertisement given in a newspaper circulating in the municipality in which said land lies for two insertions at least once a week during two consecutive calendar weeks, the last publication to be not more than seven days prior to the date of said sale; *provided, however,* that the governing body of any municipality may by resolution fix a minimum price at which any such land may be sold at public sale; said minimum price to be included in the advertisement of sale of said lands, and public notice thereof given at the time of sale; *and provided, further, however,* that the requirement herein for public sale to the highest bidder shall not apply to any sale of land or any right or interest therein by any municipality to the United States of America, the State of New Jersey, or any political subdivision of said State, or to any park commission heretofore or hereafter organized in any county of this State, or to any board of education of any school district in this State, and that any deed or deeds heretofore

Proviso.

Proviso.

given by any municipality for the sale of any land or any right or interest therein, without public sale to the highest bidder, to the United States of America, the State of New Jersey, or any political subdivision of said State or to any park commission heretofore or hereafter organized in any county of this State, shall be valid and effectual; *provided, further, however,* that a municipality may dispose of and convey a portion of park lands or streets in exchange for other lands contiguous to such park lands or streets in area equal to or greater than the lands conveyed for the purpose of straightening or rendering symmetrical the boundary or boundaries of said park lands or streets; *provided, further,* that whenever any road, street, avenue, highway, lane or alley shall have been or shall hereafter be lawfully altered or relocated in such manner as to leave a portion of the original road or street which shall not be needed for public use, and the municipality shall have vacated or released the public rights therein, the municipality, if it be the owner of the fee of said land, is hereby authorized to make a private sale of and convey the lands so vacated to the adjoining property owner or owners at such price as may, in the judgment of the governing body of such municipality, be fair and just; *and provided, further, however,* that such sales may be adjourned at the time advertised for a period of not more than one week, without re-advertising; *and provided, further,* that any sales heretofore made at public auction by any municipality of this State are hereby validated and confirmed, if otherwise lawful, notwithstanding any defects or informalities in said sales of the advertisements thereof.

Proviso.

Proviso.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved March 8, 1933.

CHAPTER 42

AN ACT validating the sale of certain lands, hereditaments or real estate made under any decree, judgment, or order of any court of this State, or any execution or other process issued thereon.

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

Validating sale
of land, etc.

1. No sale of any lands, tenements, hereditaments or real estate heretofore made by virtue of any decree, order or judgment of any court of this State, or any execution or other process issued thereon, shall be invalidated by reason of any omission to advertise such sale or any adjournment thereof in the manner and for the length of time and in the number of newspapers then required by law, or by reason of any other irregularity or defect in such advertisement, but the purchaser or purchasers of such lands, tenements or hereditaments or real estate having paid the price therefor and having received his, her or their deed therefor, and his, her or their heirs, successors or assigns shall be deemed to have as good and complete title thereto as if such sale or adjournment had been in all particulars duly advertised; *provided*, that no proceeding shall have heretofore been instituted in any court of law or equity to set aside said sale or the deed or of any proceedings in connection therewith.

Proviso.

2. This act shall take effect immediately.

Approved March 8, 1933.

CHAPTER 43

AN ACT authorizing the governing body of any municipality in this State to convey lands and buildings to the board of education of said municipality, when said lands and buildings are not needed for other municipal purposes.

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

1. Whenever the governing body of any municipality in this State shall determine that all or any part of a tract of land with or without buildings erected thereon, owned by said municipality, is no longer desirable or necessary or required for other public purposes, it shall be lawful for the governing body of such municipality, and it is hereby authorized, to transfer and convey such land or any portion thereof, with or without improvements thereon, to such board of education in said municipality for a nominal consideration, to be used for public purposes connected with said board of education.

Empowering governing body to convey lands to school board.

2. No transfer or conveyance of such land or property as hereinbefore provided shall be made until the governing body of said municipality shall have adopted a resolution declaring the property to be no longer desirable or necessary or required for other public purposes, and authorizing the conveyance thereof for public purposes by deed executed by the proper officers of said municipality under the seal of said municipality; nor until the board of education in said municipality to whom such conveyance is to be made, shall have adopted a resolution requesting or approving the conveyance of such lands or property for such public purposes.

Method of conveyance.

3. This act shall take effect immediately.

Approved March 8, 1933.

CHAPTER 44

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

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

Section 5
amended.

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

Body
corporate.

5. Upon executing the certificate of incorporation and causing the same to be recorded and filed as aforesaid, the persons signing the same, their successors and assigns, shall from the date of such filing be and constitute a body corporate by the name set forth in said certificate; no such company, however, shall transact the business for which it is incorporated until it has received a certificate of authority from the Commissioner of Banking and Insurance as hereinafter provided, and if any such company shall fail to obtain such certificate of authority within one year from the date of the certificate of the Attorney-General to its certificate of incorporation, as provided in the preceding section hereof, such company shall, ipso facto, be dissolved and its certificate of incorporation shall be null and void.

Dissolution if
not approved.

2. This act shall take effect immediately.

Approved March 8, 1933.

CHAPTER 45

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

WHEREAS, A public emergency exists by reason of the abnormal disruption of economic and financial processes which affects the conduct of the business of insurance in a normal and ordinary manner; therefore,

Preamble.

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

1. The Commissioner of Banking and Insurance of this State shall have power to make, alter, amend and rescind rules and regulations imposing any condition upon the conduct of the business of any insurance company which may be necessary or desirable to maintain sound methods of insurance and to safeguard the interests of policy holders, beneficiaries and the public generally, during the period of such emergency, which rules and regulations shall become inoperative when such emergency shall cease, and an order to that effect shall be made by said commissioner.

Empowering
Commis-
sioner to
regulate
insurance
companies.

When act
inoperative.

2. This act shall take effect immediately.

Approved March 10, 1933.

CHAPTER 46

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

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

Purpose of
association.

1. Any three or more persons may form themselves into an association under the provisions of the act to which this act is a supplement, for the following purposes: the issuance and use of clearing house certificates.

Certificate of
incorporation.

2. The certificate, when signed by the incorporators, shall be submitted to the Commissioner of Banking and Insurance, and if approved by him, shall be filed in his office without the exaction of any fee, and the corporate existence of such association shall commence on the day of such filing.

Trustees.

3. The incorporators shall be trustees of the said association, and in addition to their own number, shall select to be trustees of such association, six or more persons from among the national banks transacting business in this State, and from banks, trust companies, or savings banks incorporated under the laws of this State, but not more than three of the trustees shall be representatives of national banks transacting business in this State, not more than three shall be representatives of trust companies, not more than two shall be representatives of savings banks, and not more than one shall be a representative of a State bank.

Branches.

4. Subject to the approval of the Commissioner of Banking and Insurance, any such association may establish branch offices throughout the State.

Issuing
certificates.

5. The trustees of any such association, with the approval of the Commissioner of Banking and Insurance, shall have power to adopt and carry into effect a plan for the issuance and use of clearing

house certificates, and to issue such certificates against the transfer or pledge to the association of assets by members of the association, and from time to time, with like approval, to modify, limit the further operation of, or terminate such plan.

6. Any bank, trust company or savings bank incorporated under the laws of this State, and any national bank located within this State, may become a member of such association and may become a party to any such plan, and shall have full power to transfer or pledge its assets to the association in accordance with such plan.

Who may become members.

7. Any bank, trust company, or savings bank incorporated under the laws of this State, and any such national bank, subject to Federal laws and regulations, shall have power to receive any such certificates on deposit and to accept the same in payment of any debt or obligation payable to it, and to use such certificates in the payment of its obligations.

Use of certificate by national banks, etc.;

8. Any other corporation organized or existing under the laws of this State shall have power to accept such certificates in payment of any debt or obligation payable to it.

Use by other corporations;

9. Any person or corporation acting as executor, administrator or trustee, or in any other fiduciary capacity in this State, shall have power to accept such certificates in payment of any debt or obligation owing to such person or corporation in such capacity.

Use by executors, etc.;

10. The State of New Jersey and any political or municipal subdivision of the State, or commission created by or existing under the laws of this State, shall have power to accept such certificates in payment of any debt or obligation, or of any tax, fees, or other dues payable thereto.

Use by the State and political subdivisions.

11. Any such association organized under the provisions of this act shall possess and may exercise the general powers conferred by "An act concerning corporations" (Revision of 1896), and the supplements thereto and amendments thereof, so far as not inconsistent with this act.

Corporate powers conferred.

- By-laws.** 12. The trustees of any association organized under this act shall have power to adopt a constitution and by-laws for the government, administration and regulation of its affairs and to alter, amend or supplement the same.
- Liability.** 13. None of the members, incorporators, trustees, officers or agents or servants of any such association, or directors, officers, agents or servants of members of the association, shall be personally liable for any of the debts or obligations of such association, or of any other member of such association, except such liability as shall be expressly assumed by any member or members.
- Terms and vacancies of trustees.** 14. The nine trustees first provided for by this act shall continue to hold office until the dissolution of the corporation and any vacancy occurring in any such office by death, resignation or otherwise, shall be filled by the remaining trustees subject to the approval of the Commissioner of Banking and Insurance.
- Amendments to charter.** 15. Any amendment or change in the charter or certificate of incorporation of any such association shall likewise be filed in the office of the Commissioner of Banking and Insurance, but no such certificate or change or amendment shall be so filed until the same shall be first approved by the trustees and by said Commissioner.
- Dissolution.** 16. Any such association may be dissolved by certificate filed in the office of the Commissioner of Banking and Insurance signed by a majority of the trustees of such association, but no such certificate of dissolution shall be filed until the same shall first be approved of by said Commissioner, who is hereby authorized to prescribe such regulations as he may deem necessary or proper for the liquidation of the association, its assets and affairs.
- Constitutionality.** 17. If any clause, provision or section of this statute shall be attacked and shall be declared void, the remainder of the act shall stand, and this act shall be liberally construed in order to carry out its purpose.

18. The Legislature reserves the right to alter, enlarge, amend or repeal any of the privileges, rights and powers conferred in this act.

Rights reserved.

19. This act shall take effect immediately.
Approved March 10, 1933.

CHAPTER 47

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

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

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

Section 188 amended.

188. Any person who shall sell or exchange, or offer for sale or exchange, or willingly receive, any forged or counterfeit clearing house certificate, or other medium of exchange, or promissory note, with intention to have the same uttered or passed, to defraud any person or corporation; or shall make or engrave, cause or procure to be made or engraved, any plate for forging or counterfeiting any clearing house certificate, or other medium of exchange, or promissory note for the payment of money in the name of any person or corporation; or shall have in his possession, or receive from any other person, any forged or counterfeit clearing house certificate, or other medium of exchange, or promissory note for the payment of money, with intent to utter or pass the same, or to permit or cause, or procure the same to be uttered or passed, with intention to defraud any person or corporation whatsoever, knowing the same to be forged or

Dealing in counterfeited paper, etc.

Illegal plate.

Passing counterfeits.

counterfeited; or shall have or keep in his possession any blank or unfinished note or clearing house certificate or other medium of exchange, made in the form and similitude of any clearing house certificate, or other medium of exchange, or promissory note for the payment of money, made to be issued by any incorporated bank of this State, or any of the United States or any corporation authorized to issue clearing house certificates or other mediums of exchange, with intention to fill up and complete such blank or unfinished note or clearing house certificate or other medium of exchange, or to permit, cause, or procure the same to be filled up and completed, in order to utter or pass the same, or permit, cause or procure the same to be uttered or passed, to defraud any person or corporation whatsoever; or shall have or keep in his custody or possession any plate for forging or counterfeiting any clearing house certificate, or other medium of exchange, or promissory note for the payment of money, in form or similitude of any clearing house certificate, or other medium of exchange, or promissory note issued by any of the banks or corporations aforesaid, with intent to forge or counterfeit, or to assist in forging or counterfeiting, or to permit, cause or procure to be counterfeited, any clearing house certificate, or other medium of exchange, or promissory note issued by any of the aforesaid banks or corporations, shall be guilty of a high misdemeanor.

Penalty.

Section 197
amended.

Counter-
feiting,
altering, etc.

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

197. Any person who shall falsely make, alter, forge or counterfeit, or cause, counsel, hire, command or procure to be falsely made, altered, forged or counterfeited, or willingly act or assist in the false making, altering, forging or counterfeiting any record or other authentic matter of a public nature, character, letters-patent, deed, lease, writing sealed, will, testament, annuity, bond, bill, writ-

ing obligatory, bank bill or note, United States treasury note, check, draft, bill of exchange, promissory note for the payment of money, indorsement or assignment of any check, draft, bill of exchange, or promissory note for the payment of money or clearing house certificate or other medium of exchange, or any acceptance of a bill of exchange, or the number, principal sum of any accountable receipt for any note, bill or other security for the payment of money, or any warrant, order or request for the payment of money, or delivery of goods or chattels of any kind, or any acquittance or receipt, either for money or goods, or any acquittance, release or discharge of any debt, account, action, suit, demand or other thing, real or personal, or any transfer or assurance of money, stock, goods, chattels or other property whatsoever, or any letter of attorney, or other power to receive money, or to receive or transfer stock or annuities, or to let, lease, sell, dispose of, alien or convey any goods or chattels, lands or tenements, or other estate, real and personal, with intent to prejudice, injure, damage or defraud any person or persons, body politic or corporate, or who shall utter or publish, or cause, counsel, hire, command or procure to be uttered or published, as true, any of the above false, altered, forged or counterfeited matters as above specified and described, knowing the same to be false, altered, forged or counterfeited, with intent to prejudice, injure, damage or defraud any person or persons, body politic or corporate, shall be guilty of a high Penalty. misdemeanor.

3. This act shall take effect immediately.

Approved March 10, 1933.

New Jersey State Library

CHAPTER 48

A SUPPLEMENT to an act entitled "An act concerning building and loan associations" (Revision of 1925), approved March twelfth, one thousand nine hundred and twenty-five.

Preamble. WHEREAS, A public emergency exists as the result of a prolonged period of economic depression;

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

Conserving assets:

1. The Commissioner of Banking and Insurance shall have power, in addition to such other powers as he may have, notwithstanding the provisions of the act to which this act is a supplement and the amendments and supplements thereof, from time to time, to make orders for the purpose of conserving the assets of the building and loan associations of this State, which orders shall have the same force and effect as law and be binding on any and/or all building and loan associations of this State, whereby:

Withdrawal value;

(a) to regulate the method of paying the withdrawal value and/or maturity value of shares of any and/or all such associations;

Filing applications;

(b) to regulate and/or postpone the filing of applications for withdrawal of shares and of requests for payment of maturity value of shares of any and/or all such associations;

Payments;

(c) to regulate or postpone the payment of all or any part of the maturity value or of the withdrawal value of shares of any and/or all such associations;

Additional reserves;

(d) to require any and/or all such associations to establish additional reserves or increase present reserves and to regulate any reserves of any

and/or all such associations and to prescribe the manner in which such reserves shall be established;

(e) to regulate, allocate, prohibit or postpone the receipt and/or disbursement of funds by any such association; Receipt and disbursement of funds;

(f) to effect such changes and/or reorganizations in the business and/or affairs of any and/or all such associations as he shall deem necessary or proper. Changes.

2. The Commissioner shall not be liable in damages to any person by reason of errors of judgment in carrying out the powers herein conferred on him nor shall he be liable in damages for failure to act under said powers. Commissioner's liability.

3. The Commissioner shall have authority to repeal, suspend or modify any order made by him pursuant to the provisions of this law. Repeals, suspensions.

4. No order made hereunder nor any suspension, modification or repealer thereof, shall be effective until a copy thereof shall be filed in the Department of Banking and Insurance and a copy thereof delivered or mailed to the association or associations affected. When act effective.

5. This act shall take effect immediately and remain in effect one year from and after the date of approval. Act operative.

Approved March 10, 1933.

CHAPTER 49

A SUPPLEMENT to an act entitled "An act to supplement and to amend an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three," which act was approved February twenty-first, one thousand nine hundred and thirty-three and constitutes chapter twenty-eight, Pamphlet Laws one thousand nine hundred and thirty-three.

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

Sections 7(a),
7(b), 7(c),
7(d) added.

Procedure to
reduce ap-
propriation.

1. Said act is hereby supplemented by adding thereto new sections to read as follows:

7(a) The board of education of any school district governed by the provisions of article seven of an act entitled "An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof," approved October nineteenth, one thousand nine hundred and three, as amended, may in its discretion by resolution adopted by not less than three-fourths of the members of said board determine that the sum authorized by the voters of such school district to be raised by taxation to meet any annual appropriations for school purposes for the fiscal year beginning the first day of July, one thousand nine hundred and thirty-three, at any election held prior to the twenty-first day of February, one thousand nine hundred and thirty-three, shall be reduced by an amount which shall not exceed fifty per centum (50%) of the amount so authorized to be raised. The district clerk of such

Certified copy
sent to board
of taxation.

a school district shall transmit a certified copy of such resolution to the county board of taxation and if such certified copy of resolution is received by said board at any time prior to the twentieth of March, one thousand nine hundred and thirty-three, said board shall reduce the amount previously certified by the district clerk as the amount to be raised by taxation in such district in accordance with said resolution.

7(b) In every city school district governed by the provisions of article six of an act entitled "An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof," adopted October nineteenth, one thousand nine hundred and three, as amended, the common council, board of finance or other body in such city, having the power to make appropriation of money raised by taxes in such city may, in its discretion by resolution adopted by not less than three-fourths of the members of such common council, board of finance or other body with the approval of the board of school estimate, determine that the sum to be raised by taxation to meet the annual appropriations for school purposes in such district for the fiscal year beginning the first day of July, one thousand nine hundred and thirty-three, shall be reduced by an amount which shall not exceed fifty per centum (50%) of the amount heretofore certified to such common council, board of finance, or other body, as necessary for the use of the schools in such district for the year beginning July first, one thousand nine hundred and thirty-three. The city clerk of such city shall transmit a certified copy of such resolution to the county board of taxation and if such certified copy of resolution is received by said board at any time prior to the twentieth day of March, one thousand nine hundred and thirty-three, the amount authorized in any tax ordinance to be raised for school purposes by taxation in such district shall be reduced in accordance with said resolution.

Procedure to
reduce ap-
propriation.

Certified copy
sent to board
of taxation.

Procedure to
reduce ap-
propriation.

7(c) In all school districts comprised of two or more municipalities in counties of the first class, in which the board of school estimate has fixed and determined the amount necessary to be raised for school purposes for the year 1933-1934 prior to the passage of an act to which this is a supplement, it shall be the duty of the county board of taxation of the county in which said school district is located, upon receipt of notice of the passage of this act in computing the amount to be raised by taxation for school purposes for said municipality or municipalities for the year one thousand nine hundred and thirty-three, to include only three-quarters of the amount so fixed and determined by said board of school estimate as certified by the district clerk.

Disposition
of surplus.

7(d) If at the end of the school year on December thirty-first, one thousand nine hundred and thirty-three, there remains to the credit of any school district a surplus resulting from the operation of said school district out of the monies appropriated for the school year beginning on the first day of July, one thousand nine hundred and thirty-three, and ending on the thirty-first day of December, one thousand nine hundred and thirty-three, said surplus shall be applied towards the school budget for the year one thousand nine hundred and thirty-four.

2. This act shall take effect immediately.

Approved March 10, 1933.

CHAPTER 50

A FURTHER SUPPLEMENT to an act entitled "An act respecting the Court of Chancery" (Revision of 1902), approved April third, one thousand nine hundred and two.

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

1. Where any decree has been or shall be entered in the Court of Chancery to compel any municipality to install and maintain a sewage disposal plant, and it shall be represented to the court by said municipality that it is unable to meet its financial obligations and unable to borrow money for the purpose of installing and maintaining such sewage disposal plant, such municipality is hereby authorized and empowered to present a petition to said court reciting such facts and requesting an extension of time within which to comply with the terms of said decree and the court, after examining into the matter and being satisfied of the truthfulness of the facts set forth in said petition, shall grant an extension of time to said municipality to commence the work of such installation and maintenance as the court shall deem just and proper.

Extension of
time granted
for sewage
disposal plant.

2. This act shall take effect immediately.
Approved March 13, 1933.

CHAPTER 51

AN ACT to amend an act entitled "A further supplement to an act entitled 'An act concerning municipal and county finances,' approved March twenty-eight, one thousand nine hundred and thirty-two,"

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

Section 1
amended.

Additional
powers
conferred.

"Scrip."

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

1. In addition to the powers conferred by the provisions of the act to which this act is a further supplement, the governing body of each municipality and of each county is authorized and empowered to issue and sell its "tax anticipation notes," "tax anticipation bonds," "tax revenue notes," "tax revenue bonds" and other evidence of indebtedness in denominations of ten, twenty-five, fifty, one hundred, two hundred and fifty, five hundred and one thousand dollars each. Whenever in the opinion of the governing body of any municipality or of any county it is necessary in order to pay for past due services, wages and salaries and other past due obligations for materials and supplies furnished including obligations of the municipality to its school system, either for salaries past due or services, materials and supplies already provided, in some form other than cash, said governing bodies are hereby authorized and empowered to issue acknowledgments of indebtedness commonly known as "scrip" in denominations to be fixed by such governing body.

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

2. Such "tax anticipation notes," "tax anticipation bonds," "tax revenue notes," "tax revenue bonds," and other evidence of indebtedness and such acknowledgments of indebtedness commonly known as "scrip" may be issued and sold from time to time and in such manner and under such conditions as the municipality or the county shall by resolution provide, and shall bear interest at the rate not to exceed six per centum (6%) per annum. Rate of interest.

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

3. The said "tax anticipation notes," "tax anticipation bonds," "tax revenue notes," "tax revenue bonds" and other evidence of indebtedness, and such acknowledgments of indebtedness commonly known as "scrip," issued hereunder, or pursuant to the provisions of the act to which this act is a further supplement, may be accepted from any holder or bearer thereof by the municipality or the county issuing the same in payment and discharge of taxes, assessments and other charges, which may be due to the municipality or the county issuing the same; *provided*, that any certificates of indebtedness commonly known as "scrip" heretofore issued by any municipality or county as set forth in section one of this act are hereby validated and confirmed as to their legality, and any payments in discharge of taxes, assessments, and other charges heretofore satisfied by the receipt of said certificates of indebtedness commonly known as "scrip" be and the same are hereby ratified, validated and confirmed. Received in payment of taxes.

4. This act shall take effect immediately. Proviso.

Approved March 14, 1933. Previous issues validated.

CHAPTER 52

AN ACT to amend an act entitled "A supplement to an act entitled 'An act respecting the Orphans' Court and relating to the powers and duties of the ordinary and the Orphans' Court and surrogates' (Revision 1898), approved June fourteenth, one thousand eight hundred and ninety-eight," approved April fourteenth, one thousand nine hundred and thirty-one.

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

Section 1
amended.

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

Compromis
ing claims.

1. The executor, administrator or trustee of the estate of any decedent is hereby empowered and authorized to compromise, settle or adjust any claim arising prior or subsequent to the passage of this act, whether in suit or not, of any legatee, devisee, caveator, widow, minor, or any other claimant whatsoever, that may be made against the estate of the decedent, or any claim of the estate of the decedent against any person.

Section 3
amended.

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

Petition
presented to
court.

3. The executor, administrator or trustee, as set forth in this act, desiring to effect a compromise, settlement or adjustment under section one or two of this act, shall file a petition duly verified, on oath or affirmation, addressed to the Orphans' Court of the county wherein letters were granted to such executor, administrator or trustee. Said petition shall set forth all the facts and circumstances of such claim or question proposed to be

Facts set
forth.

compromised, settled or adjusted; *provided, however*, that the executor, administrator or trustee, as herein provided, has been able to effect and have executed, an agreement in writing, setting forth the terms and conditions of the proposed composition, settlement or adjustment with the claimant or debtor. A copy of said proposed agreement between the claimant or debtor and the executor, administrator or trustee, shall be attached to the petition. The court shall then mark the petition filed, issue a rule to show cause why the prayer of the petition should not be allowed, and to make same returnable in open court, not less than thirty days from the date of its allowance. A copy of said petition, order to show cause and draft of the proposed agreement between the executor, administrator or trustee and the claimant or debtor, certified by the surrogate of the county, shall be served personally, or by registered mail, to the last known address, upon all parties interested in said estate, at least ten days before the return date of the rule to show cause. Upon the return of said rule, and proof of service as herein provided, the court shall consider said petition, take proof if it is deemed necessary by the court, and if in the judgment of the court it shall appear for and in the interest of the estate, that any such claim shall be compromised, settled or adjusted, in accordance with the terms and conditions set forth in the agreement of writing between the executor, administrator or trustee and the claimant or debtor, the court shall make an order or decree approving the proposed compromise, settlement, or adjustment as submitted, or in such other form as may be agreed upon in writing, between the executor, administrator or trustee and the claimant or debtor. The decree or order made by the court shall operate to relieve the fiduciary of any responsibility in the premises.

3. This act shall take effect immediately.

Approved March 14, 1933.

Proviso.

Copy of agreement.

Rule to show cause.

All parties interested notified.

Action of court.

Order or decree.

CHAPTER 53

AN ACT to amend an act entitled "An act concerning district courts" (Revision of 1898).

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

Section 55
amended.

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

Summons,
etc., tested.

55. All precepts, summons, warrants, writs and other process of said district courts shall issue under the seal thereof and shall be tested the day on which they are respectively issued in the name of the judge and signed by the clerk thereof; *provided, however*, writs of subpoena for witnesses may issue without the seal of said district court and may be signed by the attorney issuing them.

Proviso.

Approved March 14, 1933.

CHAPTER 54

AN ACT to amend an act entitled "An act concerning building and loan associations" (Revision of 1925), approved March twelfth, one thousand nine hundred and twenty-five.

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

Section 20
amended.

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

20. May borrow money.

May borrow
money.

Any such association may borrow money from any source in or out of the State on the note, bond

and mortgage or other evidence of indebtedness of such association, upon such terms and conditions as the board of directors may, from time to time, prescribe by resolution adopted by at least a majority of all the members of such board and duly recorded on the minutes, and may pledge, assign or transfer bonds and mortgages owned by such association, together with the shares if any pledged as collateral therefor, and/or any other real or personal property, as security for the repayment of money so borrowed; *provided*, money so borrowed on obligations, other than on obligations to the Federal Home Loan Bank of Newark secured by mortgages and/or other than on bonds secured by mortgages on real estate owned by such association, shall, at no time, exceed twenty-five per centum of the principal amount of the bond and mortgage assets of such borrowing association.

Proviso.

Amount limited.

2. This act shall take effect immediately.

Approved March 14, 1933.

CHAPTER 55

AN ACT to amend an act entitled "An act concerning building and loan associations" (Revision of 1925), approved March twelfth, one thousand nine hundred and twenty-five.

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

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

Section 26 amended.

26. The funds of every such association shall be invested in the following and no other way:

How funds to be invested:

I. Real estate.

In the purchase of lands or building lots and erecting buildings and improvements thereon, or

Real estate;

in the purchase of lands already improved; which lands, buildings and improvements shall be within this State and shall be already contracted to be sold to the members of such association, payable in the shares of the association, or in periodical installments for a period such as shall be agreed upon and designated in its constitution; at the expiration of which term, all payments having been made, the lands, dwellings and improvements so sold and conveyed to the members of such association shall become the property of the grantees, discharged from all further payment; in the purchase of lands and the erection or improvement of buildings thereon for the purpose of providing offices for the transaction of its business; the amount that may be so invested in such lands and buildings together with the amounts due on obligations payment of which is secured by liens or mortgages on said lands and buildings shall not, in the aggregate, exceed five per centum of the value of the assets of such association; the interest on the amount so invested, calculated at the rate of six per centum per annum less the annual income obtained from subrentals or otherwise of any part of such building, shall be charged against the aggregate amount of expense as limited by this act;

Interest rate;

II. Mortgage loans to members.

In loans to members on bonds secured by mortgage which shall be a first lien on real estate in this State, not to exceed eighty per centum of the cash value thereof, if improved or fifty per centum if vacant land, payable in shares of such association, or by periodical installments; except where any such association holds a mortgage on real estate which is a first lien, such association may increase its loan thereon and secure the same by a second or subsequent mortgage; the total indebtedness to such association, less the amount of dues paid on the shares pledged for such loan, shall not exceed eighty per centum of the cash value of the real estate, if improved, or fifty per centum of the

Mortgage loans;

vacant land, loaned on, and all the mortgages held by such association shall be prior to any other encumbrance on said real estate;

III. Redemption of shares.

Redeem shares;

In the redemption of shares of such association;

IV. Loans on shares.

In loans upon the pledge or collateral security of the shares of such association, not to exceed ninety per centum of the withdrawal value of such shares;

Loans on stock of association;

V. Mortgage loans to nonmembers.

In loans to persons not members, or to members without pledge of their shares as collateral security on bonds secured by mortgage, which shall be a first lien on improved real estate in this State, not to exceed sixty-five per centum of the cash value thereof; such loans also may be simultaneous with or subsequent to loans of the character authorized by paragraph II of this section; *provided*, the sum of all the loans on the real estate mortgaged shall not exceed sixty-five per centum of the cash value thereof; *and provided, further*, at least fifty per centum of such a loan shall be of the character authorized by paragraph II of this section; a purchase money mortgage given to such association upon real estate sold by it shall not be considered a loan within the meaning of this subdivision; a premium or discount taken by any such association for loans of the character specified in this paragraph shall not be deemed to be usurious;

Loans to nonmembers;

Proviso.

Proviso.

VI. Securities.

The purchase of any or all of the securities in which savings banks of this State are authorized by law to invest, or as a loan upon any of such securities as collateral, not to exceed eighty per centum of their market value; *provided*, investments or loans authorized under this paragraph of this section and mortgage loans unaccompanied by one of the character authorized by paragraph II of this section shall only be made from moneys on hand not required for any of the purposes specified in paragraphs I, II, III, IV, and V hereof,

Securities purchased;

Proviso.

or for the payment of withdrawals or matured shares, or for the purpose of creating a fund for the payment of maturing shares;

Proviso.

Provided, further, that a sum equivalent to not less than one per centum of the gross assets of each such association as shown by its last preceding annual report shall be invested by such association in the following manner: (a) In stocks or bonds or interest-bearing notes or obligations of the United States, or those for which the faith of the United States is distinctly pledged to provide for the payment of the principal and interest thereof; (b) In the interest-bearing bonds of this State, or in any bonds authorized by the laws of this State to be issued by any commission appointed by the Supreme Court of this State by virtue of any law of this State; (c) In the bonds of any State in the Union that has not, within ten years previous to making such investment by any such association, defaulted in the payment of any part of either principal or interest on any debt authorized by any law of such State to be contracted; (d) In the bonds of any county, township, municipality or school district of this State issued pursuant to the authority of any law of this State; *provided,* such county, township, municipality or school district shall not, within the five years next preceding, have defaulted in the payment of any part of either principal or interest of any legal debt or obligation thereof; *and provided, further,* the total indebtedness of any borough or village does not exceed ten per centum of its assessed valuation, and such school district bonds are by law charged upon all the property of the inhabitants of such district; or in any interest-bearing obligation issued by the county in which such building and loan association is situated, or by any city, town, township, borough or village in such county; (e) In any demand or time deposits in, or certificates of deposit of, any bank or trust company in this State, which deposits or certificates shall be in the name of such association and shall be designated "liquid invest-

Proviso.

Proviso.

ment fund"; (f) in the stock and/or bonds of the Federal Home Loan Bank of Newark; moneys acquired by such association from the sale or hypothecation of securities specified in subdivisions (a), (b), (c), (d) and (f) hereof, or from the sale, surrender, hypothecation or withdrawal of such deposits or certificates of deposit, shall be used only for the purpose of making payments to shareholders on shares withdrawn or on shares matured or on loans authorized under paragraph IV hereof; and no such association shall agree to invest any moneys in the manner permitted by paragraphs I, II and V hereof when its investments in such securities and/or deposits and/or certificates shall be less than the percentage herein required; and every such association shall be subject to such rules and regulations respecting the methods of investing funds in such securities, deposits and certificates and the custody and control of such securities, deposits and certificates as the Commissioner of Banking and Insurance shall prescribe.

2. This act shall not be construed to amend, repeal or supersede the provisions of an act entitled "An act to amend an act entitled 'An act concerning investments by banks, trust companies, savings banks, building and loan associations, title and mortgage guaranty companies, insurance companies, and by persons and corporations acting in a representative capacity in leasehold estates within this State of camp meeting associations,' approved April ninth, one thousand nine hundred and thirty," approved July seventh, one thousand nine hundred and thirty.

Construing
act.

3. This act shall take effect immediately.
Approved March 14, 1933.

CHAPTER 56

AN ACT to amend an act entitled "An act concerning building and loan associations" (Revision of 1925), approved March twelfth, one thousand nine hundred and twenty-five.

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

Section 67
amended.

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

67. Limitation on fines.

Limiting
fines.

No such association shall charge fines after a notice of withdrawal shall have been filed. A single fine not exceeding five per centum may be charged upon initial arrearages or on the amount by which the arrearage may be increased in any one month, but thereafter no further fines or charges shall be imposed exceeding one per centum per month upon the amount of such arrearages, not including fines.

2. This act shall take effect immediately.

Approved March 14, 1933.

CHAPTER 57

A SUPPLEMENT to an act entitled "An act to authorize and regulate the issuance of bonds and other obligations and the incurring of indebtedness by county, city, borough, village, town, township, or any municipality governed by an improvement commission," approved March twenty-second, one thousand nine hundred and sixteen.

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

1. Any temporary obligations heretofore issued and outstanding and maturing prior to January first, nineteen hundred and thirty-six, the six-year limitation of which has expired or will expire prior to January first, nineteen hundred and thirty-six, may be refunded by the issuance of other temporary notes or bonds payable in not exceeding three years from their date of issue, or the same may be paid or be refunded by the issuance of permanent serial bonds as prescribed by the act to which this act is a supplement. Refunding temporary obligations.

2. Said temporary notes or bonds may be exchanged in whole or in part with the holders of the outstanding temporary notes or bonds for not less than par and accrued interest, or may be sold as prescribed by the act to which this act is a supplement. Exchanges.

3. If the supplemental debt statement provided by the act to which this act is a supplement has been duly filed prior to the original authorization of the maturing temporary notes or bonds, no other supplemental debt statement shall be required to be filed prior to the authorization of the temporary notes or bonds authorized by this act, Supplemental debt statement not required.

and said temporary notes or bonds may be authorized by resolution of the governing body.

Repealer.

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

5. This act shall take effect immediately.

Approved March 14, 1933.

CHAPTER 58

AN ACT to amend an act entitled "A further supplement to an act entitled 'An act concerning trust companies' (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine," and which further supplement was approved March eighteenth, one thousand nine hundred and twenty-five.

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

Section 9 amended.

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

Where business may be continued.

9. The corporation into which the other corporation or corporations shall have been merged as herein provided, with the written approval of the Commissioner of Banking and Insurance, may continue to conduct business at the location or locations of the office or offices theretofore established by the merged corporations, in the same county when the merger is under section one A of this act, or in the same municipality when the merger is under section one B of this act, and under such office designations as the Commissioner of Banking and Insurance may approve; *provided*, the paid in capital of the corporation into which such

Proviso.

corporation or corporations shall have been merged shall be at least one hundred thousand dollars for each office thereafter to be maintained by it; *and provided, further*, that such continuing corporation resulting from a merger under section one B of this act shall maintain but one office within the corporate limits of a municipality where the population by the last decennial census is less than twenty thousand; not more than two offices where such population by said census is more than twenty thousand and not more than forty thousand; not more than three offices where such population by said census is more than forty thousand and not more than eighty thousand and where such population is more than eighty thousand only such number of offices as the Commissioner of Banking and Insurance may approve.

Proviso.

Number of offices.

2. This act shall take affect immediately.

Approved March 14, 1933.

CHAPTER 59

AN ACT to amend an act entitled "A further supplement to an act entitled 'An act concerning banks and banking' (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine," and which further supplement was approved March eighteenth, one thousand nine hundred and twenty-five.

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

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

Section 9 amended.

Conducting
business.

Proviso.

Proviso.

Number of
offices.

9. The corporation into which the other corporation or corporations shall have been merged as herein provided, with the written approval of the Commissioner of Banking and Insurance, may continue to conduct business at the location or locations of the office or offices theretofore established by the merged corporations, in the same county when the merger is under section one A of this act or in the same municipality when the merger is under section one B of this act, and under such office designations as the Commissioner of Banking and Insurance may approve; *provided*, the paid in capital of the corporations into which such corporation or corporations shall have been merged shall be at least fifty thousand dollars for each office thereafter to be maintained by it; *and provided, further*, that such continuing corporation resulting from a merger under section one B of this act shall maintain but one office within the corporate limits of a municipality where the population by the last decennial census is less than twenty thousand; not more than two offices where such population by said census is more than twenty thousand and not more than forty thousand; not more than three offices where such population by said census is more than forty thousand and not more than eighty thousand and where such population is more than eighty thousand only such number of offices as the Commissioner of Banking and Insurance may approve.

2. This act shall take effect immediately.

Approved March 14, 1933.

CHAPTER 60

AN ACT to amend an act entitled "An act permitting and regulating the merging of banks and trust companies," approved March eighteenth, one thousand nine hundred and twenty-five.

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

1. Section nine of the act to which this act is an amendment be and the same is hereby amended to read as follows: Section 9 amended.

9. The corporation into which the other corporation or corporations shall have been merged as herein provided, with the written approval of the Commissioner of Banking and Insurance, may continue to conduct business at the location or locations of the office or offices theretofore established by the merged corporations, in the same county when the merger is under section one A of this act or in the same city, town, township, borough or village when the merger is under section one B of this act, and under such office designations as the Commissioner of Banking and Insurance may approve; *provided*, the paid in capital of the corporation into which such corporation or corporations shall have been merged shall, if it be a bank, be at least fifty thousand dollars, and if it be a trust company at least one hundred thousand dollars, for each office thereafter to be maintained by it; *and provided, further*, that such continuing corporation resulting from a merger under section one B of this act shall maintain but one office within the corporate limits of a city, town, township, borough or village, where the population by the last decennial census is less than twenty thousand; not more than two offices where such population by said census is more than twenty thousand and not more than forty thousand; not more than three Where business located.

Proviso.

Proviso.

Number of offices.

offices where such population by said census is more than forty thousand and not more than eighty thousand and where such population is more than eighty thousand only such number of offices as the Commissioner of Banking and Insurance may approve.

2. This act shall take effect immediately.

Approved March 14, 1933.

CHAPTER 61

AN ACT permitting municipalities to dedicate and transfer lands to the Federal government for national historical park purposes.

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

Municipality
may transfer
historical
property to
Federal
government.

1. Any municipality owning or holding lands devoted to or used for public recreation ground or park purposes or set apart and designated as a public recreation ground or park, and/or devoted to or used for water purposes or any other purposes whatsoever, however acquired or held, and which said lands embrace or are a part of a site or sites of historical interest and are part of the lands or areas of any national historical park created, established, dedicated and/or set apart by act of the Congress of the United States, may dedicate, turn over and transfer said lands, or any part or parts thereof, free of payment therefor, to the Federal government for the purposes of and to become part of said national historical park. Such dedication, turning over or transfer of said land shall be authorized by ordinance and may be made with such restrictions, reservations and reversions as the governing body of said municipality may by said ordinance determine.

Authorization
by ordinance.

When
effective.

2. Said ordinance shall become operative ten days after the publication thereof after its final

passage, unless within said ten days a protest or protests against making such conveyance or dedication shall be filed in the office of the clerk of such municipality signed by taxpayers representing ten per centum (10%) in amount of the assessed valuation of such municipality whose names appear on the last preceding assessment roll thereof, in which case such ordinance shall remain inoperative until a proposition for the ratification thereof shall be adopted at an election to be held for that purpose by a majority of the qualified voters of such municipality voting on such proposition. The certificate of the clerk of the municipality filed in his office as to the filing or sufficiency of any protest or protests shall be conclusive for the purposes of this section. At least ten days before any such election, notice thereof shall be published once in a newspaper published in such municipality, or if no newspaper is published therein, then in a newspaper published in the county and circulating in such municipality.

Protest.

Referendum.

Notice of election.

Any proposition submitted to the voters of any municipality under the provisions of this act shall be voted upon at the next general election held in the municipality at least thirty days after the filing of the protest or protests herein provided for, unless the governing body thereof shall call a special election therefor. Any such special election shall be conducted and canvassed by the same officers and in the same manner as near as may be prescribed by the laws regulating general elections. The proposition shall be stated on the ballots in substantially the following form: "Shall an ordinance of the..... (name of governing body) of the..... of (name of municipality) entitled..... (title of ordinance and date of passage), be ratified?" "Yes." "No."

When election held.

Proposition.

The governing body of such municipality shall adopt a resolution declaring the result of said election, which resolution shall be published once in the manner provided above for the notice of elec-

Result of election published.

Contesting
election.

tion. No action, suit or proceeding to contest the validity of such election shall be instituted after the expiration of twenty days from the date of publication of the resolution declaring the result thereof.

3. This act shall take effect immediately.

Approved March 14, 1933.

CHAPTER 62

AN ACT to authorize the Washington Association of New Jersey, incorporated pursuant to the provisions of an act entitled "An act to incorporate the Washington Association of New Jersey," approved March twentieth, one thousand eight hundred and seventy-four, to grant and convey to the United States of America all its right, title and interest in and to its real property and personal property of a historical character located in the town of Morristown, Morris county, New Jersey, and to release any and all interest of the State of New Jersey in said property either as stockholder in said association or otherwise.

Preamble. WHEREAS, Congress has passed an act providing for the creation of the Morristown National Historical Park in the State of New Jersey; and

Preamble. WHEREAS, It is the desire of the trustees of said Washington Association to grant and convey to the United States of America its interest in and to all its real property and personal property of a historical character; and

Preamble. WHEREAS, The State of New Jersey has some property rights in said association by reason of ownership of stock forfeited to the State by failure of male descendants of the former owners thereof to claim the same; now, therefore,

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

1. The Washington Association of New Jersey, incorporated pursuant to an act of the Legislature of this State entitled "An act to incorporate the Washington Association of New Jersey," approved March twentieth, one thousand eight hundred and seventy-four, is hereby authorized to grant and convey to the United States of America all its right, title and interest in and to all of its real and personal property of a historical character, located in the town of Morristown, Morris county, New Jersey.

Conveyance by
Washington
Association
to United
States.

2. Upon a conveyance being made pursuant to the power conferred by section one of this act, the State of New Jersey hereby relinquishes and releases to the said United States of America all of its right, title and interest in and to any real property and personal property of a historical character of the Washington Association of New Jersey.

Relinquish-
ment of all
rights, etc.

3. All stock heretofore or hereafter forfeited to the State of New Jersey shall become the property of said association, and if any such stock now stands in the name of the State of New Jersey, the same shall be transferred by the treasurer of this State to said Washington Association of New Jersey.

Disposition
of stock.

4. This act shall be deemed a general law and upon a conveyance being made to the United States of America of the said lands of said Washington Association of New Jersey, all contractual rights between the State of New Jersey and the said Washington Association of New Jersey shall cease and determine and the State shall not be under obligation in the future to make any payment to the trustees of said association.

Contractual
rights to
cease.

5. This act shall take effect immediately.

Approved March 14, 1933.

CHAPTER 63

AN ACT to amend an act entitled "An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations," approved April eighth, one thousand nine hundred and twenty-one.

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

Section 31(1)
amended.

1. Subdivision one of section thirty-one of the act of which this act is amendatory is hereby amended to read as follows:

Who have
power to
arrest.

31. (1) Any constable or police officer, or motor vehicle inspector, or the Commissioner of Motor Vehicles is hereby authorized to arrest, without warrant, any person violating, in the presence of such constable, or police officer, or motor vehicle inspector, or the Commissioner of Motor Vehicles any of the provisions of this act, and to bring the defendant before any magistrate of the county where such offense is committed. In the event of any violation of subdivision three of section fourteen of the act of which this act is amendatory, if such magistrate, clerk or deputy clerk is not readily accessible, the constable, or police officer, or motor vehicle inspector, or Commissioner of Motor Vehicles, apprehending the offender is authorized to detain in any police station, lockup, or other place maintained by any municipality for the detention of offenders, or in the common jail of the

Temporary
detention.

county, for such reasonable time as will permit the said officer to obtain a warrant for the further detention of the offender; *provided, however, that* the temporary detention in this section authorized shall not exceed twenty-four hours from the time of said arrest. In the event of any violation other than a violation of subdivision three of section fourteen, the person so offending shall be detained until the officer making such arrest shall make oath or affirmation, which he shall do declaring that the person under arrest has violated one or more of the provisions of this act, and specifying the provision or provisions violated, whereupon said magistrate, shall issue a warrant, and the said magistrate shall proceed to hear or postpone the case as provided in sections twenty-six and twenty-seven of the act, of which this act is amendatory. And any such constable or police officer, or motor vehicle inspector, or the Commissioner of Motor Vehicles, may, instead of arresting such offender as hereinabove provided, serve upon him a summons in the name of any police court, recorder's court, or other court of competent jurisdiction in the county, city, town, township, village, borough or other municipality wherein such officer shall be authorized to discharge his duties, directing such offender to appear and answer such charges as may then and there be preferred against him, and for this purpose, the county, city, town, township, village and borough clerks respectively, shall provide the said officer or officers with a form of summons, which, when filled out, executed and issued by the said officer or officers, in such case as herein provided, shall be good and effectual according to the purpose and intent thereof.

Proviso.

Detention of person arrested.

Summons served instead of arrest.

Appearance.

Form of summons.

2. This act shall take effect immediately.

Approved March 14, 1933.

CHAPTER 64

AN ACT to amend an act entitled "An act providing for the regulation of vehicles, animals and pedestrians on all public roads and turnpikes and prescribing and regulating the process and the service thereof and proceedings for the violation of the provisions of the act, and penalties for said violations, and grant authority to towns, cities, boroughs, and townships under certain restrictions for the adoption of ordinances further regulating vehicles, pedestrians and animals, and designating the authorities to enforce its provisions and defining their powers and their authority" (Revision of 1928), approved July fourteenth, one thousand nine hundred and twenty-eight.

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

Article XV,
section 9
amended.

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

Arrest at
sight.

9. Any constable or police officer, peace officer, or motor vehicle inspector, or the Commissioner of Motor Vehicles, is hereby authorized to arrest, without warrant, any person other than a motorman or person having control of a street car or auto bus, running upon a route approved by the Board of Public Utility Commissioners, violating, in the presence of such a constable, or police officer, peace officer, or motor vehicle inspector, or the Commissioner of Motor Vehicles, any of the provisions of this act, and to bring the defendant before any magistrate of the county where such offense is committed, or before the Commissioner

Defendant
brought before
magistrate.

of Motor Vehicles at any place designated as his office. Said Commissioner of Motor Vehicles shall have all the power of a magistrate to determine any violation of this act. The person so offending shall be detained in the police station or the office of the magistrate until the officer making such arrest shall make a complaint, under oath or affirmation, declaring that the person under arrest has violated one or more of the provisions of this act, and specifying the provisions or provisions violated, whereupon said magistrate shall issue a warrant, and the said magistrate shall proceed summarily to hear or postpone the case as provided in this act. And any such constable or police officer, or motor vehicle inspector or the Commissioner of Motor Vehicles, may, instead of arresting such offender as herein provided, serve upon him a summons in the name of any police court, recorder's court or any other court of competent jurisdiction in the county, city, town, township, village, borough or other municipality, wherein such officer shall be authorized to discharge his duties, directing such offender to appear and answer such charge or charges as may then and there be preferred against him; and for this purpose the county, city, town, township, village and borough clerks, respectively, shall provide the said officer or officers with a form of summons which, when filled out, executed and issued by said officer or officers, in such cases as herein provided, shall be good and effectual according to the purpose and intent thereof.

Powers
of commis-
sioner.

Detention by
magistrate.

Hearing may
direct later
appearance.

Blank
summons
provided.

2. This act shall take effect immediately.

Approved March 14, 1933.

CHAPTER 65

AN ACT to amend an act entitled "An act to authorize banks and trust companies to establish branch offices or agencies for the transaction of their business," approved March third, one thousand nine hundred and twenty-five

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

Section 1
amended.

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

Branch
banks.

1. Banks (other than savings banks) and trust companies organized under the laws of this State may establish and maintain branch offices or agencies for the transaction of their business, with the approval in writing of the Commissioner of Banking and Insurance, which approval shall be given by him only if it shall appear to him that the establishment of such branch office or agency will be of public service; nor shall the establishment of such branch office or agency be approved by the Commissioner of Banking and Insurance unless the capital of such bank actually paid in in cash shall exceed the amount required by law for the incorporation of a bank to the extent of fifty thousand dollars, and the capital of such trust company actually paid in in cash shall exceed the amount required by law for the incorporation of a trust company to the extent of one hundred thousand dollars for each branch office or agency so established, nor shall such approval be given for the establishment of any such branch office or agency outside the city, town, township, borough or village in which such bank or trust company is located, nor shall any bank or trust company maintain and operate a branch office or agency within the corporate limits

Approval.

Capital-
ization.

Limitations.

of a city, town, township, borough or village where the population by the last decennial census is less than twenty thousand; nor more than one such branch where such population by said census is more than twenty thousand and not more than forty thousand; nor more than two such branches where such population by said census is more than forty thousand and not more than eighty thousand, and where such population by said census is more than eighty thousand the number of such branches shall be such as may be determined by the Commissioner of Banking and Insurance; *provided*, that nothing in this act contained shall prevent the maintenance of any branch office or agency heretofore lawfully established.

Population.

Proviso.

2. This act shall take effect immediately.

Approved March 14, 1933.

CHAPTER 66

AN ACT to amend an act entitled "An act concerning banks, trust companies and savings banks," approved February twenty-first, one thousand nine hundred and thirty-three.

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

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

Section 1
amended.

1. The Commissioner of Banking and Insurance is hereby authorized and empowered in addition to all other powers, whenever in his judgment the circumstances warrant it, to direct any and all banks, trust companies and savings banks under his jurisdiction.

Additional
powers
granted com-
missioner.

Postpone-
ment of
payment of
deposits.

(a) To direct the postponement for any length of time of the payment of all or any proportion of the deposits in either demand or time accounts of any individual, firm or corporation as he may deem necessary and expedient, to be determined by him according to the ability of any bank, trust company or savings bank to pay such withdrawals.

Receiving
new deposits.

(b) To direct all such banks, trust companies and savings banks to thereafter receive new deposits under a trust agreement to be approved as to form by the Commissioner of Banking and Insurance, which moneys so received shall be, subject to the terms of said agreement, always available to the depositors.

Daily reports
may be
required.

(c) Whenever the Commissioner of Banking and Insurance shall direct any bank, trust company or savings bank to act under the provisions of this act, he is hereby empowered to make and adopt such rules and regulations as he may deem proper for the protection of the institution and may require daily reports in detail touching their financial condition.

New
deposits have
preference.

(d) All moneys received by any such bank, trust company or savings bank as new deposits pursuant to the provisions of this act shall be given preference over all debts and liabilities of any such bank, trust company or savings bank, except the preferences now accorded by statute.

2. This act shall take effect immediately.

Approved March 14, 1933.

CHAPTER 67

AN ACT to amend an act entitled "An act providing for the licensing and bonding of all dealers in milk and cream who purchase from or contract with producers in this State or who receive milk or cream from such producers for shipment, sale or manufacture," approved March twentieth, nineteen hundred and seventeen.

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

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

Section 3
amended.

3. The Secretary for Agriculture may decline to grant a license or may revoke a license already granted when he is satisfied of the existence of the following cases or either of them:

Causes for
refusing or
revoking
license:

(1) Where a money judgment has been secured by any milk producer and has been entered against such applicant or licensee and remains unsatisfied of record.

Judgment
entered;

(2) Where there has been a failure to make prompt settlements to persons from whom he buys milk, with intent to defraud.

Failure to
settle;

(3) Where there have been combinations to fix prices.

Price fixing;

(4) Where there has been a continual course of dealing of such nature as to satisfy the Secretary for Agriculture of the inability of the applicant or licensee to properly conduct the business or of an intent to deceive or defraud creditors.

Business
improperly
conducted;

(5) Where there has been a continued and persistent failure to keep records required by the Secretary for Agriculture or by law; or where there is a refusal on the part of the licensee to pro-

Failure to
keep records;

duce books, accounts or records of transactions in the carrying on of the business for which such license was granted.

Failure
to post
schedules.

(6) Where there has been a continued and persistent failure to prepare and deliver any statements or to post any schedules required by law to be prepared and delivered or posted.

2. This act shall take effect immediately.

Approved March 16, 1933.

CHAPTER 68

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

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

Teachers'
contracts.

1. Notwithstanding any provisions of law fixing the fiscal year for schools from January first to December thirty-first or declaring for purposes of adjustment a fiscal year from July first, one thousand nine hundred and thirty-three, to December thirty-first, one thousand nine hundred and thirty-three, any board of education may for the period from July first of any year for which said board of education shall have been organized to June thirtieth of the succeeding year enter into contracts for the services of teachers and other employees and fix and determine their salaries for such last named period.

2. This act shall take effect immediately.

Approved March 16, 1933.

CHAPTER 69

AN ACT to amend an act entitled "An act providing for the service of process in civil suits upon nonresident chauffeurs, operators, or nonresident owners whose motor vehicles are operated within the State of New Jersey, without being licensed under the provisions of the laws of the State of New Jersey providing for the registration and licensing of drivers and operators and of motor vehicles, requiring the execution by them of a power of attorney to the Commissioner of Motor Vehicles of the State of New Jersey to accept civil process for them under certain conditions," approved April seventh, one thousand nine hundred and thirty.

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

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

Section 1
amended.

1. From and after the passage of this act any chauffeur, operator or owner of any motor vehicle, not licensed under the laws of the State of New Jersey providing for the registration and licensing of motor vehicles, who shall accept the privilege extended to nonresident chauffeurs, operators and owners by law of driving such a motor vehicle or of having the same driven or operated in the State of New Jersey, without a New Jersey registration or license, shall, by the acceptance and the operation of such automobiles within the State of New Jersey, make and constitute the Commissioner of Motor Vehicles of the State of New Jersey his, her, or their agent for the acceptance of process in any civil suit or proceeding by any resident of the State of New Jersey against such chauffeur,

Commissioner as
agent of
nonresident
drivers and
owners.

Acceptance
of process.

Effect of privilege.	operator or the owner of such motor vehicle, arising out of or by reason of any accident or collision occurring within the State in which a motor vehicle operated by such chauffeur, or operator, or such owner is involved; and the acceptance of the said privilege or the operation of said motor vehicle shall be the signification of his, her or their agreement that any such process against him, her, or them which is so served shall be of the same legal force and validity as if served upon him, her or them personally. Service of such process shall be made by leaving an original and a copy of the summons and complaint, with a fee of two dollars, in the hands of the Commissioner of Motor Vehicles of the State of New Jersey, or someone designated by him in his office, and such service shall be sufficient service upon the said nonresident chauffeur, operator or owner; <i>provided</i> , that notice of such service and the copy of the summons and complaint are forthwith sent by registered mail to the defendant by the Commissioner of Motor Vehicles, or such person acting for him in his said office, and the defendant's return receipt and the affidavit of the Commissioner of Motor Vehicles or such person in his office acting for him, of the compliance herewith are appended to the said summons and complaint and filed in the office of the clerk of the court wherein the said action may be pending; <i>provided, also</i> , that the date of the said mailing and the date of the receipt of the return card aforesaid are properly endorsed on the said summons and complaint, and signed by the said Commissioner of Motor Vehicles, or someone acting for him; or, that notice of such service and a copy of the summons and complaint are forthwith sent by registered mail, by the Commissioner of Motor Vehicles, or some person acting for him in his office, to the sheriff or other process server in the jurisdiction in which the defendant resides, with directions that the said sheriff or other process server, or a person acting for such sheriff or other process server, shall serve the same upon the defendant in the same manner that
Service of process.	
Fee.	
Proviso.	
Proviso.	
Method of serving process.	

service is legally effected in that jurisdiction, and the return of said sheriff or other process server, or person acting for such sheriff or other process server in said jurisdiction, shall be appended to or endorsed upon the said original summons and complaint and returned to the Commissioner of Motor Vehicles of the State of New Jersey, and thereafter filed in the office of the clerk of the court wherein said action may be pending in this State; in the event that the plaintiff directs that notice be given in this manner he shall deposit with the Commissioner of Motor Vehicles sufficient moneys to effectuate the same, in addition to the fee of two dollars as hereinbefore provided; or, notice of such service and a copy of the summons and complaint may be served on the defendant personally by any official or private individual wherever such service may be made, and upon such service being made an affidavit shall be taken by the person effecting such service, showing the person served and the time and place of such service, which affidavit shall then be appended to the original summons and complaint and returned to the Commissioner of Motor Vehicles and thereafter filed in the office of the clerk of the court wherein the said action may be pending in this State, and in the event that notice be given in this manner then the plaintiff shall pay the cost thereof; or, notice of such service and a copy of the summons and complaint may be served on the defendant in any other manner that the court, in which the cause is pending, shall deem sufficient and expedient. The court in which the action is pending may order such continuances as may be necessary to afford the defendant reasonable opportunity to defend the action. The fee of two dollars paid by the plaintiff to the Commissioner of Motor Vehicles at the time of service and the cost of giving notice as aforesaid shall be taxed in his costs if he prevails in the suit. The said Commissioner of Motor Vehicles shall keep a record of all such processes, which shall show the day and hour of said service.

Deposit by
plaintiff.

Affidavit
taken by
process
server.

Service on
defendant.

Continuance
of action.

Fee to be
taxed in
costs.

Record of
processes.

Approved March 16, 1933.

CHAPTER 70

AN ACT in relation to the abatement, revision, alteration, adjustment and settlement of past due taxes and other municipal liens and charges levied and assessed by any municipality of this State.

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

Adjustment
of past due
taxes.

Proviso.

Valuation
and legality
of abatement.

1. It shall be lawful for the governing body of any municipality in this State to make such abatement, revision, alteration, adjustment and settlement of any past due taxes, assessments and other municipal charges, both of principal and of any and all interest and penalties thereon, as such governing body shall deem equitable and just and be for the best interests of such municipality; *provided, however,* that none of the provisions of this act shall be construed in any wise to affect or impair the right, title, interest or estate, or the lien of any purchaser, other than such municipality, acquired under any sale made or to be made for past due taxes, assessments or other municipal charges.

2. No abatement of the principal sum of any such taxes, assessments or other municipal charges shall be made unless such governing body shall be satisfied that the market value of the property in question upon or against which said taxes, assessments or other charges have been levied, is less than such principal sum; or unless such governing body shall be satisfied that the said taxes, assessments or other municipal charges are illegal in whole, or in part, or unless the proceedings taken to levy or enforce the same are at variance with the laws of this State in such case made and provided.

3. In case of the abatement or revision of any such taxes, assessments or other municipal charges by such governing body, such abatement or revision shall be null and void unless the amount agreed upon by such governing body to be paid in satisfaction thereof shall be paid within sixty days thereafter.

Payment in
sixty days.

4. Such governing body may adopt such rules as it may deem to be for the best interests of such municipality, subject to the terms hereof, to regulate the application of the provisions of this act and the procedure hereunder.

Rules and
regulations.

5. All abatements, revisions and adjustments of any interest or penalties on any such taxes, assessments or other municipal charges heretofore made by the governing body of any municipal body in this State are hereby ratified and confirmed.

Validation.

6. The provisions of this act shall be construed to be additional legislation on the subject matter above mentioned and not as a revision or repeal of any other act relating to the same subject matter.

Construing
act.

7. This act shall take effect immediately.

Approved March 16, 1933.

CHAPTER 71

AN ACT concerning guaranteed mortgages and interests in or obligations secured by mortgages issued by or guaranteed by any insurance company, mortgage guaranty company, bank, trust company or other company of this State, and conferring powers upon the Commissioner of Banking and Insurance with respect thereto, and upon such companies.

WHEREAS, A public emergency exists by reason of the abnormal disruption of economic and finan-

Preamble.

- cial processes affecting the conduct of the business of mortgage guaranty companies; and
- Preamble. WHEREAS, It is essential, in the public interest, that the integrity of mortgage investments be preserved, that unnecessary foreclosure of mortgages be avoided, that the liquidation of mortgage investments be conducted in an orderly manner, that opportunity be afforded for the readjustment of mortgages to meet changed conditions and that this opportunity be extended beyond the period of disturbed banking and financial conditions, and continue during the operation of normal recuperative economic processes; and
- Preamble. WHEREAS, It is essential, in the public interest, that assets securing guaranteed mortgage investments be held, administered and conserved in the interest of the holders thereof in such manner that such assets be held available for their security ratably and equitably; and
- Preamble. WHEREAS, For the effectuation of those ends it is necessary and in the public interest that such holders of guaranteed mortgage investments and such mortgage guaranty companies be empowered, under regulation by the Commissioner of Banking and Insurance, to make readjustments and to take all steps appropriate thereto; therefore,

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

Applies to
mortgage
guaranty
companies.

1. It is hereby declared and enacted that the provisions of chapter forty-five of the laws of one thousand nine hundred and thirty-three, entitled "A supplement to an act entitled 'An act to provide for the regulation and incorporation of insurance companies and to regulate the transaction of insurance business in this State,' approved April third, one thousand nine hundred and two," approved March ninth, one thousand nine hundred and thirty-three, are intended to and shall apply to the conduct of the business of insurance against

loss by reason of the nonpayment of principal and interest of bonds and mortgages, including the issue of bonds, debentures or certificates against mortgages by any insurance company, mortgage guaranty company, bank or trust company or other company of this State (hereinafter called, for the purposes of this act, "mortgage guaranty company"), incorporated under any general or special law of this State, which has issued or guaranteed bonds and mortgages, or shares or parts of mortgages, or mortgage participation certificates, or shares or parts of bonds secured by mortgage, or bonds secured by trust mortgage, or participation certificates or coupon bonds entitling the holder to a proportionate share in a series or number of mortgages and bonds, or extensions or renewals thereof, or other obligations directly or indirectly secured by bonds and mortgages (hereinafter called "mortgages or interests in mortgages"), and are intended to and shall apply to the conduct of such business by any subsidiary of any such company, and, to the extent to which the provisions of this act are properly applicable, to any such company now in the possession of the Commissioner of Banking and Insurance of this State.

2. The Commissioner of Banking and Insurance, in addition to all other powers vested in him under the act mentioned in the preceding section, or otherwise, shall have power, from time to time, and whenever he shall think it expedient for the purpose of the conservation of the assets of any such mortgage guaranty company, or for the purpose of securing a ratable and equitable application of the capital, surplus and reserves of such company among persons entitled to claims against the same as security for or in payment of the obligations of such company in respect of such mortgages and interests in mortgages, or otherwise in the public interest, after such notice or hearing in any case as he shall deem appropriate, by general or special orders or regulations, in general or particular instances, from time to time by him made and

Commissioner's power to conserve assets:

promulgated, extended, modified or revoked, and enforced:

To suspend
payment of
interest;

(a) To suspend, in whole or in part, the payment of interest by any such mortgage guaranty company to the holders of mortgages or interests therein; except such part thereof as shall be or shall have been actually paid to such company by mortgagors, tenants or others from whom such payments are due, in whole or in part, and shall be available for payment to such holders, and to regulate the amount, time and method of the payment or distribution of such interest, including such receipts, to such holders;

To suspend
payment of
principal;

(b) To suspend, in whole or in part, the payment of principal by any such mortgage guaranty company to the holders of mortgages or interests therein, except such part thereof as shall be or shall have been actually paid to such company by mortgagors, tenants or others from whom such payments are due, in whole or in part, and shall be available for payment to such holders, and to regulate the amount, time and method of the payment or distribution of such principal including such receipts, or proceeds of sale of real estate, to such holders;

To suspend
prosecution;

(c) To suspend the prosecution or enforcement of, or payment of, any claim by any such holder against any such company upon any guaranty or other obligation or claim in respect of such mortgages or interests in mortgages, and to regulate the time, method, ascertainment and establishment of the amount of any such claim and its enforcement, except with respect to moneys actually paid to such company by mortgagors, tenants, obligors or others from whom the same may be due, or proceeds of sale of real estate, and which shall be available for payment to such holders entitled thereto, and to regulate the amount, time and method of the payment or distribution of assets available for payment, including such receipts or proceeds of sale of real estate, to such holders;

(d) To authorize or require any holder of any such guaranteed mortgage to elect either to accept an assignment of such mortgage, or a deed of the mortgaged premises if foreclosed, or of the decree if in the process of foreclosure, and to surrender any claim against such company on its guaranty or other obligation in respect thereto, on such terms and conditions as the commissioner shall determine, or to consent to and be bound by all of the provisions of this act and of all orders or regulations made under the terms thereof;

To accept assignments of mortgage or deed;

(e) With the consent of the respective holders of not less than two-thirds of the face amount of shares or parts of mortgages or mortgage participation certificates, or shares or parts of bonds secured by mortgage, or bonds secured by trust mortgage or participation certificates or coupon bonds entitling the holder to a proportionate share in a series or number of mortgages and bonds, or extensions or renewals thereof, or obligations secured directly or indirectly by mortgages (hereinafter called "interest in mortgages"), exclusive of such interests in mortgages as are held by the company guaranteeing the same or obligated upon the same, or any subsidiary thereof, to authorize or require the alteration or amendment or waiver of any of the terms and provisions of the same, or of the mortgage or trust mortgages or indentures securing the same, including the maturity of and the rate of interest on the same, or provisions relating to defaults thereunder, in which such holders are respectively interested;

To authorize alterations of terms;

(f) With like consent, to authorize or require that a portion, not exceeding forty per centum (40%), of the claims against or obligations of such company with respect to the principal of such interests in mortgages in which such holders are respectively interested, be converted into income bonds or debentures or deferred obligations or preferred stock of such company, cumulative or noncumulative, in series or otherwise, entitling the holder, upon ultimate payment or retirement or

To authorize interest in mortgages converted into bonds, etc.

- upon the dissolution and liquidation of the company, to a principal amount equivalent to the portion so converted, which preferred stock may be with or without par value, in whole shares or in fractions, with such voting powers, preferences, relative, participating, optional or other special rights, qualifications, limitations or restrictions thereof, as shall be determined on the issuance thereof;
- Amount;
- To authorize reorganization;
- (g) With like consent, and also with the consent of two-thirds of all of the stockholders of such company having voting power thereon, to authorize or require the adoption of a general or partial plan of reorganization and/or readjustment of all or a part of the obligations, capital stock, assets and liabilities, and affairs, of any such company;
- To authorize modification of requirements;
- (h) With like consent of such holders, to authorize or require the modification or suspension of requirements for the substitution of properties or assets held as security for or deposited against such interests in mortgages;
- To suspend enforcement of obligations;
- (i) To suspend the enforcement of any obligation or duty of any such company with respect to instituting or continuing the foreclosure of any mortgage or the sale of any real estate acquired through foreclosure or conveyance, or the enforcement of any deficiency upon any bond secured by mortgage;
- To modify trust agreements;
- (j) For the preservation of the trust and the protection of those interested therein, to suspend the enforcement of any of the provisions of, or remedies provided by, or to relax provisions of, or to authorize or require the departure from the terms or provisions of and vary or modify the operation of the provisions of, any trust mortgage or trust indenture or collateral trust mortgage or indenture, made by any mortgage guaranty company, securing bonds or debentures or shares or parts of bonds or debentures, or bonds or debentures or certificates entitling the holder to a proportionate share in a series or number of mort-

gages or other obligations directly or indirectly secured by mortgages;

(k) To initiate and promote measures for the sound readjustment of the respective interests of such companies, the holders of guaranteed mortgages and interests in mortgages, and mortgagors and owners;

To promote readjustment;

(l) To regulate the establishment and use of reserves of such companies;

To regulate reserves;

(m) To allocate, prohibit or suspend the disbursement of funds by any such company, and to regulate the amount, time, and method of distribution of proceeds of mortgages, or of foreclosures, or of sales of real estate.

To suspend disbursement of funds.

3. Nothing in this act contained is intended to preclude recourse to the courts of this State, by the appropriate remedy, for the review of an order or regulation made by the Commissioner of Banking and Insurance under the provisions of this act.

Recourse to court.

4. The Commissioner of Banking and Insurance shall have power to enforce the provisions of this act and any order or regulation made thereunder, in the manner and by the same remedies as are provided in section fifty-six (56) of the act entitled "An act to provide for the regulation and incorporation of insurance companies, and to regulate the transaction of insurance business in this State," approved April third, one thousand nine hundred and two.

Enforcement.

5. The orders and regulations made by the Commissioner of Banking and Insurance under the provisions of this act shall be binding upon and effectual as to all persons who may be affected thereby in any manner, including trustees or depositaries of mortgages against which or under which interests in mortgages are issued, and any such trustees or depositaries shall be relieved of responsibility for any act or omission in compliance with orders or regulations made under this act.

Orders and regulations.

6. Every mortgage guaranty company within this State shall have and possess, and may exer-

Corporate powers conferred.

- Proviso. cise, all of the powers conferred upon corporations under an act entitled "An act concerning corporations" (Revision of 1896), approved April twenty-first, one thousand eight hundred and ninety-six, and the supplements and amendments thereto, including, except in the case of a bank or trust company, the power to issue preferred or special stock, so far as consistent with and incident to the exercise of any of the powers conferred by this act; *provided*, that nothing in this act contained shall impair or diminish any powers heretofore conferred upon such companies.
- Junior parts of mortgage. 7. Any such company shall have power to acquire, hold, and retain, secondary or junior parts or portions of mortgages or interests in mortgages, with respect to which it is liable under its guaranty or otherwise, heretofore or hereafter issued, and in each such case any such interest shall be considered, subject to regulations by the Commissioner of Banking and Insurance, a proper, authorized and legal investment of such company.
- Member of real estate stabilization association. 8. Any mortgage guaranty company may, with the approval of the Commissioner of Banking and Insurance, become a member of, and participate in the activities of, any real estate stabilization company or association, or any similar or other league or association or central reserve or underwriting agency, or company operating for the benefit of mortgage guaranty companies, now or hereafter created.
- Liability of commissioner. 9. The Commissioner of Banking and Insurance shall not be liable in damages or otherwise to any person, or be liable to be called in question, by reason of any error of judgment or mistaken exercise of discretion in the exercise of any of the powers conferred by this act.
- Orders filed. 10. Each order or regulation made by the Commissioner of Banking and Insurance under the provisions of this act shall be filed in the Department of Banking and Insurance. A copy thereof, certified by the Commissioner of Banking and In-
- Certified copy lawful evidence.

urance, shall be lawful evidence in all courts and places.

11. Any person acting as executor, administrator, trustee or in any other fiduciary capacity, and all banks, savings banks, trust companies, insurance companies and other corporations, within this State, and all officials of this State, the several counties, municipalities and school districts therein, and of any public commission or body created under the laws of this State, shall, with respect to any mortgages or interests in mortgages held by them, have power to take any action or give any consent and enter into any agreement or plan authorized by the provisions of this act.

Mortgagors
may consent
to plans.

12. All courts within this State shall have power to, and it shall be the duty of all such courts to, stay or otherwise suspend the enforcement of any decree, order, process or other proceeding therein in conflict with the provisions of this act, or with any order or regulation made or any action taken hereunder, and all such courts shall have power, and it shall be the duty of such courts, to take such other proceedings and make such decrees or orders as shall conform thereto and shall effectuate the purpose thereof.

Courts of
jurisdiction.

13. The word "person" wherever used in this act shall include natural persons, partnerships, corporations and associations.

"Person"
defined.

14. This act shall become inoperative after three years from the date of its approval, but all orders or regulations made and all acts and things done under the provisions of this act shall be and remain valid and operative.

Act
inoperative.

15. If any section or any portion of this act shall be questioned and shall be declared void, the remainder of the act shall, nevertheless, stand and be unaffected thereby.

Constitu-
tionality.

16. All acts and parts of acts inconsistent with the provisions of this act are hereby suspended so far as inconsistent herewith, during the operation of this act.

Suspension
of acts.

Construing
act.

17. This act shall be liberally construed for the effectuation of its purposes in all courts, in all places and by all public officers.

18. This act shall take effect immediately.
Approved March 16, 1933.

CHAPTER 72

A SUPPLEMENT to an act entitled "An act respecting the orphans' court, and relating to the powers and duties of the ordinary and the orphans' court and surrogates" (Revision 1898), approved June fourteenth, one thousand eight hundred and ninety-eight.

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

Order to
consolidate
proceedings.

Surrogate to
transmit
records.

Proceedings.

1. Whenever a will has been offered for probate before the surrogate or orphans' court, or shall be hereafter offered for probate before the surrogate or orphans' court, and another will, whether of earlier or later date has been or shall be offered for probate in the prerogative court, the prerogative court shall take jurisdiction of the complete controversy with respect to said wills and shall make an order to consolidate the proceedings to determine the validity of the said wills; and upon filing a certified copy of said order of consolidation with the surrogate of the county wherein the orphans' court proceedings are pending, the orphans' court and the surrogate shall forthwith transmit or cause to be transmitted to the prerogative court a record of the proceedings before said surrogate and orphans' court. The proceedings in the prerogative court with respect to the probate of said wills shall be the same as if said

wills were originally offered for probate in the prerogative court.

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

3. This act shall take effect immediately.

Approved March 21, 1933.

CHAPTER 73

AN ACT providing for the election of delegates to a convention and providing for the holding of a convention to consider the article of amendment, proposed by the Congress, to the Constitution of the United States designed to repeal the eighteenth article of amendment.

WHEREAS, The Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein) did resolve that the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as a part of the Constitution when ratified by conventions in three-fourths of the several States; and Preamble.

WHEREAS, The said proposed amendment reads as follows: Proposed amendment.

Section 1. The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

Section 2. The transportation or importation into any State, territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof is hereby prohibited.

Section 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of submission hereof to the States by the Congress; therefore,

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

Convention held.

Number of delegates.

Number of delegates.

Qualifications of delegates.

Election day.

Separate ballot.

1. For the purpose of considering the article of amendment to the Constitution of the United States proposed by the Congress, as recited in the preamble of this act, there shall be held in this State a convention of delegates. Such convention shall consist of two hundred and twenty-six delegates as follows:

Sixty-four delegates shall be elected from the State at large, and one hundred and sixty-two county delegates hereinafter called district delegates shall be elected in the several counties of this State; each county being entitled to delegate representation on the basis of twice as many delegates to represent such county as the said county is entitled to elect members of the Senate and the House of Assembly of this State.

2. Any person having the qualifications which would entitle him to a seat in the House of Assembly may be elected as a delegate-at-large or district delegate to said convention.

3. The election for delegates shall be held on the third Tuesday in May, one thousand nine hundred and thirty-three, coincident with and upon the same day with the holding of the primary election for the general election, and shall in all respects, except as herein otherwise provided, be conducted in accord with the provisions of an act entitled "An act to regulate elections" (Revision 1930), approved April eighteenth, one thousand nine hundred and thirty, and the acts amendatory and supplemental thereto. A separate ballot printed on bluish tint paper and a separate ballot box shall be provided for the ballots for convention delegates.

The form of the ballot shall be uniform in all the counties of the State and the form thereof shall be prescribed by the Secretary of State. The officials now obligated under such "An act to regulate elections" to furnish ballots, tally sheets, ballot boxes and other equipment necessary for the conduct of an election are hereby directed to furnish similar supplies for the election herein directed to be held. The district boards of election that shall conduct the primary election are hereby required to conduct the election for convention delegates and without additional compensation. The powers of all other officials given to or directed to be employed by such "An act to regulate elections" are hereby given to such officials.

Uniform
ballot.Election
officers.

4. Any person desiring to be a delegate-at-large to said convention shall prior to twenty days before the date fixed for holding such election file a petition with the Secretary of State. Any person desiring to be a candidate for district delegate to said convention shall prior to twenty days before the date fixed for holding such election file his petition with the clerk of the county in which he is a resident. The form of the petition in either case shall be prescribed by the Secretary of State.

Petitions

Form.

5. Any person desiring to be a candidate for delegate-at-large shall file with the Secretary of State a petition, which petition must be signed by at least twenty-five thousand voters who were legally registered for the last general election. Any person desiring to be a candidate for district delegate from a county in which he resides shall file with the clerk of the county a petition, which petition shall be signed by such registered voters of the county equal to at least one-tenth of the vote cast in the preceding general election for members of the Assembly in such county; *provided*, that not more than ten thousand signatures shall be required for any district delegate petition.

Number of
names on
petitions.

Proviso.

6. Candidates for the position of either delegate-at-large or district delegate may join in a petition to have his or her name bracketed with

Bracketing
names.

that of any other candidate or candidates for such position. Delegates-at-large who desire to be bracketed may file one petition or one series of petitions aggregating twenty-five thousand signatures of such registered voters, which petition shall be sufficient. District delegates who desire to be bracketed may file one petition or one series of petitions aggregating the number of such registered voters as hereinbefore indicated, which shall be sufficient. A single petitioner may state opposite his name, or bracketed petitioners may state outside of the bracket whether he or they will vote in the convention for or against ratification of the amendment, and so as not to confuse the voter the candidates so pledging themselves shall state the question on the ballot as follows:

Intention may
be signified.

For Repeal
of
18th Amendment.
or
Against Repeal
of
18th Amendment.

Voters
eligible.

7. All citizens of the State who are qualified to vote for members of the General Assembly and who are qualified to vote at the primary election shall be qualified to vote in the election in this act authorized and shall be permitted to vote in the election district in which he is legally entitled to vote.

Voting for
bracketed
candidates.

8. Delegates-at-large who have petitioned to be bracketed may, in writing, signed by such delegates and addressed to the Secretary of State, petition to be bracketed together, and district delegates who have petitioned to be bracketed together may, in writing, signed by such delegates and addressed to the county clerk, petition to be bracketed together. Where the delegates are so bracketed together a box or a square shall be placed above the name of the first delegate in the

bracket and opposite such bracket or square to the right thereof, shall be printed in the following words: "To vote for all of the delegates in the bracket make a cross \times or plus $+$ mark in the square to the left." If a cross or plus mark shall be made in the said square it shall be counted as a vote for all of the delegates who are bracketed together, both as to the delegates-at-large and the district delegates.

Counting
votes.

The sixty-four (64) candidates for delegates-at-large receiving the highest number of votes shall be declared elected delegates-at-large, and the number of candidates for district delegates apportioned to each county who receive the highest number of votes in such county shall be declared elected as such district delegates for such county. The elected delegates shall be entitled to be seated in such convention. Certificates of election of delegates-at-large shall be issued by the Secretary of State and certificates of election of district delegates shall be issued by the clerk of the county for which such delegates are elected.

Statement
of election.

Certificate
of election.

9. Each candidate or each group of bracketed candidates for delegates-at-large or district delegates to the convention as provided in this act shall be allowed to appoint one challenger in each election district who shall have such powers as are given to challengers under "An act to regulate elections," approved April eighteenth, one thousand nine hundred and thirty, together with any supplements thereto or amendments thereof.

Challengers.

10. The board of county canvassers of each county shall meet on Monday next, after such election, at twelve o'clock noon, at the courthouse of such county, for the purpose of checking the statements of the district boards filed in the office of the county clerk.

Meeting of
county
canvassers.

11. The county clerk of each county shall certify to the Secretary of State on the form provided by the Secretary of State the number of votes cast for each delegate-at-large and each district dele-

Certification
of election
by county
clerk.

gate not later than the second Thursday following the election.

Board of
State Can-
vassers to
meet.

12. The Board of State Canvassers shall meet at Trenton on the second Tuesday next after the day of election, for the purpose of canvassing and estimating the votes cast for each person for whom any votes shall have been cast for delegates-at-large, and of determining and declaring the persons who shall have been duly elected as such delegates-at-large. The said board shall meet in the chamber of the Senate or some other convenient place at Trenton at the hour of two o'clock in the afternoon.

Date of
convention.

Officers.

Procedure.

Certification.

13. Within twenty days after the holding of the said election, the Governor of this State, by proclamation, shall convene the said convention. The convention shall meet in the city of Trenton and shall organize by the selection of a chairman and secretary, and such other officers as may be necessary, and shall adopt rules governing the deliberations thereof. The convention shall proceed to consider the proposed article of amendment and shall by a vote thereon either approve or reject the same, and the action of the said convention thereon shall be valid to all intents and purposes as representing the people of the State of New Jersey. The chairman and the secretary of the convention shall certify the results of the votes of the delegates to the Secretary of State, who shall certify the result of the vote to the Secretary of State of the United States and to the Senate and House of Representatives of the United States.

14. This act shall take effect immediately.

Approved March 23, 1933.

CHAPTER 74

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

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

1. The Commissioner of Education, immediately upon the passage of this act, is authorized and directed to draw his warrants upon the State Treasurer in favor of each county treasurer for any portion of the reserve fund of the State school tax available for the school year 1931-1932, and each county superintendent of schools shall apportion these funds among all districts, but shall draw his warrants upon the county treasurer of his county in favor of the custodians of only those districts for which the State school tax has been paid in full for the school year 1931-1932. When the State school tax has been paid for any of the other districts, the apportionment of the reserve fund shall likewise be made available upon the warrants of the county superintendent of schools. Beginning with the school year 1932-1933 and each year thereafter if, on the first day of April, all counties have not paid the State school tax, the Commissioner of Education shall issue warrants as aforesaid for the portion of the reserve fund then available for each county whether or not such county has paid its State school tax in full. The county superintendent shall thereupon apportion said reserve fund and draw his warrants when and as the State school tax for each district is paid.

2. This act shall take effect immediately.

Approved March 23, 1933.

Apportionment of reserve fund of 1931-1932.

Apportionment of reserve fund 1932-1933.

Apportionment by county superintendent.

CHAPTER 75

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

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

90% of State
school tax
to be paid.

1. Beginning with the school year 1932-1933 and thereafter, the State Treasurer is hereby authorized and directed to pay forthwith to the county treasurer of each county upon the order of the Commissioner of Education ninety per centum (90%) of the amount of State school tax paid by any such county treasurer to the State Treasurer notwithstanding that all the State school taxes due from any such county shall not have been paid to the State Treasurer. Upon notice of receipt of such funds by the county treasurer from the State Treasurer, the county superintendent shall draw his warrant in favor of the custodian of each school district for which payment has been made upon the State school tax for ninety per centum (90%) of the amount paid; *provided*, that any warrant shall not exceed that ratio which ninety per centum (90%) of the amount paid bears to the total ninety per centum (90%) apportionment of the State school tax due such district, except as hereinafter provided. Whenever there is a balance in excess of the amount of warrants issued as aforesaid, the county superintendent shall apportion such amount among those districts to which further apportionment of the ninety per centum (90%) is due, and shall draw his warrants in favor

Proviso.

Apportion-
ment of
balance.

Apportion-
ment by
county super-
intendent.

of the custodians of those districts for which the State school tax has been paid in full.

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

Approved March 23, 1933.

CHAPTER 76

AN ACT to amend an act entitled "An act to regulate elections" (Revision 1930), approved April eighteenth, nineteen hundred and thirty.

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

1. Section eighteen, paragraph three hundred and ninety-six, article XXVIII of the act of which this act is amendatory be and the same is hereby amended to read as follows: Par. 396 amended.

Par. 396, Sec. 18. On or before the Monday following the fourth Tuesday preceding the general election the commissioner shall certify and transmit to the county clerk one complete list of all persons who are registered in each election district in each municipality having permanent registration in the county together with a statement as to the number of persons registered in each district. On the face of said list of registered voters the commissioner shall in figures, state the total number of names of persons registered. Such list shall be arranged substantially in the following form: List of registrants sent county clerk.
Total stated.
Form of list.

Grand Street

Residence Number or Other Designation	Name of Voter
14	Jones, Charles M.
15	Smith, John M.

List printed
and posted.

The county clerk upon receipt of said list may provide for its printing, distribution and posting in the manner provided for in this act.

2. This act shall take effect immediately.

Approved March 23, 1933.

CHAPTER 77

AN ACT to provide for the licensing of farmers and sellers of vegetables, green goods, farm produce, shrubbery, plants, bulbs, or products of the nursery or farm in a common or public market place within any municipality of this State.

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

Licensing
farmers and
sellers of
vegetables,
etc.

1. It shall be lawful for any city, town, borough, township, village or other municipality of this State to impose a license fee upon any person, persons, firm or corporation who shall sell any vegetables, green goods, farm produce, shrubbery, plants, bulbs, or products of the nursery or farm in any common or public market place within the limits of any such city, town, borough, township, village or other municipality within this State; which said license fee shall be for the purpose of permitting said person or persons, firm or corporation to conduct the business of selling vegetables, green goods, farm produce, shrubbery, plants, bulbs, or products of the nursery or farm in said market place as aforesaid; *provided, however,* that when the person, persons, firm or corporation selling said vegetables, green goods, farm produce, shrubbery, plants, bulbs or products of the nursery or farm upon whom said license fee shall be imposed, is also the grower, raiser or producer of said vegetables, green goods, farm produce, shrub-

Purpose of
license.

Proviso.

Fee of
grower or
producer.

bery, plants, bulbs, or products of the nursery or farm, then, and in that case the said license fee so to be imposed shall not in any case exceed the sum of one dollar (\$1.00) per person, persons, firm or corporation per annum.

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

3. This act shall take effect immediately.

Approved March 23, 1933.

CHAPTER 78

AN ACT to provide for the incorporation of public housing corporations, the regulation thereof, the supervision of the construction, operation, maintenance and renting of all housing projects and community facilities to be erected and furnished by said corporations, and to fix, limit, supervise and regulate the capital structure, income, dividends and management of such corporations.

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

1. This act may be known and designated as "the public housing law." Title.

2. Legislative Finding. It is hereby found and declared as follows: Legislative Findings:

A. That congested and unsanitary housing conditions which exist in certain areas in this State are a menace to the health, safety, morals, welfare and reasonable comfort of the citizens of this State. Congested and unsanitary conditions;

B. That the correction of these conditions in such areas being now otherwise practically impossible, it is essential that provision be made for the investment of capital funds at low interest Plan for correcting conditions;

rates, the acquisition at fair prices of adequate parcels of land, the gradual demolition of existing unsanitary and unsafe housing conditions and the construction of new housing and other community facilities under public supervision in accord with proper standards of sanitation and safety and at a cost which will permit monthly rentals which wage earners can afford to pay and not in excess of the rates to be fixed hereunder.

State policy. C. That the future policy of this State towards all such projects is that they should be put on a public utility basis and that provision should be made, as hereinafter set forth, for the incorporation and regulation of public housing corporations as public utilities and as such, to the extent herein set forth, subject to the public utility laws and regulations of this State.

Construing. 3. This act shall be liberally construed.

Definitions. 4. Definitions:

Board; A. The word "board" when used herein shall mean the Board of Public Utilities of the State of New Jersey.

Project; B. The word "project" when used herein shall mean and include all lands, buildings, and improvements acquired, owned, managed, or operated by a housing corporation organized hereunder, designed to provide housing accommodations, stores, offices and other community facilities appurtenant or incidental thereto, which are planned as a unit, whether or not acquired or constructed at one time, and which ordinarily are contiguous or adjacent to one another.

Community facilities; C. The words "community facilities" when used herein shall mean and include lands, buildings, and equipment for recreation, for social assembly, for educational, health or welfare activities and other necessary utilities primarily for the use and benefit of the occupants of the housing accommodations to be constructed and operated hereunder.

Cost of land; D. The words "cost of land" when used herein shall include all of the following items paid by a housing corporation in connection with the acqui-

sition thereof when approved by the board; all amounts paid to the vendor on account of the purchase price, whether in cash, securities, or property; the unpaid balance of any obligation secured by mortgage remaining upon the premises or created in connection with the acquisition; all amounts paid for surveys, examination and insurance of title; attorney's fees; brokerage; all awards paid in condemnation and court costs and fees; all documentary and stamp taxes and filing and recording fees and fees of the board and other expenses of acquisition approved by the board; and shall also include all special assessments for benefit upon the premises approved by the board whether levied before or after the acquisition.

E. The words "cost of buildings and improvements" when used herein shall include all of the following items when approved by the board; all amounts, whether in cash, securities or property, paid for labor and materials for site preparation and construction, for contractors' and architects' and engineers' fees, for fees or permits of any municipality, for workmen's compensation liability and fire insurance, for charges of financing and supervision, for property taxes during construction and for interest upon borrowed and invested capital during construction, for fees of the board and other expenses of construction approved by the board.

Cost of
buildings and
improve-
ments;

F. The word "person" shall include any individual, partnership, association or corporation.

Person;

G. The words "Cost of Project" shall include cost of lands and cost of buildings and improvements.

Cost of
project;

H. A public housing corporation organized hereunder shall be construed to mean a corporation formed wholly for the purpose of providing a housing project or projects for families of low income, or for reconstruction of slum areas, regulated as herein set forth.

Public
housing
corporation.

5. Incorporation. Any three or more persons may form a public housing corporation for the

Incorporation:

purpose of inaugurating, carrying out, maintaining or operating the project or projects authorized under this act in any municipality in this State, by making, signing, acknowledging and filing a certificate as required for other companies formed under the act entitled "An act concerning corporations" (Revision of 1896), with the amendments and supplements thereto, which certificate shall also contain the following matters:

- Name; A. The name of the proposed corporation.
- Purpose; B. The purposes for which it is to be formed which shall be to acquire, construct, maintain and operate public housing projects authorized hereunder.
- Stock; C. The amount and value of, with any limitations on, its capital stock, and if any be preferred stock, the preferences thereof.
- Shares; D. The number of shares of which its capital stock shall consist.
- Office; E. The municipality in which its principal business office is to be located.
- Duration; F. Its duration, which shall not be less than twenty years.
- Directors; G. The number of directors, which shall not be less than three.
- Name and post office addresses. H. The names and post office addresses of its directors for the first year of its operation.
- Certificate approved before filing. 6. No such certificate shall be filed until the same, with all its conditions, limitations and provisions shall have been first approved by the board as evidenced by a certificate to be annexed thereto, consenting to the filing thereof.
- Board empowered to hear applications. Said board shall have full and complete power and authority to hear all applications for every such incorporation; and during or after such hearing to approve or disapprove such incorporation and to approve or disapprove the project or projects to be undertaken by such corporation; and to supervise and control the rents, charges, capital structure, rate of return, and area and methods of operation as well as all of the other affairs of said
- To control rents, etc.

corporation. Prior to giving such necessary approval, said board may require any such proposed corporation to make such changes in its proposed capital structure or in any other proposal or undertaking connected therewith as it may deem advisable.

May require changes in capital structure.

7. All such public housing corporations shall be subject to the provisions of this act, and otherwise as to the method of incorporation shall be subject to the provisions of the "Act concerning corporations" (Revision of 1896), and the supplements and amendments thereto.

Governing acts.

8. No such public housing corporation shall buy, sell, transfer or convey any property, or any right, title, interest or estate therein, without the consent of said board to be evidenced by a resolution duly adopted by said board after written notice given to and filed with the secretary of said board by such public housing corporation. Said notice shall set forth the terms of any such purchase, sale, transfer or assignment and unless and until such consent of said board shall be obtained thereto, any such purchase, sale, transfer or assignment in violation of the terms of this act shall be void.

Boards consent to transfer, etc., property.

Form of notice.

9. No such public housing corporation shall issue, sell or dispose of any stocks, bonds, mortgages, indentures or other securities, other than its original capital investment, without the consent and approval of said board to be evidenced by a resolution to be duly adopted by said board after written notice given to and filed with the secretary of said board by such housing corporation. Said notice shall set forth the amounts, terms and conditions of issue and all other necessary information in connection with the proposed issue, sale or disposition of any such securities.

Selling stock, etc.

Form of notice.

10. Said board shall supervise and regulate the construction and operation of all projects undertaken by any corporation organized hereunder.

To supervise projects.

Said board shall also have full power to investigate into the affairs of any such public housing

Investigations.

Manner of investigation.	corporation and into the details, transactions and relationships of any such corporation with any third person. Any such investigation may be conducted by said board or by a committee thereof to be appointed by said board. The head of such board or of any such committee shall have the power to administer oaths, take affidavits and make or cause to be made personal inspections of all places and operations owned and operated by any corporation organized under this act. The head of such board or of any such committee shall have the power to subpoena and require the attendance of witnesses and the production of books and papers pertaining to the investigations and inquiries authorized under this act and to examine such witnesses in any matter in relation thereto, and to issue commissions for the examination of witnesses who are out of the State or unable to appear before the said board or such committee.
Powers of investigation committee.	
Subpoenas.	
Written application filed.	11. Every corporation organized hereunder before undertaking any project herein authorized shall make written application for approval thereof, by petition to the board and file the same with the secretary of said board. Said application may be made at the same time and in connection with the application for the approval of the incorporation of any such housing corporation, or subsequently thereto. The petition so to be filed shall contain a description of the location of the project and a detailed estimate of its cost together with copies of all surveys and architectural or engineering plans incidental thereto; and shall otherwise be in such form and contain such matters as the board may from time to time require. There shall also be presented to the board before final approval of any such project, in such form and with such assurances as it may prescribe, a financial plan providing for raising the cost of the lands and improvements such as shall assure the successful completion and operation of the project. No project shall be undertaken hereunder until the
Form of petition.	
Financial plan submitted.	
Approval of project undertaken.	

same has been first approved by said board in accordance with the provisions of this act and the rules and regulations of said board. Neither shall any such project be approved in contravention of any zoning or building ordinance in effect in the municipality in which it is proposed to erect or have erected any building or other improvements or community facilities by any corporation organized under this act.

Projects not approved.

Every such application for approval shall be subject to such regulations as the board may, from time to time, require and shall contain the following data, viz.:

Form of application;

A. The architectural features of the building or buildings proposed to be erected. The estimated cost of the lands to be used and of all the improvements and community facilities.

Kind of architecture;
Cost of lands;

B. The amount of moneys to be raised through the investment of private capital either by the issuance of stock, income debentures or other securities of such corporation. The plan for the fiscal management and operation of any such project and for raising all necessary working capital.

Amount of money to be raised.

C. A statement in detail showing the methods intended to be used in order that said project shall conform to reasonable standards of health, sanitation, safety and with proper provisions for light and air.

Management of project;

Sanitary code;

The approval of every such application shall also be conditioned on the acceptance by said corporation, of a designee of the board as a member of the board of directors of said corporation. A further condition shall be that such corporation, when required by the board, shall agree to the designation by the board with respect to each project approved by it of a trustee, which shall be a banking corporation authorized to perform trust functions. Such trustee shall receive moneys received by the said corporation as proceeds of its mortgage bonds, notes, income debentures, or stock and make payment therefrom for the acquisition

Conditions upon approval:

Director;

Trustee.

Duties of trustee.

Disposition of balance.	of land, the construction of improvements and other items entering into cost of lands and improvements upon presentation of draft, check or order signed by a proper officer of the corporation and countersigned by the said board or person designated by it for said purpose. Any funds remaining in the custody of said trustee after the completion of the said project and payment or arrangement in the manner satisfactory to the board for payment in full therefor, shall be paid to the corporation.
Regulation of rentals.	12. The board shall have full power and authority to fix, limit, regulate and adjust, from time to time, the rentals for all such projects to be charged to the tenants thereof, which rentals shall not exceed a maximum average to be prescribed by said board from time to time. Said average rentals may vary in different municipalities due to local conditions, and the same shall otherwise be determined upon the basis of the actual final cost of the project, together with the estimated income to be derived therefrom. All rental rates fixed hereunder shall be subject to revision by the board, from time to time, on application by such housing corporation or on notice by said board to such housing corporation. In fixing said average rentals, the board shall take into consideration the fixed charges and all operating and maintaining expenses including taxes, assessments, insurance, amortization charges, depreciation charges, reserves, sinking funds and corporate expenses essential to the operation and management of the project in amounts to be approved by said board. The maximum average rental so to be fixed by said board shall not be in excess of twelve dollars and a half (\$12.50) per room per month in cities of the first class in this State, nor in excess of ten dollars (\$10.00) per room per month elsewhere in this State. For the purpose of the foregoing calculations, alcoves, dining bays, and similar accommodations, where their existence is legally permis-
Varying rates.	
Rentals subject to revision.	
Method of fixing rentals.	
Maximum rental.	
Method of calculation.	

sible, and bath rooms in the case of apartments of three rooms or less, may, in the discretion of the board, be counted as half rooms; bath rooms in apartments of four rooms or more shall not be counted as rooms or half rooms. Said board shall also fix and limit the dividend or dividends to be paid, when earned, on the invested capital of every such corporation. No dividend to be fixed by said board shall be at a rate higher than six per centum (6%) per annum, except that when in any proceeding year, dividends in the amount so fixed in the articles of incorporation by said board, shall not have been paid to the stockholders of any company formed hereunder, such stockholders may be paid such deficiency, without interest, out of any surplus earned in any succeeding year or years. Said board shall also have power, in its discretion, to fix the amount of a sinking fund for the gradual retirement of the stock or other securities issued by any such corporation.

Dividends.

Maximum dividend.

Deficiency.

Sinking fund.

Hearings may be held from time to time by said board on any of the above matters. The board shall give notice to the housing corporation interested in any of the above matters of the hearing thereon and such notice to the public or other parties in interest as it may deem advisable.

Hearings.

Notice.

13. No housing corporation incorporated under this act shall:

Limitations:

(1) Acquire any real property or interest therein unless it shall first have obtained from the board a certificate that such acquisition is necessary or convenient for the public purpose defined in this act.

Acquiring real property;

(2) Sell, transfer or assign any real property except (a) to another housing corporation formed under this act, and (b) without first having obtained the consent of the board, and (c) for a price not in excess of the cost of the said property less any amounts paid in amortization of the mortgage indebtedness and the retirement or redemption of stock, plus so much of the limited dividends on the

Selling real property;

stock of the said company from date of issue as shall have been unpaid, and accrued interest on the mortgage indebtedness and income debenture certificates.

Paying interest;

(3) Pay interest returns on its mortgage indebtedness and its income debenture certificates at a higher rate than six per centum (6%) per annum.

Issuing stock;

(4) Issue its stock, debentures and bonds covering any project undertaken by it in an amount greater in the aggregate than the total actual final cost of such project, including the lands, improvements, charges for financing and supervision approved by the board and interest and other carrying charges during construction, and an allowance for working capital to be approved by the board but not exceeding three per centum (3%) of the estimated cost or of the total actual final cost of the project shall be greater than the estimated cost.

Mortgaging real property;

(5) Mortgage any real property without first having obtained the consent of the board.

Issuing securities.

(6) Issue any securities or evidences of indebtedness without first having obtained the approval of the board.

Using certain buildings;

(7) Use any building erected or acquired by it for other than housing purposes, or for other community facilities in connection therewith, except that when permitted by law the story of the building above the cellar or basement and the space below such story may be used for stores, commercial, co-operative or community purposes, and when permitted by law the roof may be used for co-operative or community purposes.

Charging, or accepting excess rentals;

(8) Charge or accept any rental fee or other charge for housing accommodations in any building constructed, acquired, operated or managed by it in excess of the prices prescribed by the board.

Contracting for construction of projects;

(9) Enter into contracts for the construction of housing projects, or for the payments of salaries to officers or employees except subject to the in-

spection and revision of the board and under such regulations as the board may, from time to time, prescribe.

(10) Voluntarily dissolve without first having obtained the consent of the board.

Dissolving voluntarily;

(11) Make any guaranty without the approval of the board.

Making guaranties.

14. Letting, subletting or assignment of leases of houses or apartments or other facilities or accommodations connected with any such project at greater rentals than those fixed and prescribed by the said board are hereby prohibited and all such leases or agreements made contrary to the provisions of this act are hereby declared to be void.

Contracts and agreements void.

15. The board shall have full power and authority to institute, when necessary, a suit or other action in any court of competent jurisdiction in order to enforce the provisions of this act against any corporation organized hereunder.

Board empowered to institute suit.

16. Every public housing corporation organized hereunder shall be exempt from the payment of all State or local taxes except the necessary fees for the filing of its certificate of incorporation and except a franchise tax of ten per centum (10%) of the gross income derived by it from rentals or from any other source or sources, which percentage of gross income shall be collected and paid to the State the same as are other public utility franchise taxes now or hereafter levied on other public utility corporations in this State.

Taxes.

Said gross income, less the reasonable cost of collecting the same, which cost shall not exceed one-half of one per centum (1%) thereof, shall on or before the fifteenth day of January in the succeeding year following its collection, be distributed and paid by the State to the several municipalities in which said housing corporations may be operating, in proportion to the amount of such gross income collected by the State from the housing corporation or corporations operating in such municipalities.

Distribution of gross income.

Deemed a public utility corporation.

17. Every such public housing corporation organized hereunder shall be held and considered to be a public utility corporation and, except as herein otherwise provided, shall be subject to all the rules and regulations and provisions of law now in force or operation or hereafter to be enacted in relation to other public utility corporations of this State.

Board empowered:

To order repairs or alterations;

18. The board may

(1) Order such repairs or alterations to any project constructed hereunder as will preserve the health and safety of the occupants of such buildings and structures owned or operated by said corporations.

Compliance with law and rules;

(2) Order all such corporations to do such acts as may be necessary to comply with the provisions of the law, the rules and regulations adopted by the board, or the terms of any project approved by the board, or to refrain from doing any acts in violation thereof.

To investigate conditions;

(3) Examine all such corporations and keep informed as to their general condition, their capitalization and the manner in which their property is constructed, leased, operated or managed with respect to their compliance with all provisions of law and orders of the State board of housing.

To inspect property, books, etc.;

(4) Either through its members or inspectors or employees duly authorized by it, enter in or upon and inspect the property, equipment, buildings, plants, offices, apparatus and devices of any such corporation; examine all books, contracts, records, documents and papers of any such corporation and by subpoena duces tecum compel the production thereof.

To prescribe method of keeping accounts;

(5) In its discretion, prescribe uniform methods and forms of keeping accounts, records and books to be observed by such companies, and after a hearing to prescribe by order accounts in which particular outlays and receipts shall be entered, charged or credited.

(6) Require every such corporation to file with the board an annual report setting forth such information as the board may require, verified by the oath of the president, vice-president, treasurer, secretary, general manager or receiver, if any, thereof, or by the person required to file the same. Such report shall be in the form, cover the period and be filed at the time prescribed by the board. The board may further require specific answers to questions upon which the board may desire information and may also require such corporation to file periodic reports in the form, covering the period, and at the time prescribed by the board.

To require filing annual report;

Specific answers;

Periodic reports.

(7) From time to time make, amend and repeal rules and regulations for carrying into effect the provisions of this chapter.

To amend or repeal regulations.

19. Every corporation organized hereunder to the extent and in the manner herein authorized, shall have the right to have exercised in its behalf, the power of eminent domain under the act of the Legislature of this State entitled "An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use" (Revision of 1900), but no such corporation shall exercise such power of eminent domain without first obtaining the sanction and approval of said board, and under such rules and regulations as said board may from time to time provide. The said power of eminent domain shall only be exercised by any corporation organized hereunder whenever it becomes necessary to promote public health and safety or to provide for the elimination of unsanitary or unsafe structures then used for dwelling purposes in any municipality of this State. Such power shall only be exercised through the governing body of the municipality in which the property to be condemned is located. Every corporation organized hereunder desiring to exercise such power, after first securing the approval of the board, shall apply by petition to the governing body of the municipality wherein the property

Right of eminent domain.

When power exercised.

Method of exercising right.

Petition

to be condemned is located, setting forth in detail, the reasons for such proposed condemnation, the necessity therefor, together with all maps, plans and specifications to be used in connection therewith. The form of said petition shall be approved by said board and shall set forth such other facts, matters and things which it in its judgment may deem proper. After being approved by said board, the said petition shall be filed with the governing body of the municipality wherein said property is located and if the governing body of such municipality shall determine that the undertaking and completion of the project, involved in such condemnation proceedings and on account of which said proceedings were instituted, is in the public interest and necessary for public use, then said governing body shall, by resolution, approve such petition and shall authorize and empower the petitioner to undertake and carry to completion, such project in accordance with the provisions of this act. And on the approval of such petition by said governing body, the petitioner may thereupon undertake to proceed to acquire the lands required for the completion of such project as set forth in its petition. If the petitioner cannot acquire such lands, structures or properties desired to be condemned, by agreement with the owner or owners thereof, such petitioner may petition the governing body of such municipality to proceed, in the name of such municipality, to acquire such lands and buildings by the exercise of the power of eminent domain under the act of one thousand nine hundred aforesaid and the various supplements and amendments thereto. The governing body of such municipality shall thereupon, by resolution, proceed in accordance with the provisions of said condemnation act of one thousand nine hundred, to acquire such lands and property and upon the acquisition thereof and the payment to the municipality by such petitioner of the sum or sums so expended by such municipality in or about such

Form of
petition.

Petition
filed.

To proceed
after petition
approved.

Failure to
reach
agreement.

Governing
body to
acquire
property.

acquisition, the governing body of such municipality shall convey such lands, structures or properties to such petitioner, subject only to the public duties and obligations imposed upon such petitioner by this act; any law of this State to the contrary, notwithstanding. Upon the conveyance of such property to such petitioner, the said petitioner shall proceed to use the said property so acquired, in accordance with the plans and specifications to be approved by said board and not otherwise.

To use
property for
purpose
approved
by board.

20. No property acquired by any corporation hereunder shall be sold at foreclosure sale except on notice to said board and in any foreclosure proceeding begun in any court for the foreclosure of any mortgage covering any property owned or used by a corporation organized hereunder, the said board shall be made a party defendant.

Sale by
foreclosure.

21. In case, for any reason, any section, term or provision of this act shall be questioned in any court and shall be held to be unconstitutional, ineffective or invalid, in whole or in part, such holding shall not affect any section, term or provision of this act except so far as the section or portion so declared to be unconstitutional, ineffective or invalid shall be inseparable from the remainder or any portion thereof.

Constitution-
ality of act

22. This act shall take effect immediately.

Approved March 23, 1933.

CHAPTER 79

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:*

Extension of
time granted.

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 thirty-three, such time shall be and the same is hereby extended for the further period of two years from the passage of this act; *provided, however,* that this act shall not apply unless money has actually been expended in surveys or location of route, or in acquisition of right of way or in construction since January first, one thousand eight hundred and eighty-six; *provided, further,* that this act shall not apply to any corporation unless such corporation shall first, and as the condition precedent to the exercise of any power granted by this act, file in the office of the Secretary of State an agreement, to be approved by the Governor and Attorney-General, waiving all right of exemption from taxation and from privileges and advantages arising from any law or contract, if any there be, establishing any special mode of taxation of any such corporation, and the further agreement to be bound by any general law of this State now in existence or that may be hereafter passed taxing such corporations as are now authorized to be taxed by the Legislature of the State under any general law, and further agreeing that the exercise of any power granted by this act shall not in any way affect the rights of this State, if any there exist, to take the property of such corporations under any existing law of this State, and agreeing

Proviso.

Proviso.

further that all laws affecting such corporations shall be subject to alteration or repeal by the Legislature; *provided, however*, that any railroad company that has heretofore filed an agreement such as above described, under the provisions of any previous act of the Legislature for extending the time for completing certain railroads, shall have the time for the completion of its railroad extended as herein above provided without filing another such agreement under this act; *provided, further*, that any agreement that has heretofore been filed by any corporation under any previous act extending the time for completing certain railroads, shall be as binding as if filed under the provisions of this act.

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

Approved March 29, 1933.

CHAPTER 80

AN ACT concerning public agencies and regulating the deposit of moneys in the custody or control of such agencies.

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

1. Any administrative board, commission, department, public official, sinking fund commission, district or other public agency, except such agencies as to which provision has otherwise by law been made with respect to the designation of depositories, of this State or of any political subdivision thereof, and being charged with the custody and/or control of moneys, shall designate the depository or depositories wherein all such moneys shall be kept, which said depository or depositories shall be located within this State. Such designation shall be by resolution, and thereafter

Proviso.

Proviso.

Public act.

Designating
depositories.

Bank
indicated by
resolution.

any official charged with the custody of such moneys shall cause the same to be kept and deposited only in such depository or depositories so named, and upon so depositing in good faith such moneys any such official shall be relieved of liability from any loss of such funds or moneys which may be due to the insolvency or closing of such depository or depositories before or after the passage of this act.

Liability.

2. This act shall take effect immediately.

Approved March 29, 1933.

CHAPTER 81

A FURTHER SUPPLEMENT to an act entitled "An act prescribing the liability of an employer to make compensation for injuries received by the employee in the course of employment, establishing an elective schedule of compensation, and regulating the procedure for the determination of liability and compensation thereunder," approved April fourth, one thousand nine hundred and eleven.

Preamble.

WHEREAS, The State Director of Emergency Relief, pursuant to authority vested in him by the emergency relief statutes of this State, has been compelled by economic conditions to abolish the system of "made work" as a method of unemployment relief by which the registered unemployed were paid wages, in money, for services performed upon State, county, and municipal works and projects, and is now devoting the entire energies of his administration and the moneys appropriated thereto to the giving of dependency relief limited to food, fuel, shelter, medical attention, and other necessities of life; and

WHEREAS, In an effort to maintain in some degree individual self-respect, and the general morale of the people, and as a part of the plan of dependency relief, an endeavor is being made, wherever practical, to afford recipients of such relief the opportunity of rendering, voluntarily, some useful service to the State, county, or municipality, as the case may be; and Preamble.

WHEREAS, It was neither contemplated nor intended by the workmen's compensation act to include as compensable employment such services as are now being performed in connection with emergency dependency relief, and the potential financial liability of the various governmental units is seriously hindering undertakings contemplated by the plan, therefore, in order to clarify the present uncertainty with respect to liability under said workmen's compensation act. Preamble.

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

1. Employment provided by this State, or by any county or municipality, or by any board, commission, or agency thereof, pursuant to any plan of relief heretofore or hereafter authorized and approved by the State Director of Emergency Relief, is hereby declared to be casual employment, as the term "casual employment" is used and defined in the act to which this act is a further supplement and acts amendatory thereof and supplemental thereto; and no personal injury or death by accident arising out of and in the course of such employment shall be deemed or held to be compensable thereunder. Casual employment. Injury not compensable.

2. This act shall take effect immediately, but shall become inoperative on and after January thirty-first, one thousand nine hundred and thirty-four. Act inoperative.

Approved March 29, 1933.

CHAPTER 82

AN ACT to amend an act entitled "An act concerning proceedings on bonds and mortgages given for the same indebtedness and the foreclosure and sale of mortgaged premises thereunder," approved March twelfth, one thousand eight hundred and eighty.

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

Section 2
amended.

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

Procedure to
collect debt
on bond and
mortgage.

2. In all cases where a bond and mortgage has or may hereafter be given for the same debt, all proceedings to collect said debt shall be, first, to foreclose the said mortgage, and if at the sale of the mortgaged premises under said foreclosure proceedings the said premises should not sell for a sum sufficient to satisfy said debt, interest and costs, then and in such case it shall be lawful to proceed on the bond for the deficiency, and that all suits on said bond shall be commenced within three months from the date of the sale of said mortgaged premises, and judgment shall be rendered and execution issue only for the balance of debt and costs of suit; *provided, however,* that no action shall be instituted against any party answerable on the bond unless such party is joined in the proceedings to foreclose the said mortgage; *and provided, further,* that the obligor or obligors in said bond may file an answer in the suit on said bond disputing the amount of such deficiency, in which event both parties may introduce in evidence at the trial, testimony of the fair market value of the mortgaged premises at the time of the sale under said foreclosure proceedings, and the court, sitting with

Suits within
three months.

Proviso.

Proviso.

or without a jury, shall determine the amount of said deficiency by deducting from said debt the amount assessed as the fair market value of said premises; *and provided further*, that if all parties to the action shall so agree the court may accept as the fair market value of said mortgaged premises the value fixed by three appraisers to be named by agreement of all parties to the action, which said agreement shall be evidenced by a stipulation to be filed in the action. Proviso.

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

3. That if after the foreclosure and sale of any mortgaged premises the person who is entitled to the debt shall recover a judgment in a suit on said bond for any balance of debt such recovery shall open the foreclosure and sale of said premises, and the person against whom the judgment has been recovered may redeem the property by paying the full amount of money for which the decree was granted, with interest to be computed from the date of said decree and all costs of proceedings on the bonds; and all reasonable expenses which the purchaser may have incurred in the meantime for taxes, assessments, other prior liens, necessary repairs upon said premises and interest on same, after deducting from the amount thereof such income as said holder may have derived from the possession of said premises either as rent or otherwise; *provided*, that a suit for redemption is brought within six months after the entry of such judgment for the balance of the debt; *and provided, further*, that where a suit has been brought on said bond for a deficiency as provided in section two of this act, and where the party or parties liable on said bond, or otherwise, for such deficiency shall have answered disputing the amount of such deficiency, as provided in said section two, then the effect of any such answer shall be to terminate any right to redeem from foreclosure. Recovery of judgment.

Redemption of property.

Expenses deducted.

Proviso.

Proviso.

sale, and recovery of judgment on the bond shall not open the foreclosure and sale of said premises.

3. This act shall take effect immediately.

Approved March 29, 1933.

CHAPTER 83

AN ACT concerning deposits of money by the State or any county, municipality or school district in any National bank transacting business in this State or in any bank, trust company or savings bank organized under the laws of this State.

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

Consent to
reopen, etc.,
closed banks.

1. Whenever the State, or any county, municipality or school district has or shall have on deposit moneys in any National bank transacting business in this State, or in any bank, trust company or savings bank organized under the laws of this State, and any such bank, trust company or savings bank has been or shall be placed in the hands of a receiver or has been or shall be taken over by the Comptroller of the Treasury of the United States or any other officer of the United States government empowered so to do, or by the Commissioner of Banking and Insurance of this State, pursuant to the statute, in any such event if a plan for the reorganization, reopening or consolidation of any such bank, trust company or savings bank shall be approved by the Comptroller of the Treasury of the United States or any other officer of the United States government empowered so to do, or by the Commissioner of Banking and Insurance of this State, as the case may be, consent to such reopening, reorganization or consolidation of any such bank, trust company or savings bank,

according to the plan so approved, may be given by the treasurer of this State, on behalf of the State, or by the governing body of any county, municipality or school district by resolution of the governing body thereof.

2. This act shall take effect immediately.

Approved March 29, 1933.

CHAPTER 84

AN AMENDMENT to an act entitled "An act to regulate the cremation of dead human bodies," being chapter two hundred eighty-five of the laws of nineteen hundred eleven.

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

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

1. It shall not be lawful for any person, firm or corporation to engage in or carry on the business of cremating dead human bodies without first obtaining from the State Board of Health a license or permit to engage in and carry on such business subject to such rules and regulations as may be made by the State Board of Health. Board of health to license crematories. And no such license or permit shall be given to any person, firm or corporation to engage in or carry on any such business in any building adjacent to or in the immediate vicinity of buildings used as dwellings; Restrictions. *provided, however,* that such license or permit may be granted by the State Board of Health to any person, firm or corporation to engage in or carry on the business of cremating dead human bodies in any building in which shall be constructed for that purpose a fire brick retort; Proviso. *and further provided,* said fire brick retort shall be constructed Proviso.

and shall be operated under such rules and regulations as may be made by the State Board of Health.

Repealer.

2. All the acts not consistent herewith shall hereby be repealed.

3. This act shall take effect immediately.

Approved April 4, 1933.

CHAPTER 85

AN ACT concerning the manufacture, distribution and sale of certain beverages having an alcoholic content and providing for licenses, regulations and fees in connection therewith and penalties for violations thereof.

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

Legalizing
manufacture
and sale of
certain
beverages.

1. It shall be lawful to manufacture, distribute and sell certain fermented malt or vinous liquors, including ale, beer, lager, porter and wine having an alcoholic content not greater than 3.2 per centum by weight (hereinafter in this act called beverages) from the sixth day of April, one thousand nine hundred and thirty-three, until midnight on the twenty-fifth day of May, one thousand nine hundred and thirty-three, in conformity with the provisions of an act of Congress entitled "An act to provide revenue by the taxation of certain non-intoxicating liquor, and for other purposes," approved March twenty-second, one thousand nine hundred and thirty-three.

License by
municipality.

2. It shall be lawful for the governing body of any municipality in this State, other than a county, by resolution, to temporarily license any individual, partnership or corporation to distribute or sell beverages as defined in section one of this act

until midnight of the twenty-fifth day of May, one thousand nine hundred and thirty-three; *provided, however,* where a board of aldermen exists, such board of aldermen shall be the governing body for the purposes of this act, *and provided, further,* that in any municipality now or hereafter having a population of not less than one hundred thousand inhabitants or more than one hundred and thirty thousand inhabitants as ascertained by the preceding Federal census, and which municipality now has a board of excise commissioners, the licenses authorized to be issued under this act shall be issued by said board of excise commissioners; *and provided, further,* that in such municipality the mayor shall be an exofficio member of such board of excise commissioners with power to vote on all applications for licenses under this act and his vote shall be among those voting in favor of the issuance of a license to any such applicant before the said application is approved.

Where a person, firm or corporation desires to sell or distribute such beverages as described in this act outside of a single municipality, he shall obtain a license as provided in section four of this act.

3. Licenses authorized to be issued by a municipality for sale and consumption on the premises shall be subject to the following restrictions:

a. The governing body shall not be obligated to issue any such license, but may do so in its discretion.

b. No license shall permit the sale of the beverages herein mentioned between the hours of one A. M. and seven A. M., and no such beverage shall be sold on Sunday.

c. No beverage shall be sold to any person under the age of eighteen years.

d. No beverage shall be sold in any place which shall be concealed by screens or otherwise from public view except in licensed clubs.

e. No beverage shall be sold in any place to which the public is not admitted, nor in any room

Proviso.

Proviso.

Proviso.

License to distribute.

Licenses subject to restrictions:

Discretion;

Hours and days sale permitted;

Age limit;

Places of sale.

Size of room;

having a floor space of less than four hundred square feet, except as hereinafter provided.

License re-
quirements;

f. No license under this section shall be issued to a person or to a partnership unless such person or members of such partnership are citizens of the United States, residents of the State of New Jersey for at least three years, are over the age of twenty-one years, nor to one who has within the past ten years been convicted of a crime involving moral turpitude; nor except to an existing corporation, the officers and directors of which are citizens of the United States and residents of the State of New Jersey over the age of twenty-one years and who have not within the past ten years been convicted of a crime involving moral turpitude.

Club;

g. Licenses may be issued to regularly incorporated clubs or fraternal or military organizations which have been incorporated or organized for more than one year last past and whose members pay regular annual dues.

Fee;

h. It shall be lawful for the municipality to charge a license fee for such temporary license, which said license fee shall be fixed by resolution.

Place
specified.

i. Every license granted under this section shall be for a particular place or location, which shall be described in such license.

License to
manufacture.

4. Any person, firm or corporation desiring to manufacture the beverages mentioned in section one of this act shall first obtain a license so to do from the State Tax Commissioner, and shall pay for such license a fee of fifty dollars (\$50.00) and in addition thereto a fee of three cents (\$0.03) a gallon for each gallon or fraction thereof sold by such manufacturer.

License to
distribute.

The distributor who shall desire to sell the beverages mentioned in section one of this act in more than one municipality shall obtain a like license from the State Tax Commissioner, and shall pay for such license a fee of fifty dollars (\$50.00) and in addition thereto a fee of three cents (\$0.03) a gallon for each gallon or fraction thereof distributed by such distributor; *provided, however,*

Fee.

Proviso.

that where the manufacturer has already paid to the State of New Jersey a fee of three cents (\$.03) per gallon for the manufacture of such beverage, the distributor shall not be again obliged to pay such fee for the distribution of the same beverage for which the license fee has already been paid.

The manufacturer may also have a distributor's license. **Maker may distribute.**

It is further provided that no person, firm or corporation who shall pay the fees provided for in this section shall be compelled to pay any additional fees for operating as a manufacturer or a distributor hereunder. **No additional fees.**

5. The State Tax Commissioner shall refuse to issue a license to any person or to any partnership or to any corporation where such person or members of such partnership or officers, director or employees of such corporation has been convicted, within the past ten years, of any crime involving moral turpitude; or he may revoke such license for any violation of the provisions of this act or the rules and regulations made in pursuance hereof. **Refusal to grant license.**

The State Tax Commissioner shall have power to employ necessary deputies and assistants and to make such further rules and regulations as he may deem necessary and requisite to enforce the provisions of this act and insure the collection of such license fees, and may require a bond or other surety for the payment of such fees and the faithful observance of the conditions contained in such license. **Revocation.**

6. The governing body of each municipality shall have power to make such further rules and regulations as they may deem necessary and requisite to enforce the provisions of this act and insure the collection of such license fees, and may require a bond or other surety for the faithful observance of the conditions contained in such license, and shall revoke such license for cause, and to fix penalties for violations thereof, or shall revoke said license if said licensee shall distribute or sell intoxicating liquors now prohibited by law. **Enforcement.**

- Method of selling.** 7. Distributors may sell by the barrel or fraction thereof or by bottle; *provided*, that in the case of the sale of bottled beverages the sale shall be in quantities of not less than one-half dozen bottles.
- Proviso.**
- Manufacturer or distributor not to have interest in place of sale.** 8. No manufacturer licensed hereunder, nor any manufacturer without this State and importing into this State the beverages mentioned in section one hereof, nor any distributor licensed hereunder shall, directly or indirectly, or by any subterfuge, have any interest in any place authorized to sell such beverages on the premises as provided in section three of this act, and such interest shall include any payment to such licensee of any money or thing of value whereby the licensee agrees to sell the product of such manufacturer or distributor, any mortgage or chattel mortgage upon the said premises, or any stock or bond-holding ownership, or other property interest in such licensed place; *provided*, that this section shall not apply to an interest or ownership that has existed for more than seven years prior to the passage of this act.
- Proviso.**
- Penalty for violation.** 9. No person, firm or corporation shall manufacture, distribute or sell any beverages mentioned in section one of this act without first having obtained a license as provided herein, and for any violation of any of the provisions of this act any such person, members of such partnership, officers, directors and employes of such corporation shall be guilty of a misdemeanor.
- License immediately.** 10. The licenses provided for in this act may be obtained immediately upon the passage thereof, and sale and distribution of the beverages so licensed for manufacture and delivery may commence at any time after midnight of April sixth, one thousand nine hundred and thirty-three.
- Delivery.** 11. In preparation for the sale and distribution of the beverages licensed hereunder, delivery may commence at any time after midnight of April sixth, one thousand nine hundred and thirty-three, and sale after seven A. M. of April seventh, one thousand nine hundred and thirty-three, and for

this purpose the licenses provided for in this act may be obtained at any time after this act shall become effective.

12. Distributors of beverages to private dwellings within a single municipality shall be subject to all of the provisions of section three of this act which may be applicable thereto, with the exception of sub-sections (e) and (i) of said section, and where the distributor is licensed to distribute in more than one municipality the distributor shall deliver the said beverages to the residence of the purchaser or his present place of abode, and shall not permit the consumption thereof in or about the premises of the distributor; and shall sell in quantities of not less than six bottles, or its equivalent.

Application
of act.

13. All acts and parts of acts inconsistent herewith are hereby repealed. If any section or provision of this act shall be declared to be unconstitutional by any court of competent jurisdiction, such declaration shall not thereby affect the other provisions of this act.

Repealer.

Constitutionality.

14. No alcoholic beverage shall be dispensed from any bar. For the purposes of this act a "bar" is defined to be a bar or counter from which alcoholic beverages are dispensed directly to customers.

Bar.

15. No license shall be granted to any public official chargeable with the granting of licenses under this act, or the administration or enforcement of the provisions hereof, nor shall any such official be interested either directly or indirectly, in any such license.

License not
granted
officials.

16. This act shall take effect immediately, and become inoperative at midnight on May twenty-fifth, one thousand nine hundred and thirty-three.

Act
inoperative.

Approved April 5, 1933.

CHAPTER 86

AN ACT to amend an act entitled "An act to amend an act entitled 'A further supplement to an act entitled "An act concerning municipal and county finances," approved March twenty-eighth, one thousand nine hundred and thirty-two,' which amendatory act was approved March fourteenth, one thousand nine hundred and thirty-three."

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

Section 1
amended.

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

Denomina-
tions.

1. In addition to the powers conferred by the provisions of the act to which this act is a further supplement, the governing body of each municipality and of each county is authorized and empowered to issue and sell its "tax anticipation notes," "tax anticipation bonds," "tax revenue notes," "tax revenue bonds" and other evidence of indebtedness in denominations of ten, twenty-five, fifty, one hundred, two hundred and fifty, five hundred and one thousand dollars each. Whenever in the opinion of the governing body of any municipality or of any county it is necessary in order to pay for past due services, wages and salaries and other past due obligations for materials and supplies furnished and other past due obligations including obligations of the municipality to its school system, either for salaries past due or services, materials and supplies already provided, in some form other than cash, said governing bodies are hereby authorized and empowered to issue acknowledgments of indebtedness commonly known as "scrip" in denominations to be fixed by such governing body.

"Scrip."

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

Section 3
amended.

3. The said "tax anticipation notes," "tax anticipation bonds," "tax revenue notes," "tax revenue bonds," and other evidence of indebtedness, and such acknowledgments of indebtedness commonly known as "scrip," issued hereunder, or pursuant to the provisions of the act to which this act is a further supplement, may be accepted from any holder or bearer thereof by the municipality or the county issuing the same in payment and discharge of taxes, assessments and other charges, which may be due to the municipality or the county issuing the same; *provided*, that any certificates of indebtedness commonly known as "scrip" heretofore issued by any municipality or county as set forth in section one of this act are hereby validated and confirmed as to their legality and any payments in discharge of taxes, assessments, and other charges heretofore satisfied by the receipt of said certificates of indebtedness commonly known as "scrip" be and the same are hereby ratified, validated and confirmed.

Validity of
"scrip."

Proviso.

3a. The various municipalities in this State in any county wherein such "scrip" may be issued for the payment of county indebtedness shall accept the same at par and accrued interest in payment of municipal taxes; *provided, however*, that no such municipality shall be required to accept in total any amount of said "scrip" which may exceed the taxes and lawful interest thereon due from said municipality to the county for county purposes.

Accepted at
par value.

Proviso.

3. This act shall take effect immediately.
Approved April 6, 1933.

New Jersey State Library

CHAPTER 87

AN ACT to amend an act entitled "A supplement to an act entitled 'An act to authorize and regulate the issuance of bonds and other obligations and the incurring of indebtedness by county, city, borough, village, town, township or any municipality governed by an improvement commission,' approved March twenty-second, one thousand nine hundred and sixteen," the supplement having been approved April third, one thousand nine hundred and twenty-eight, being chapter two hundred and fifty-four of the laws of one thousand nine hundred and twenty-eight.

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

Section 2
amended.

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

Act
inoperative.

2. This act shall be inoperative after December thirty-first, nineteen hundred thirty-six.

2. This act shall take effect immediately.

Approved April 6, 1933.

CHAPTER 88

AN ACT to amend an act entitled "A further supplement to an act entitled 'An act concerning counties,' approved March fourth, one thousand nine hundred and eighteen," approved March twenty-first, one thousand nine hundred and thirty-two.

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

1. In addition to the powers vested in the board of chosen freeholders of any county, in pursuance of the provisions of the act to which this act is a further supplement, it shall be the duty of each board of chosen freeholders to designate the county depository or depositories wherein shall be kept all public monies of the county, which said depository or depositories shall be located within this State, and such designation shall be by resolution of a majority of all of the members of the board; *provided, however,* for two years next after the passage of this act said depository or depositories may be located without the State. The public official charged with the custody of such funds shall thereafter, in accordance with the terms of said resolution, deposit said funds or other monies belonging to the county only in such depository or depositories so named, and upon so depositing in good faith such funds or monies the county official shall be relieved of any liability for loss of such funds or monies which may be due to the insolvency or closing of such depository or depositories.

Designation of depositories.

Proviso.

Liability.

2. This act shall take effect immediately.

Approved April 6, 1933.

CHAPTER 89

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

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

Use of
stink bombs
unlawful.

1. It shall be unlawful to break, open or explode or to abet in the breaking, opening or exploding of any stink bomb or any stinking, offensive smelling, or injurious bomb or substance thereby injuring, molesting or coercing another, or injuring the property or business of another, or molesting another in the use, management, conduct or control of his business or property.

Penalty.

2. Any person violating the provisions of this act shall be guilty of a misdemeanor.

3. This act shall take effect immediately.

Approved April 6, 1933.

CHAPTER 90

AN ACT to amend an act entitled "An act providing for the regulation of vehicles, animals and pedestrians on all public roads and turnpikes, and prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act, and penalties for said violations, and granting authority to towns, cities, boroughs and townships, under certain restrictions for the adoption of ordinances further regulating vehicles, pedestrians and animals, and designating the authorities to enforce its provisions and defining their powers and their authority" (Revision of 1928), approved April fourteenth, one thousand nine hundred and twenty-eight.

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

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

28. No Parking: Signs shall be square, eighteen inches on a side; largest letter to be three inches in height and letters for explanatory words to be from one to two inches in height, depending upon the number of words used. Signs shall be placed on the side of the highway where the message is to be obeyed and shall not be placed more than two hundred and fifty feet apart when designating a continuous prohibited zone equal to or greater than two hundred and fifty feet. This section shall not apply, however, to the location of any signs,

Section 28 amended.

No parking signs.

Not applicable.

which may be erected by any political subdivision of the State, which prohibit parking for any designated length of time between sunset and sunrise.

Section 29
amended.

2. Section twenty-nine of Article XII of the act to which this act is an amendment is hereby amended to read as follows:

Time limit
parking.

29. Time Limit Parking: Signs shall be the same as for "No Parking" sign, the words "Parking Limit" to appear in large letters and the rest of the message in the smaller size letters. The signs shall be placed on the side of the highway where the message is to be obeyed and shall not be placed more than two hundred and fifty feet apart when designating a continuous restricted zone equal to or greater than two hundred and fifty feet. Color to be green background and white letters. This section shall not apply, however, to the location of any signs, which may be erected by any political subdivision of the State, which limit parking for any designated length of time between sunset and sunrise.

Not
applicable.

3. This act shall take effect immediately.

Approved April 6, 1933.

CHAPTER 91

AN ACT to amend an act entitled "An act providing for the regulation of vehicles, animals and pedestrians on all public roads and turnpikes, and prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act, and penalties for said violations, and granting authority to towns, cities, boroughs and townships, under certain restrictions for the adoption of ordinances further regulating vehicles, pedestrians and animals, and designating the authorities to enforce its provisions and defining their powers and their authority" (Revision of 1928), approved April fourteenth, one thousand nine hundred and twenty-eight.

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

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

Section 4
amended.

4. It shall be unlawful for the operator of a vehicle to stand or park such vehicle in any of the following places, except when necessary to avoid conflict with other traffic, or in compliance with the directions of a traffic or police officer or traffic sign or signal:

Unlawful
to park:

(a) Within an intersection.
(b) On a crosswalk.
(c) Between a safety zone and the adjacent curb or within at least twenty (20) feet of a point on the curb immediately opposite the end of a safety zone.

Inter-
sections;
Crosswalk;
Safety zone;

(d) In front of a private driveway.

Driveways:

Crosswalks;

(e) Within twenty-five (25) feet of the nearest crosswalk or side line of street or intersecting highway, except at alleys, or within fifty (50) feet of a "Stop Street" sign, or within fifty feet of the near right-hand corner of any street upon which any auto bus route is established, and approved by the Board of Public Utility Commissioners.

Fire station
or hydrant.

(f) Within twenty (20) feet of the driveway entrance to any fire station or within ten (10) feet of a fire hydrant.

2. This act shall take effect immediately.

Approved April 6, 1933.

CHAPTER 92

AN ACT for the protection of owners of electric storage batteries upon which the word "rental" or any word, mark, device or character is printed, painted, stamped, burned or otherwise placed or attached for the purpose of identifying the ownership thereof, and providing penalties for violations of this act.

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

Defacing
name on
rented
batteries.

1. It shall be unlawful for any person, copartnership, or corporation, other than the owner thereof, to remove, deface, alter or destroy, or cause to be removed, defaced, altered, or destroyed the word "rental" or any word, mark, device, or character printed, painted, stamped, burned or otherwise placed upon or attached to any electric storage battery for the purpose of identifying the ownership thereof.

Selling
rented
batteries.

2. It shall be unlawful for any person, copartnership, or corporation, other than the owner

thereof, to sell, dispose of, deliver, or give, or attempt to sell, dispose of, deliver, or give to any person, copartnership, or corporation, any electric storage battery upon or to which the word "rental" or any word, mark, device, or character is printed, painted, stamped, burned, or otherwise placed or attached, for the purpose of identifying the ownership thereof.

3. It shall be unlawful for any person, copartnership, or corporation, other than the owner thereof, to recharge, except in case of emergency and with the consent of the owner thereof, or his, or its duly authorized agent or employee, any electric storage battery upon or to which the word "rental" or any word, mark, device or character is printed, painted, stamped, burned, or otherwise placed or attached for the purpose of identifying the ownership thereof.

Recharging
rented
batteries.

4. It shall be unlawful for any person, copartnership, or corporation, other than the owner thereof, to retain in his, their, or its possession, any electric storage battery upon or to which the word "rental" or any word, mark, device or character is printed, painted, stamped, burned, or otherwise placed or attached, for the purpose of identifying the ownership thereof, for a longer period than ten days after written demand for its return shall have been made by the owner thereof and sent by registered mail.

Failing to
return upon
demand.

5. Any person, copartnership or corporation, and the members, officers, agents and employees of any copartnership or corporation violating any of the provisions of this act shall be guilty of a **misdemeanor**.

Violation a
misdemeanor.

6. This act shall take effect immediately.

Approved April 6, 1933.

CHAPTER 93

AN ACT to amend an act entitled "An act to regulate elections" (Revision of 1930), approved April eighteenth, one thousand nine hundred and thirty.

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

Par. 392
amended.

1. Article XXVIII, paragraph three hundred and ninety-two, section fourteen, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

New or Altered Wards or Districts.

Registrants
notified of
change in
district.

Par. 392, Sec. 14. When a new district has been created or the boundaries thereof have been changed, the commissioner shall transfer the permanent registration forms of registered voters whose voting districts have been changed, of which change the registrant may be notified by postal card. The registration of a voter shall not be invalidated by such alteration nor shall the right of any registered voter to vote be prejudiced by any error in making the transfers of the registration forms.

Registration
valid.

Par. 393
amended.

2. Article XXVIII, paragraph three hundred and ninety-three, section fifteen, of the act to which this act is an amendment, be and the same is hereby amended so as to read as follows:

Check-up by Commissioner.

Preventing
fraudulent
voting and
registration.

Par. 393, Sec. 15. For the purpose of preventing fraudulent voting and for eliminating names improperly registered, the commissioner of registration in counties of the first class, and the county board of elections in all other counties, may within ninety days after each general election, send by government reply postal card to each registrant who failed to vote at such election, to his registered address, a notice substantially as follows:

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

.....
“Commissioner of Registration”

The reply card shall be addressed to the commissioner and shall bear substantially the following questions with appropriate spaces for answers: Form of 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 commissioner in counties of the first class, and the county board of elections, in all other counties, 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 and/or county board of elections may deem necessary to establish the fact of continued residence or of removal of any registrant. Personal investigation.

In case of registrants who have been found to the satisfaction of the commissioner in counties of the first class and the county board of elections in all other counties, to have moved from one address to another within the same district, the commissioner in counties of the first class and the county board of elections in all other counties, shall correct his or their record accordingly. Correcting record.

In case of registrants so found to have moved from a district in a municipality having permanent registration to another district in the same or in another municipality having permanent registration, within the county, the commissioner in counties of the first class and the county board of elections in all other counties, shall cause the permanent registration forms of such registrants to be transferred to the proper signature copy registers. Transfer of forms.

Transferring
to inactive
files.

Reregister.

Registrant
notified of
transfer to
inactive list.

Notice of
proposed
transfer.

Form of
notice

List published.

In case of registrants so found to have moved from a municipality having permanent registration to a municipality not having permanent registration, within the county or to any place outside the county or State, the commissioner in counties of the first class and the county board of elections 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 having permanent registration, within the county, shall be required to reregister before being allowed to vote.

The registrant shall be notified by the commissioner by mail of any transfer made pursuant to this section to the inactive file for any cause other than information received from the registrant himself. This notice shall be in addition, to the notice by publication, hereinafter provided for.

The county board of elections 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 commissioner and/or county board of elections. 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 (2) entire days prior to the removal of such names and shall be published in two (2) or more daily newspapers published within the county, one of which newspapers, at least, shall be published in the municipality affected. Such 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. Such notice and list shall be published in the manner aforesaid prior to the second Tuesday preceding any election.

In no event shall the permanent registration forms or voting record of any registrant be removed or transferred to the inactive file, for any reason whatsoever, 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 for any reason whatsoever, if the name of such registrant is not first published in the manner aforesaid.

Transfers not permitted.

3. Article XXIX, paragraph four hundred and five, section one, of the act to which this act is an amendment be and the same is hereby repealed, together with its caption.

Par. 405(1) repealed.

4. Article XXIX, paragraph four hundred and six, section two, of the act to which this act is an amendment be and the same is hereby repealed, together with its caption.

Par. 406(2) repealed.

5. Article XXIX, paragraph four hundred and six-a, section three, of the act to which this act is an amendment be and the same is hereby repealed, together with its caption.

Par. 406-a(3) repealed.

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

Repealer.

7. This act shall take effect immediately.

Approved April 6, 1933.

CHAPTER 94

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

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

Selling, etc.,
offensive
smelling
bombs
prohibited.

1. It shall be unlawful for any person to have in his possession or to sell in this State any stink bomb or any stinking, offensive smelling or injurious substances which are contained in any bomb or container, and which are so devised as to be designed to be broken or exploded for the purpose of emanating an unpleasant or injurious odor or gas for the purpose of injuring or being unpleasant to another or injuring the property of another; *provided, however,* that nothing herein contained shall apply to any officer of the law in the performance of his duty, or when manufactured, possessed or sold, or used for the protection of life and property or for military purposes.

Proviso.

Penalty.

2. Any person violating any of the provisions of this act shall be guilty of a misdemeanor.

3. This act shall take effect immediately.

Approved April 10, 1933.

CHAPTER 95

AN ACT to amend an act entitled "An act providing for the regulation of vehicles, animals and pedestrians on all public roads and turnpikes, and prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act, and penalties for said violations, and granting authority to towns, cities, boroughs and townships, under certain restrictions for the adoption of ordinances further regulating vehicles, pedestrians and animals, and designating the authorities to enforce its provisions, and defining their power and their authority" (Revision of 1928).

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

1. Section eight of article VIII of the act to which this act is an amendment is hereby amended to read as follows: Section 8 amended.

8. (a) The driver of any vehicle overtaking another vehicle proceeding in the same direction shall pass at a safe distance to the left thereof, and shall not again drive to the right side of the highway until safely clear of such overtaken vehicle. Passing.

(b) The driver of an overtaking motor vehicle not within a business or residence district as herein defined shall give audible warning with his horn or other warning device before passing or attempting to pass a vehicle proceeding in the same direction. Warning.

(c) In the event vehicles on the street or highway are moving in two or more substantially continuous lines the provisions of section 8 (a) and section 10 of this article shall not be considered as prohibiting the vehicles in one such line overtaking Passing on either right or left.

Proviso.

or passing the vehicles in another such line either upon the right or left nor shall those provisions be construed to prohibit drivers overtaking and passing upon the right another vehicle which is making or about to make a left turn; *provided, however*, that no person shall operate a motor vehicle on the dirt, gravel or stone shoulder adjacent to the improved, paved portion of a highway when overtaking and passing a vehicle upon the right.

2. This act shall take effect immediately.

Approved April 10, 1933.

CHAPTER 96

A SUPPLEMENT to an act entitled "An act providing for the regulation of vehicles, animals and pedestrians on all public roads and turnpikes, and prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act, and penalties for said violations, and granting authority to towns, cities, boroughs and townships, under certain restrictions, for the adoption of ordinances further regulating vehicles, pedestrians and animals, and designating the authorities to enforce its provisions, and defining their powers and their authority," approved July fourteenth, one thousand nine hundred and twenty-eight.

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

Appellate
jurisdiction
transferred to
special
sessions.

1. The appellate jurisdiction conferred upon the courts of common pleas in the several counties by the provisions of the act to which this is a supplement, its amendments and supplements, shall no

longer be exercised by said court, but all the appellate jurisdiction so heretofore conferred upon said courts of common pleas is hereby transferred to and vested in and shall hereafter be exercised by the courts of special sessions in the respective corresponding counties.

2. Whenever an appeal shall, by virtue of the jurisdiction so conferred, be taken to the court of special sessions, such appeal shall not operate to bring up the proceedings in the court appealed from for review, but shall operate as an application for a trial de novo and as a consent that said court of special sessions may, during or before the trial, amend the complaint by making the charge more specific, definite, or certain, or in any other manner, including the substitution of any charge growing out of the same transaction or surrounding circumstances, of which the tribunal appealed from had jurisdiction. Any statutory provision limiting the time in which any such charge may be brought, or proceedings taken in the prosecution of the same, shall not operate and shall be considered as being by said appeal waived. In the event of any amendment where a new or different charge is made, the court shall give the defendant an opportunity to plead thereto and a reasonable time, in its discretion, in which to prepare for and proceed with the trial.

3. The court of special sessions shall de novo and in a summary manner try and determine all such charges and appeals, and in case the defendant is convicted shall impose the penalty prescribed by the act to which this is a supplement, its amendments and supplements, which conviction and sentence shall supersede and nullify the conviction and judgment in the court below; and in case the defendant is acquitted upon such trial de novo, the court of special sessions shall order the conviction below set aside and the return of all moneys deposited and all costs of prosecution paid by the said defendant.

New trial.

Complaint amended.

Time.

Summary proceedings.

Repealer.

4. All acts and parts of acts inconsistent with this act are hereby repealed.

5. This act shall take effect immediately.

Approved April 10, 1933.

CHAPTER 97

A SUPPLEMENT to an act entitled "An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations," approved April eighth, one thousand nine hundred and twenty-one.

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

Appellate
jurisdiction
transferred to
special
sessions.

1. The appellate jurisdiction conferred upon the courts of common pleas in the several counties by the provisions of the act to which this is a supplement, its amendments and supplements, shall no longer be exercised by said court, but all the appellate jurisdiction so heretofore conferred upon said courts of common pleas is hereby transferred to and vested in and shall hereafter be exercised by the courts of special sessions in the respective corresponding counties.

New trial.

2. Whenever an appeal shall, by virtue of the jurisdiction so conferred, be taken to the court of special sessions, such appeal shall not operate to bring up the proceedings in the court appealed

from for review, but shall operate as an application for a trial de novo and as a consent that said court of special sessions may, during or before the trial, amend the complaint by making the charge more specific, definite, or certain, or in any other manner, including the substitution of any charge growing out of the same transaction or surrounding circumstances, of which the tribunal appealed from had jurisdiction. Any statutory provision limiting the time in which any such charge may be brought, or proceedings taken in the prosecution of the same, shall not operate and shall be considered as being by said appeal waived. In the event of any amendment where a new or different charge is made, the court shall give the defendant an opportunity to plead thereto and a reasonable time, in its discretion, in which to prepare for and proceed with the trial.

Complaint amended.

Time for pleading.

3. The court of special sessions shall de novo and in a summary manner try and determine all such charges and appeals, and in case the defendant is convicted shall impose the penalty prescribed by the act to which this is a supplement, its amendments and supplements, which conviction and sentence shall supersede and nullify the conviction and judgment in the court below; and in case the defendant is acquitted upon such trial de novo the court of special sessions shall order the conviction below set aside and the return of all moneys deposited and all costs of prosecution paid by the said defendant.

Summary proceedings.

If acquitted conviction set aside.

4. All acts and parts of acts inconsistent with this act are hereby repealed.

Repealer.

5. This act shall take effect immediately.

Approved April 10, 1933.

CHAPTER 98

A SUPPLEMENT to an act entitled "An act for the construction, maintenance and operation of water works for the purpose of supplying cities, towns, townships, villages, boroughs and other municipalities in this State with water, and otherwise amending said act," approved April twenty-first, one thousand eight hundred and seventy-six, as such title was amended by an act approved June twenty-second, one thousand nine hundred and six.

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

Water
companies
deemed duly
incorporated
authorized to
continue
operating.

1. Any company heretofore incorporated under any other act of the Legislature of the State of New Jersey than the one to which this is a supplement, or any company incorporated under the act to which this is a supplement for the supplying of water to two or more municipalities, or any consolidated corporation which may have been formed by the consolidation of any such company or companies with each other and with any company or companies incorporated under the act to which this is a supplement, and which company or consolidated corporation is now engaged in supplying water for public and private use in any city, town, township, village, borough or other municipality in this State, or in more than one of such municipalities, may come under and be subject to the provisions of the act to which this is a supplement, and continue its existence and operation as if formed under the same, if such company or consolidated corporation shall make and execute a certificate under the hands of the president and the directors thereof, stating that it desires to

come under the provisions and liabilities of the act to which this is a supplement, and be incorporated thereunder, which certificate shall be duly acknowledged or proved in the manner prescribed for the acknowledgment or proof of conveyance of real property, and shall be accompanied by the consent in writing of at least two-thirds in interest of all the stockholders of such company or consolidated corporation, having voting powers which consent shall be verified by the oath of its president or secretary; said certificate, upon approval by the Board of Public Utility Commissioners, shall be filed in the office of the Secretary of State; upon the filing of such certificate as aforesaid, the company or consolidated corporation making the same shall be deemed to be duly incorporated under the act to which this is a supplement, and to be duly authorized thereunder to supply water for public and private use in such municipality or municipalities, and to exercise all the rights and powers conferred by said act and the amendments thereof and supplements thereto, and may thereafter continue to maintain, operate and extend its works, mains, pipes and appurtenances in the said municipality or municipalities; *provided*, that no such company or consolidated corporation shall be relieved of any duty or liability imposed upon it, or existing at the time of the execution and filing of the certificate of reincorporation herein provided for; *and provided*, nothing herein contained shall be construed to limit or interfere with the right of any municipality where such works and appurtenances are located to regulate the manner of using the streets and public places therein by any such corporation for the purposes of its business; *and provided, further*, that such certificate shall be filed as aforesaid before the first day of January, one thousand nine hundred and thirty-four.

Certificate
filed.

Proviso.

Proviso.

Proviso.

2. This act shall take effect immediately.
Approved April 10, 1933.

CHAPTER 99

AN ACT to amend an act entitled "An act respecting any executions," approved March twenty-first, one thousand eight hundred seventy-four (Revision 1874),

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

Section 23
amended.

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

Debtor
required to
make discovery
of property.

23. When a judgment has been recovered or docketed in the supreme court or in the circuit court or in the court of common pleas, in and for any county in this State, or from any of the district courts in any of the cities of this State, it shall be lawful for any judge of the court in which said judgment has been recovered or docketed, in term or vacation, on application by the judgment creditor, his executor, administrator or assignee, in manner hereinafter provided, to make order requiring the judgment debtor to appear and make discovery on oath, concerning his, its or their, property and things in action, before such judge or supreme court commissioner or master in chancery of this state, to be designated in said order, at a time and place in said order specified.

Section 24
amended.

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

Petition by
creditor.

24. The judgment creditor, his executor, administrator or assignee, before he shall be granted such orders, shall present to said judge a petition, verified by the oath of such creditor, his executor, administrator or assignee, or the agent or attorney of such creditor, his executor, administrator or assignee, in which he shall state the amount due on

Form of
petition.

said judgment, and his belief that said judgment debtor hath property or money or things in action due to him, or held in trust for him, where the trust has been created by, or the fund held in trust has proceeded from himself, over and above such property as is or may be reserved by law, on presentation whereof said order shall be made; and the said judge shall further, on allegation in said petition, or in one supplementary thereto and proof by the oath of the party or of any other person, of fact and circumstances, showing that any person owes the said debtor, or holds money or property in possession or action in trust for him, or for his use as aforesaid, make order forbidding the payment of such debt, or the transfer of said property or money by or to the said debtor, or any third person, until further order to be by him made; affidavits verifying said petitions may be taken before any officer authorized by law to administer oaths, and if any person, in any affidavit or examination taken under this act shall wilfully and corruptly swear falsely, he shall be deemed guilty of perjury. Should it be disclosed upon the examination of any judgment debtor, and under the proceedings provided for in this act, that the said judgment debtor is entitled to, and is in receipt of, an income or any property or money or things in action, held in trust for the debtor, except such trust funds as are now exempt by law, then it shall be lawful for the judge granting said order for discovery, upon the return of such discovery and examination, to direct the judgment debtor to make payments at stated periods in installments, and upon such terms and conditions as the said judge may direct, out of such income, on account of said unsatisfied judgment; application may be made at any time upon behalf of the judgment creditor, his executor, administrator or assignee, or judgment debtor, to modify the terms of such order, and said judge shall have power to do so.

Affidavits.

Perjury.

Installment
paying by
debtor.

Section 26
amended.

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

Receiver.

26. When such examination of a judgment debtor or of witnesses shall be taken by a commissioner, it shall be certified to the judge making said order under the hand of said commissioner and thereupon, after considering the evidence of said party and witnesses, taken before said commissioner, or by himself it shall be lawful for said judge to make order appointing a receiver of the property and things in action belonging or due to or held in trust for such debtor as aforesaid, at the time of the recover of said judgment, or at any time afterwards, who thereby shall receive authority to possess, receive, and if need be, in his own name as such receiver, sue for such property or things in action; and it shall be the duty of such receiver to apply the same in payment of the said judgment, and the costs of the proceedings thereon and the reasonable compensation of said receiver to be taxed by the judge, and to pay the rest into said court wherein said judgment was recovered or docketed, to be there disposed of according to law; and such judge shall order said judgment debtor to convey and deliver to such receiver all such property and rights in action and the evidence thereof; and said receiver shall be subject to the authority and orders of said court from time to time to be given, and shall on the fulfillment of his duties, or at other times when called upon, make report in writing to said court of his doings in the premises.

Application
of funds by
receiver.

Section 29
amended.

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

Petitions, etc.,
filed.

29. The petitions, orders, examinations and reports, made and taken as above provided, shall be filed with the clerk of the court wherein the judgment was recovered; and whenever a certiorari shall be brought to remove any of the proceedings, the court out of which the certiorari issued may

Proceedings
amended.

amend the proceedings in matters of form, and shall give such judgment and make such order as the judge before whom the proceedings were had ought to have given or made.

5. This act shall take effect immediately.

Approved April 10, 1933.

CHAPTER 100

AN ACT to amend an act entitled "An act concerning district courts" (Revision of 1898).

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

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

Section 202 amended.

202. Each of the judges of the several district courts of this State, in cases where the amount due on any judgment exclusive of costs shall be twenty-five dollars or more, shall have the same powers, jurisdiction and authority upon petition for discovery in aid of execution, to order the judgment debtor to appear before the court, or one of the Supreme Court commissioners of this State or a master in chancery of this State, and make discovery on oath concerning his property or things in action before said judge, commissioner or master; and to make order forbidding the payment of debts or transfer of moneys or property due or belonging to said debtor, to said debtor or any third person, and upon the taking of testimony by said judge, or the certification by the commissioner or master in chancery, of the testimony taken by him under the order, to appoint a receiver of the property and things in action belonging, or due to, or held in trust for such debtor at the time judg-

Debtor required to make discovery of property.

Order forbidding transfers, etc., of property by debtor.

Receiver.

ment is recovered, or at any time afterward, as is now vested in or exercised by any of the judges of the inferior courts of common pleas of this State, and such receiver shall thereby receive authority to possess, receive and, if need be, in his own name as such receiver, sue for such property or things in action, and shall have like power, authorities and duties as receivers appointed under similar proceedings by any of said judges of the inferior courts of common pleas, and such judge shall order such judgment debtor to convey and deliver to such receiver all such property and rights in action, and the evidence thereof; *provided, however*, that no receiver appointed by any district court judge shall become vested with the title to or have the right to demand and receive any of the real property of any such judgment debtor.

Proviso.

2. This act shall take effect immediately.
Approved April 10, 1933.

CHAPTER 101

AN ACT to amend a supplement to an act entitled "An act concerning district courts" (Revision of 1898), which supplement was approved one thousand nine hundred and twenty-four.

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

Section 11
amended.

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

Wages, etc.,
garnished.

11. Hereafter when a judgment has been recovered in any district court of this State and where any wages, debts, earnings, salary, income from trust funds or profits are due and owing to the judgment debtor, or shall thereafter become

due and owing to him to the amount of eighteen dollars or more per week, the judgment creditor may apply to the court in which said judgment was recovered, without notice to the judgment debtor, and upon satisfactory proofs of such facts by affidavits or otherwise, the court must grant an order directing that an execution issue against the wages, debts, earnings, salary, income from trust funds or profits of said judgment debtor and on presentation of such execution by the officers to whom delivered for collection to the person or persons from whom such wages, debts, earnings, salary, income from trust funds or profits are due and owing, or thereafter become due and owing, to the judgment debtor, said execution shall become a lien and a continuing levy upon the wages, debts, earnings, salary, income from trust funds, or profits, due or to become due to said judgment debtor to the amount specified therein, which shall not exceed ten per centum unless the income of said debtor shall exceed the sum of one thousand dollars per annum, in which case the judge may order a larger percentage, and said levy shall become a continuing levy until said execution and the expenses are fully satisfied and paid, or until modified as hereinafter provided, but only one execution against the wages, debts, earnings, salary, income from trust funds or profits of said judgment debtor shall be satisfied at one time, and where more than one execution has been issued or shall be issued pursuant to the provisions of this section against the same judgment debtor, they shall be satisfied in the order of priority in which such executions are presented to the person or persons from whom such wages, debts, earnings, salary, income from trust funds or profits are due and owing.

Levy a
lien on
wages, etc.

Amount.

One execution
at a time.

2. This act shall take effect immediately.

Approved April 10, 1933.

CHAPTER 102

AN ACT to amend an act entitled "An act respecting any executions" (Revision of 1874).

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

Section 1
amended.

Wages, etc.,
garnisheed.

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

1. Hereafter when a judgment has been recovered and where any wages, debts, earnings, salary, income from trust funds, or profits are due and owing to the judgment debtor, or shall thereafter become due and owing to him to the amount of eighteen dollars or more per week, the judgment creditor may apply to the court in which said judgment was recovered or the court having jurisdiction of the same without notice to the judgment debtor and upon satisfactory proofs of such facts by affidavits or otherwise, the court, if a court not of record, a judge or justice thereof must issue, or if a court of record, a judge or justice must grant an order directing that an execution issue against the wages, debts, earnings, salary, income from trust funds, or profits of said judgment debtor and on presentation of such execution by the officers to whom delivered for collection to the person or persons from whom such wages, debts, earnings, salary, income from trust funds or profits are due and owing, or thereafter become due and owing to the judgment debtor, said execution shall become a lien and a continuing levy upon the wages, debts, earnings, salary, income from trust funds or profits due or to become due to said judgment debtor to the amount specified therein, which shall not exceed ten per centum unless the income of said debtor shall exceed the sum of one thousand dollars per annum, in which case the judge may order a larger percentage, and said levy shall be-

Execution a
lien upon
wages, etc.

Amount.

come a continuing levy until said execution and the expenses are fully satisfied and paid or until modified as hereinafter provided, but only one execution against the wages, debts, earnings, salary, income from trust funds or profits of said judgment debtor shall be satisfied at one time, and where more than one execution has been issued or shall be issued pursuant to the provisions of this section against the same judgment debtor, they shall be satisfied in the order of priority in which such executions are presented to the person or persons from whom such wages, debts, earnings, salary, income from trust funds or profits are due and owing.

One execution
satisfied at
a time.

Approved April 10, 1933.

CHAPTER 103

A SUPPLEMENT to an act entitled "A supplement to an act entitled 'An act for the settlement and relief of the poor, and providing for municipal, county or joint county relief, excepting from county or joint county relief, certain municipalities' (Revision of 1924), approved March eleventh, one thousand nine hundred and twenty-four."

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

1. In any county of this State wherein the provisions of the act to which this act is a supplement have been adopted by a referendum of the legal voters, and wherein children are now being maintained at public charge under the care of a duly incorporated charitable society, the county welfare board of such county, if it deems it for the best

Transfer of
children who
are public
charges.

interests of any child or children under the age of eighteen years, which said child or children may have been committed to the welfare house of said county under the provisions of section thirty-nine of the act to which this act is a supplement, may transfer any such child or children to the care and control of said duly incorporated charitable society in such county for such time as may be for the best interests of said child or children or until such child or children arrives at the age of eighteen years.

Maintained
by county.

2. Any such child or children so transferred by such county welfare board shall be maintained at the expense of the county at a rate agreed upon between the board of chosen freeholders and the said duly incorporated charitable society.

Approved April 10, 1933.

CHAPTER 104

A SUPPLEMENT to an act entitled "An act concerning savings banks," approved May second, one thousand nine hundred and six.

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

Savings banks
empowered
to become
members of
Federal Home
Loan Bank.

1. It shall be lawful for any savings bank heretofore or hereafter incorporated under the laws of this State to become a member of the Federal Home Loan Bank organized in the district in which such savings bank is located under the provisions of an act of Congress known as the "Federal Home Loan Bank Act," approved July twenty-second, one thousand nine hundred and thirty-two; and such savings bank may subscribe for, purchase, hold and surrender from time to time such amounts of the capital stock of such Federal Home

Loan Bank as may be required under the said "Federal Home Loan Bank Act" or any amendment thereof in order to obtain and continue such membership or as such savings bank may desire to purchase or hold; and to become a member of such Federal Home Loan Bank and to assume all the responsibilities and to be entitled to all the benefits of such membership as imposed and conferred by the said "Federal Home Loan Bank Act".

2. This act shall take effect immediately.
Approved April 10, 1933.

CHAPTER 105

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

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

1. It shall be lawful for any insurance company heretofore or hereafter incorporated under the laws of this State to become a member of the Federal Home Loan Bank organized in the district in which such insurance company is located under the provisions of the act of Congress known as the "Federal Home Loan Bank Act," approved July twenty-second, one thousand nine hundred and thirty-two; and such insurance company may subscribe for, purchase, hold and surrender from time to time such amounts of the capital stock of such Federal Home Loan Bank as may be required under the said "Federal Home Loan Bank Act" or any amendment thereof in order to obtain and

Insurance
companies
empowered
to become
members of
Federal Home
Loan Bank.

continue such membership or as such insurance company may desire to purchase or hold; and to become a member of such Federal Home Loan Bank and to assume all the responsibilities and to be entitled to all the benefits of such **membership** as imposed and conferred by the said "Federal Home Loan Bank Act."

2. This act shall take effect immediately.

Approved April 10, 1933.

CHAPTER 106

A SUPPLEMENT to an act entitled "An act concerning municipalities," approved March twenty-seventh, nineteen hundred and seventeen.

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

Exchange of
lands, etc.,
by municipi-
palities.

Deeds.

1. Any municipality which has heretofore entered into an agreement in writing with any person or corporation for the exchange of lands owned by such municipality (other than lands acquired for park purposes) for other lands, rights in lands, and/or other adequate consideration consisting of the construction of buildings, works or structures for municipal use having a fair market value of not less than the fair market value of the lands agreed to be exchanged therefor, shall, if such buildings, works or structures have been, or shall hereafter be, constructed, and proper deeds of conveyance or dedication have been delivered to such municipality in accordance with the terms and provisions of such agreement, by resolution cause its proper officers to execute and deliver to such person or corporation a proper deed or deeds of conveyance for such lands in accordance with the terms and provisions of such agreement and there-

upon the title to such lands shall vest in such person or corporation in fee simple, subject only to such reservations and/or conditions as may be contained in such deed or deeds.

2. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect immediately and shall remain in force until July first, one thousand nine hundred and thirty-three, after which date it shall be inoperative except as to any conveyance which has been made under its provisions.

Approved April 10, 1933.

Repealer.
Act
inoperative.

CHAPTER 107

AN ACT to amend an act entitled "An act concerning disorderly persons" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight.

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

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

Section 2
amended.

2. Any person who shall be apprehended, having upon him or her any pick-lock, key, crow, jack, bit or other implement with an intent to break and enter into any building; or shall have upon him or her any pistol, hanger, cutlass, bludgeon or other offensive or dangerous weapon, with intent to assault any person; or shall be found in or near any dwelling-house, warehouse, stable, barn, coach-house, smoke-house, or in any place of public resort or assemblage for business, worship, amusement, or other lawful purposes, with an intent to steal any goods or chattels, shall be deemed and adjudged to be a disorderly person.

Disorderly
person defined.

Dealing or interested in number game a misdemeanor.

Any person who shall possess, give, barter, sell or otherwise dispose of, or offer to give, barter, sell or otherwise dispose of any ticket, tickets, slip, paper or other memoranda or any share or interest in any ticket, tickets, slip or memoranda in any number game or who shall hold, conduct or have any interest in any number game or who shall receive any money, goods or thing in action in connection with any number game shall be deemed and adjudged to be a disorderly person.

2. This act shall take effect immediately.

Approved April 11, 1933.

CHAPTER 108

AN ACT authorizing the Chancellor to appoint an additional office stenographer and a confidential agent.

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

Stenographer and confidential agent appointed by Chancellor.

Salary.

1. The Chancellor is hereby authorized to appoint an additional office stenographer at an annual salary of not more than two thousand dollars (\$2,000.00), and a confidential agent at an annual salary of not more than four thousand dollars (\$4,000.00), the latter to also act as sergeant-at-arms. The persons so employed shall not be subject to any of the provisions of the Civil Service law and their salaries shall be such as shall be fixed by the Chancellor to be paid out of the treasury of the State as other salaries are paid.

2. This act shall take effect immediately.

Approved April 11, 1933.

CHAPTER 109

AN ACT relating to the collection of delinquent
municipal liens.

WHEREAS, The large volume of unpaid municipal liens is creating such a serious tendency toward nonpayment of current taxes and municipal liens that a public emergency demands some plan be made available to municipalities for the prompt collection of current taxes and assessments without requiring the immediate payment of arrears; but such a plan to be helpful must recognize the need of the property owner to maintain as a first lien the mortgage encumbrance upon his property; Now, therefore, in order to encourage the owner to use every effort to keep his property by granting him an opportunity to pay his present arrears in fixed installments over a term of years,

Preamble.

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

1. Whenever the governing body of any municipality of this State shall, by resolution adopted during the calendar year one thousand nine hundred and thirty-three, declare that it is for the best interest of its citizens that the provisions of this act be made available to its property owners, then all taxes, assessments, tax sale certificates held by the municipality or other municipal liens in arrears on January first, one thousand nine hundred and thirty-three, and not yet paid and satisfied, together with the interest and penalties thereon, shall, when brought under the provisions of this act by compliance with section seven of this act, and subject to the conditions hereinafter set out, be totalled as of said date; and the payment of

Resolution as to municipal liens being totalled.

Paying in installments.

such totalled sum shall be spread over a period of five years, and the same shall be payable in monthly or quarterly installments as stated in said resolution commencing August first, one thousand nine hundred and thirty-three, with interest on the several unpaid balances at the rate of seven per centum per annum, payable on the same quarterly dates.

Resolution filed.

2. A copy of such resolution, certified by the clerk of such municipality, shall be filed in the office of the clerk of the county in which such municipality is located before the provisions of this act shall be applicable therein.

Computing total arrears.

3. In computing such total of arrears there shall be included, of assessments for local improvement benefits which were payable in installments, only such installments as were in arrears at the date to which the totals were computed, but interest on the entire unpaid balances shall be included.

Apportionment of liens.

4. In computing such total of arrears, any tax, assessment, tax sale certificate held by the municipality or other municipal lien may be apportioned at the request of any party interested, to such parcels of the property affected thereby as may be required by diverse ownership, mortgage lien or otherwise; such apportionment to be upon such equitable basis as may be determined by the collecting official of the municipality on at least five days' notice to all persons other than the applicant interested therein.

Conditions.

5. The right of any person interested in such property to pay such arrears in such installments shall be conditioned on the prompt payment of the installments of taxes of one thousand nine hundred and thirty-three and all subsequent taxes, assessments or other liens imposed or becoming a lien after January first, one thousand nine hundred and thirty-three, including all installments thereafter payable on assessments theretofore levied, and also the prompt payment of all installments of arrears as hereinbefore authorized.

Prompt payment shall consist in making payment thereof within thirty days after the respective due dates.

Prompt
payment.

6. During the period of the extension of time for payment herein provided for, the lien of such arrears shall be suspended, and the amounts thereof shall not be considered as due except as the same become payable in installments under the terms of this act; and the municipality shall have no further right to enforce the payment of such arrears so long as such installment payments shall be made promptly when due as herein provided for, and so long as payment for all subsequent taxes, assessments and other liens shall likewise be made promptly when due.

Liens of
arrears
suspended.

7. The extension of time for payment and the suspension of the lien of existing arrears herein authorized shall not be effective as to any parcel of property until the first half of the nineteen hundred and thirty-three taxes thereon has been paid, together with any assessments for local improvements, or installments thereof, falling due after January first, one thousand nine hundred and thirty-three, and before the date of actual payment of said first half of nineteen hundred and thirty-three taxes.

Extension
of time
effective.

8. In case any such installment of arrears or any new taxes, assessments or other liens are not promptly paid, that is to say, within thirty days after the date when the same is due and payable, then the whole amount of arrears theretofore suspended with interest thereon and penalties shall immediately become due and payable, and the liens thereof be reinstated, and the municipality shall have all the powers of enforcing its liens for such arrears that it would have had if this act had not been passed, and the time of such municipality for any action on its part shall at its option be extended for as much additional time as the period during which this act shall have been in force, as to such arrears.

Liens
enforced.

Form of notation on tax search.

9. Any arrears payment of which has been extended under this act shall be noted on any official tax search thereafter issued, but shall be noted thereon as "payment extended under laws of one thousand nine hundred and thirty-three; total present balance of extended arrears is \$....., each monthly or quarterly installment amounts to \$..... with interest on the unpaid balance."

Violation.

10. The existence of any extended arrears affecting any property conveyed after this act becomes effective, shall be construed as a violation of any warranty or covenant against encumbrances in such conveyance unless made expressly subject to extended arrears of taxes, assessments or other municipal liens.

Crediting installments.

11. Any installments of arrears paid under the provisions of this act shall be credited to the arrears oldest in point of time, and the moneys paid shall be so applied; but no entry of payment or satisfaction or cancellation of record of the same, except by way of part payment, shall be made on or in respect to any item of arrears until the same is fully paid with the interest thereon, after which the same shall be satisfied or cancelled or marked paid of record as if this act had not been passed.

Arrears as security.

12. The municipality shall have no right to make any such arrears the basis of security for any type of municipal obligation, except for renewals of existing obligations and for funding bonds.

Application to tax sale certificates.

13. The holders of any outstanding certificates of tax sale shall not as a condition of foreclosure thereof be bound to pay any extended arrears except the respective installments provided for under this act, and no foreclosure of such certificate of sale shall include in the amount required to redeem, any sums paid on such extended arrears in excess of the amount so required to be paid; but this shall not relieve the holder thereof from any contract obligation to pay in full any arrears so extended.

Contract valid.

14. Nothing in this act shall apply to water or sewer rents. Exceptions.

15. Any holder of a lien by way of mortgage or otherwise may pay any installment of any tax, or tax sale certificate, assessment, including any installment of arrears extended under this act, at any time after the same has been assessed or levied upon filing with the collecting officer a certificate stating his name and address and lien, and shall then be entitled to add to the amount of his lien, the sum so paid with interest thereon from the date of payment; but in such case if the owner or any other prior party in interest shall thereafter pay the same to the collecting officer, the latter shall give a special receipt for such payment, and shall immediately notify the lien-holder who made the first payment thereof, and said lien-holder shall be entitled to receive the amount of such payment from the collecting officer, and all further rights of such lien-holder under such payment shall immediately cease. Holder of lien may pay installments.

16. The collecting officer of any municipality acting under the provisions hereof shall make up and keep a list of the properties which are brought under the provisions of this act by payment of the first installment of the taxes of the year one thousand nine hundred and thirty-three, and shall keep the records of payments hereunder, all in such form as shall be prescribed by the Commissioner of Municipal Accounts. Lien holder notified of payment.

17. This act shall take effect immediately. Records kept.

Approved April 11, 1933.

CHAPTER 110

AN Act to annex a part of the township of Matawan, in the county of Monmouth, to the borough of Matawan, in the county of Monmouth.

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

Part of township of Matawan annexed to borough of Matawan.

1. All that certain tract or portion of land lying and being in the township of Matawan, in the county of Monmouth and State of New Jersey, which is included in the boundaries hereinafter described, be and the same is hereby set off from the township of Matawan, in the county of Monmouth, and annexed to and included in the borough of Matawan, in the county of Monmouth, said territory being described as follows:

Boundaries.

Beginning in the center line of the right of way of the Freehold and Atlantic Highlands division of the Central Railroad of New Jersey where the same is intersected by the center line of the State Highway, Route No. 34, leading from Matawan toward Holmdel; thence running (1) southwest-erly, along the center line of said railroad, which is the present dividing line between the township of Matawan and the borough of Matawan, to the center line of the highway leading from Matawan to Freehold; thence (2) southerly, along the center line of said highway leading from Matawan to Freehold, which is also the present dividing line between the township of Matawan and the borough of Matawan, to the southeast corner of said borough of Matawan; thence (3) westerly, along the southerly outline of the present borough of Matawan and the northerly outline of property belonging to John De Nyse Conover, to the southwest corner of said borough of Matawan in Thomas Kelly's line; thence (4) southerly, along the east-erly line of lands of said Kelly, to the center line

of the Henninger's Mill road; thence (5) easterly, along the center line of said Henninger's Mill road, to its intersection with the center line of the Texas road; thence (6) southwesterly, along the center line of said Texas road, to its intersection with the line dividing the township of Matawan from the township of Marlboro; thence (7) southeasterly, along said township line, to the center of Gravelly brook; thence (8) northerly, down the center of said Gravelly brook its meandering courses, to its intersection with the southerly outline of Neidlinger's property (formerly known as Layton's Mill); thence (9) easterly, along said Neidlinger's property, to the most southeasterly corner thereof; thence (10) northerly, still along said Neidlinger's property, to the most southerly corner of lands belonging to Charles Heyl; thence (11) northwesterly, along the property line dividing the lands of said Neidlinger on the southwest from the lands of said Charles Heyl and Judson Reid on the northeast, to the most westerly corner of said Judson Reid's land; thence (12) northeasterly, along the property line dividing the lands of said Neidlinger on the northwest from the lands of said Reid on the southeast, to the aforesaid center line of the State Highway, Route No. 34, leading from Matawan toward Holmdel; thence (13) northwesterly, along said center line of said State Highway, to the place of beginning.

2. This act shall take effect immediately; *provided*, its provisions shall not be operative until it shall have been submitted to the voters residing within the territory hereinbefore described, at a special election to be held within said territory, and at said special election adopted by a majority of the legal voters residing within said territory and voting at said special election. Said special election shall be held within the said territory hereinbefore described on a certain day within forty-five days after the passage of this act, to be designated by the township clerk of said township

Referendum.

of Matawan, and shall be conducted between the hours of six o'clock A. M., and seven o'clock P. M., at the regular polling place within said territory to be fixed by said clerk. The said clerk of the township of Matawan shall cause public notice of the time and place of holding such election, as well as of the object thereof, to be given by advertisement signed by said clerk and set up in at least five public places within the said territory hereinbefore described at least ten days prior to said special election, and the said clerk shall provide for the electors, voting at said election, ballots, printed or written, or partly printed and partly written, upon which shall appear the proposition to be submitted to the voters, with instructions in the following form:

Marking ballot.

“If you favor the proposition printed below, “make an \times mark or a + mark in the square to the left of and opposite the word ‘Yes’; if you “are opposed thereto, make an \times mark or a + “mark in the square to the left of and opposite “the word ‘No.’ ”

Proposition.

	Yes.	Shall an act entitled “An act to annex a part of the township of Matawan, in the county of Monmouth, to the borough of Matawan, in the county of Monmouth,” be adopted?
	No.	

Canvassing.

If the voter makes an \times mark or a + mark in black ink or black pencil in the square to the left of and opposite the word “Yes” it shall be counted as a vote in favor of such proposition; if the voter makes an \times mark or a + mark in black ink or black pencil in the square to the left of and opposite the word “No” it shall be counted as a vote against such proposition; in case no such mark shall be made in either of said squares, or in case such mark shall be made in both of said

squares, it shall not be counted as a vote for or against such proposition.

Such election shall be held at the time and place so designated, and shall be conducted by the officers of the board of registry and election of the part of the township of Matawan described in this act and by the clerk of said township and such assistants as he may designate.

Election, how conducted.

3. The register of voters used at the last general election in the said township of Matawan shall be used at said special election as herein provided, and the said board of registry and election and the assistants designated as aforesaid shall meet for registration purposes at the designated polling place on the Tuesday next preceding such special election, between the hours of one o'clock, P. M., and nine o'clock, P. M., for the purpose of revising and marking the registry list in the manner provided under the general election laws of this State. One copy of the revised and corrected register shall be filed by the chairman of the district board of registry and election, in the township of Matawan, with the county board of elections of Monmouth county within one day after the meeting for the revision and correction of the registry list as aforesaid, and one copy shall be retained by said district board of election.

Revising registry list.

Revised register.

4. The officers of said board of registry and election and the clerk of the township of Matawan shall, within two days after such special election, make return thereof, one to the township committee of the township of Matawan, in the county of Monmouth, and one to the clerk of the county of Monmouth, of the results of such election by statements in writing and under their hands; the return to the township committee of the township of Matawan may be filed with the clerk of said township, and shall be entered at length upon the minutes of the township committee, and the return to the county clerk of the county of Monmouth shall be filed by said county clerk in his office, and

Returns made.

Act operative. said county clerk shall also send a certified copy of said return to the Secretary of State of the State of New Jersey; and upon the adoption of this act by a majority of the legal voters residing within the territory hereinbefore described, voting at the special election called for that purpose, as provided in this act, and not otherwise, this act shall in all respects be operative, and the said territory hereinbefore described shall thereupon become a part of the borough of Matawan, in the county of Monmouth, and be governed by the laws of this State and the ordinances of the said borough of Matawan.

Approved April 11, 1933.

CHAPTER 111

A SUPPLEMENT to an act entitled "An act providing for the election of delegates to a convention and providing for the holding of a convention to consider the article of amendment, proposed by the Congress, to the Constitution of the United States designed to repeal the eighteenth article of amendment," approved March twenty-third, one thousand nine hundred and thirty-three.

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

Ballots
printed by
county clerks.

No sample
ballots.

Poll books
furnished
by Secretary
of State.

1. The ballots to be printed pursuant to the provisions of the act to which this act is supplementary shall be printed by the county clerks of the several counties under the direction of the Secretary of State. No sample ballots shall be required to be mailed to electors. The Secretary of State shall furnish to the several county clerks for distribution

poll books, in order that the names of the voters voting at the election to be held pursuant to the act to which this act is supplementary, may be recorded. The cost of the printing of the ballots shall be borne by the State. The county clerks shall contract for the printing of the ballots with the approval of the Secretary of State, and all bills for services rendered in printing such ballots shall be forwarded to the Secretary of State and, if found correct, shall be approved by such officer and paid out of the treasury of this State as other bills are now paid.

Cost borne
by State.

Contract.

Payment.

2. This act shall take effect immediately.

Approved April 11, 1933.

CHAPTER 112

AN ACT to amend the title and body of an act entitled "An act respecting cities of the first class and cities of the second class having a population exceeding one hundred and fifteen thousand, and providing for the election of commissioners therein."

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

1. An act entitled "An act respecting cities of the first class and cities of the second class having a population exceeding one hundred and fifteen thousand, and providing for the election of commissioners therein," as said title was amended by act approved April thirteenth, one thousand nine hundred and thirty-one, be and the same is hereby further changed and amended so that henceforth the title of said act shall read as follows:

Title
amended.

- New title.** An act respecting cities of the first class and cities of the second class now or hereafter having a population exceeding one hundred and fifteen thousand, and providing for the election of commissioners therein.
- Section 5 amended.** 2. Section five of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:
- Registry for elections.** 5. The registry for elections held under the provisions of this act shall be the official signature copy register containing the names of those persons qualified to vote at the last preceding general election; qualified voters who did not register or vote at the general election preceding the holding of the municipal election provided for under this act may register for the said municipal election by applying to the commissioner of registration in counties of the first class, up to and including the fourth Tuesday preceding the holding of such election; transfers from one district to another shall be granted as provided by the laws appertaining to general elections in this State.
- Registration.** Official ballots shall not be distributed or used outside of the voting place at the election provided for under this act, and all the provisions of the laws relating to general election bearing upon the subject of distribution and use of official ballots shall apply as nearly as may be to the ballots used in the elections held under the provisions of this act, except that there shall be no official distribution of sample ballots.
- Transfers.**
- Ballots not distributed.**
- Repealer.** 3. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.
4. This act shall take effect immediately.
Passed April 12, 1933.

CHAPTER 113

AN ACT to amend an act entitled "An act to regulate elections" (Revision of 1930), approved April eighteenth, one thousand nine hundred and thirty, and the supplements thereof.

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

1. Paragraph four hundred and seven, section one, article XXX, of the act of which this act is an amendment, be and the same is hereby amended so as to read as follows:

Appointment.

Par. 407, Sec. 1. The office of superintendent of elections in counties of the first class in this State is hereby established. The said offices shall be filled by some suitable persons who shall be appointed by the Senate and General Assembly of this State in joint meeting ensembled. Such persons shall hold office for the term of five years from the date of such appointment and until their successors are appointed and have qualified. Each of said persons shall receive a salary of five thousand dollars per annum to be paid by the county treasurer. The persons so appointed shall have their offices in the counties for which they are appointed. In case a vacancy shall happen by death or otherwise, then and in such case, the vacancy so happening shall be filled during the sitting by the Senate and General Assembly of the State, and if a vacancy by death or otherwise shall happen during the recess of the Legislature, the chief deputy to the superintendent shall automatically serve to fill the vacancy until the next meeting of the Legislature which shall then fill the vacancy, and the term of the person so appointed shall commence from and after the expiration of

Par. 407
amended.

Appointed by
Legislature.

Term.

Salary.

Office.

Vacancy.

the term of the present incumbent and he shall hold office for five years and until his successor is appointed and has qualified.

Par. 408-A,
and Sec. 2-A
added.

2. Par. 408, Sec. 2. Following paragraph four hundred and eight, section two, article XXX insert new section to be known as paragraph four hundred and eight-A, section two-A, to read as follows:

Municipal elections.

Par. 408-A, Sec. 2-A.

Expenses
paid by
municipality.

All necessary expenses incurred in carrying out the provisions of this act when certified to and approved by said superintendents in connection with any election held in and for a municipality only shall be paid by the municipality.

Par. 415
amended.

3. Paragraph four hundred and fifteen, section nine, article XXX, of the act of which this act is amendatory be and the same is hereby amended so as to read as follows:

Challenge Lists.

Challenge list
prepared by
superin-
tendent.

Par. 415, Sec. 9. In respect to each general, primary, municipal and special election, the superintendent shall prepare for each election district in municipalities not having permanent registration in said county a challenge list containing the names, alphabetically arranged, and the addresses of all persons who, by reason of death, removal, conviction or otherwise, have lost the right to register from the addresses within such election district from which they registered at the last preceding election.

Delivery.

Such challenge list shall be delivered to the respective districts boards in such municipalities at least one-half hour before the commencement of registration. It shall be the duty of the chairman of such respective district boards to challenge the registration of any person applying to them for registration under any name on such challenge list, unless it shall affirmatively appear after strict examination of the voter, and, if necessary, others also, that such voter has become domiciled at a

Challenging.

new address within the election district. At the close of the last day of registration, said challenge list with the remarks of the district board or of any member or members thereof to be noted thereon shall be signed and certified as true by each member of the respective district boards and returned to the superintendent in a sealed envelope provided therefor.

Lists returned.

After the last day of registration and before each general, primary, municipal and special election, the superintendent also shall prepare for each election district a challenge list containing the names, alphabetically arranged, and addresses of all persons registered in such district whom he believes or has reason to suspect are not entitled to vote at said election in said district by reason of death, conviction, removal or otherwise, or whose right to vote he otherwise questions and therefore challenges. Such challenge list shall be delivered to the respective district boards at least one-half hour before the opening of the polls of each election. It shall be the duty of the chairman of the respective district boards to challenge the vote of any person presenting himself to vote under any name on said challenge list. Said challenge list shall contain a column headed "remarks," and it shall be the duty of the chairman of the respective district boards to enter in said column opposite the names on said lists whether any person applying to vote under any name on said list who was challenged was allowed to vote, and the reason for allowing him to vote.

Challenge list for election day.

Delivery.

Challenging.

Entries on list.

All persons whose names appear on any challenge list before being allowed to vote shall subscribe to an affidavit on forms supplied by the superintendent to the respective district boards together with the challenge list. Any members of the district boards are hereby empowered to take such affidavits. Said affidavit shall show that the affiant is eligible to vote in that district and shall set forth the place of his residence, the fact that

Affidavit by voter.

Form of affidavit.

he actually resides at that place, the length of time of such residence, and also all the facts necessary to qualify him as a voter under the constitution of this State. At the close of the polls such affidavits shall be returned to the superintendent in an envelope provided therefore and such affidavits shall be preserved in the office of said superintendent.

Lists
returned.

Entries on
lists.

If a person applies to vote under any name on said challenge lists, who is challenged and does not vote, then there shall be entered opposite such name in the aforesaid column headed "remarks" the words "challenged, but did not vote." If no person applies to vote under any name on such challenge lists, then there shall be noted opposite each such name in the aforesaid column headed "remarks" the words "no application." At the close of the polls said challenge lists shall be signed and certified as true by each member of the respective district boards and returned to the superintendent of said county in a sealed envelope provided therefor.

Lists
returned.

True copy
delivered to
commissioner.

The superintendent, concurrently with the delivery aforesaid of the challenge lists, shall also deliver to the commissioner a true copy, certified by him as correct, of each challenge list delivered by him pursuant to this section to each district board in municipalities having permanent registrations.

Duplicate
lists.

Lists kept for
two years.

The superintendent shall prepare duplicates of all challenge lists provided for in this section, and he shall keep duplicate challenge lists on file in his office from the time of their preparation until the close of the third general election following the preparation of said challenge lists. The aforesaid original challenge lists shall also be kept on file for two years after the general election following their preparation. All such challenge lists shall be open to inspection by any citizen at any time the superintendent's office is open for business.

4. Paragraph four hundred and sixteen, section ten, article XXX, of the act of which this act is amendatory be and the same is hereby amended so as to read as follows:

Right to seal ballot boxes.

Par. 416, Sec. 10. The Superintendent, his chief deputy or assistants, shall have the power, whenever in his or their judgment, it shall be deemed necessary, at any election, upon the completion of the counting and canvassing of the ballots by any district board, to enter any place containing ballot boxes for the purpose of taking possession and sealing any ballot-box or boxes with a seal to be adopted by said superintendent, and when any ballot box shall be so sealed by said superintendent, or his chief deputy or assistants, such ballot-box may be removed to a vault or other place of security by said Superintendent, his chief deputy or assistants but shall not be opened and the seal thereof destroyed or affected without an order first had and obtained from the Chief Justice or any justice of the Supreme Court. Taping or any other mechanical device may be used to make such sealing secure.

5. Paragraph four hundred and twenty-seven, section twenty-one, article XXX, of the act of which this act is an amendment be and the same is hereby amended so as to read as follows:

Arrest without Warrant.

Par. 427, Sec. 21. The superintendent and his chief deputy and assistants are hereby authorized and empowered and without warrant, to arrest any person violating any provision of this act. The superintendent and his chief deputy and Assistants, as the case may be, shall have the right and power to call upon any constable, police officer or other peace officer to aid him in taking any person arrested and without warrant to the nearest police station in the municipality in which such arrest is made, and it shall be the duty of such constable, police officer or other peace officer to render such requested aid and assistance. Any constable, police

Par. 416
amended.

Sealing
ballot boxes.

Opening.

Par. 427
amended.

Arrest
without
warrant.

May summon
assistance.

Mis-
demeanor.

officer or other peace officer failing to comply with such request shall be guilty of misdemeanor.

Par. 430
amended.

6. Paragraph four hundred thirty, section twenty-four, article XXX, of the act to which this act is an amendment, be and the same is hereby amended so as to read as follows:

Power to eject.

Removal of
persons from
polling place.

Par. 430, Sec. 24. The superintendent, his chief deputy and assistants, are hereby authorized and empowered to remove from any polling place or place where any election is being held any person found violating any provision of this act, or in any way unlawfully interfering with the lawful conduct of any election.

Repealer.

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

8. This act shall take effect immediately.

Passed April 12, 1933.

CHAPTER 114

AN ACT to authorize municipalities to issue bonds to fund certain indebtedness of such municipalities, including certain indebtedness incurred for public purposes without authority of or without compliance with law.

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

Bond issue.

1. Any municipality may issue its bonds in an aggregate amount not exceeding one per centum (1%) of the assessed valuation of the taxable real and personal property in such municipality, for the purpose of funding or paying indebtedness evidenced by the bonds or notes described in section two of this act, or by any temporary bonds or notes issued in renewal thereof, pursuant to this act.

Amount.

2. The indebtedness to be funded or paid pursuant to this act shall consist of indebtedness heretofore incurred for any public purpose by any such municipality and evidenced by (1) interest deficiency notes or bonds issued pursuant to an ordinance or resolution adopted by the governing body of such municipality authorizing or purporting to authorize the issuance of such notes or bonds under section twenty-one of the act entitled "An act concerning municipal and county finances," approved the twenty-eighth day of March, one thousand nine hundred and seventeen, as amended, (2) emergency notes or bonds issued pursuant to an ordinance or resolution adopted by the governing body of such municipality authorizing or purporting to authorize the issuance of such notes or bonds under section twenty-five of said act, as amended, (3) tax revenue notes or bonds issued pursuant to a resolution adopted by the governing body of such municipality authorizing or purporting to authorize the issue of such notes or bonds under section twenty-two of such act in anticipation of the receipt of tax revenues of the fiscal year nineteen hundred and twenty-nine, to the amount that such tax revenues shall have proven uncollectible as fixed and determined by resolution of such governing body, and (4) notes or bonds issued pursuant to an ordinance or resolution adopted by the governing body of such municipality authorizing or purporting to authorize the issuance of such notes or bonds under the act entitled "An act to relieve the present emergency of unemployment by authorizing counties and municipalities to undertake works of public improvement, employ labor and finance the same," approved the second day of December, one thousand nine hundred and thirty, or the act entitled "An act to relieve the present emergency of unemployment by authorizing counties and municipalities to undertake works of public improvement, employ labor and finance the same," approved the thirtieth

Indebtedness
to be funded:

Interest
deficiency
notes;

Emergency
notes;

Tax revenue
notes;

Unemploy-
ment relief
bonds.

day of June, one thousand nine hundred and thirty-one, or the act entitled "An act authorizing municipalities other than counties to issue notes or bonds for the relief of the poor during the present emergency of unemployment," approved the thirteenth day of October, one thousand nine hundred and thirty-one, or the act entitled "An act to relieve the present emergency of unemployment by authorizing counties and municipalities to undertake public works, improvements, or other governmental activities, engage necessary clerical assistance and employees, and finance the same," approved the thirteenth day of October, one thousand nine hundred and thirty-one, as such acts may have been originally enacted or subsequently amended. Such indebtedness may be funded or paid pursuant to this act, notwithstanding that the ordinance or resolution authorizing the issuance of the notes or bonds evidencing such indebtedness may not have been taken in compliance with the statutes applicable thereto, and notwithstanding that the purpose for which said bonds or notes were authorized to be issued was not a purpose for which such municipality was authorized by such acts to issue bonds or notes; *provided*, such bonds or notes were issued for money honestly loaned in good faith.

3. Such bonds may be issued from time to time in such amounts as may be determined by resolution adopted by the votes of a majority of all the members of the governing body of such municipality. Each issue of said bonds shall mature in annual installments or series beginning not later than three years and ending not later than twenty years after the date of the bonds of such issue, and no such installment or series of any such issue of bonds shall be more than twice as large as the smallest prior installment or series of such issue of bonds. Said bonds shall bear interest at a rate not exceeding six per centum (6%) per annum, payable semiannually. Said bonds shall be issued

Validating.

Proviso.

Issuing.

Maturity.

Rate.

in such form and with such provisions as to time, place and medium of payment as said governing body may determine, subject to the limitations and restrictions of this act. Said bonds shall be sold upon sealed proposals or at public auction after seven days notice of such sale published once in a newspaper published in such municipality, or, if no newspaper is published therein, in a newspaper published in the county in which such municipality is located and circulating in such municipality, and also once in a financial newspaper published in New York City or Philadelphia, Pennsylvania. The power to receive and accept bids may be delegated to a committee or to a financial officer. Any action required by this act to be taken by such governing body, including that of authorizing the issuance of such bonds and designating the officials to execute the bonds herein authorized, preliminary to the issuance of such bonds, shall be taken by resolution adopted by the vote of a majority of all the members of such governing body.

Sale.

Bids.

Action by resolution.

4. Temporary bonds or notes may be issued from time to time for the purpose of renewing the bonds or notes authorized by this act to be funded, pending the issuance of bonds pursuant to this act. Such temporary bonds or notes shall be authorized by resolution adopted by the vote of a majority of the governing body, and shall mature not later than three years after the time when this act shall take effect.

Temporary bonds.

Authorized by resolution.

5. The powers granted by this act are granted in addition to and not in substitution for the existing powers of municipalities and are not subject to any limitation or restriction prescribed by any other law or laws, including the act entitled "An act to authorize and regulate the issuance of bonds and other obligations and the incurring of indebtedness by county, city, borough, village, town, township, or any municipality governed by an improvement commission, or any municipality gov-

Powers deemed additional.

erned by a board of commissioners," approved the twenty-second day of March, one thousand nine hundred and sixteen, and the acts amendatory thereof and supplemental thereto.

Limits
time of
issue.

6. Since the purpose of this act is to provide for the extraordinary conditions due to an existing emergency, no bonds shall be issued pursuant to this act after the thirty-first day of January, one thousand nine hundred and thirty-six.

7. This act shall take effect immediately.

Approved April 12, 1933.

CHAPTER 115

AN ACT to amend an act entitled "An act to amend an act entitled 'An act for suppressing vice and immorality' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," which amendment was approved February twenty-eighth, one thousand eight hundred and ninety-three.

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

Section 1
amended.

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

Sunday
observance.

1. From and after the passage of this act it shall not be unlawful for any person, persons or corporation on the Christian Sabbath, or the first day of the week, commonly called Sunday, to print, publish and sell newspapers, to sell and deliver milk, to to walk, ride or drive for recreation, and to hire horses and carriages or other conveyances for riding and driving, engage in or take part in any form of recreation, sport, or amusement, that is not unlawful on other days of the week; *provided*, that in so doing such person, persons, or corpora-

Proviso.

tion, do not disturb others in their observance of the first day of the week as the Sabbath; *provided, however,* that the governing bodies of the municipalities or incorporated camp meeting associations of this State shall have the power to adopt such ordinances or rules as they may deem necessary and proper to control and regulate the conduct of such forms of recreation, sports or amusement, and to control, regulate or restrict the commercialization of any such form or forms of recreation, sport or amusement within their respective boundaries, and may prescribe fines and penalties for the violation of the same, which shall be enforced and collected in the same manner as is now provided by law for the violation of other ordinances and rules of such municipalities or associations.

2. This act shall take effect immediately, but its provisions shall remain inoperative in any city, borough, town, township or village in this State until the same shall have been adopted by vote of the legal voters thereof as hereinafter provided. The question of the adoption of this act may be submitted to the legal voters of any such city, borough, town, township or village at any primary election or at any election for members of the General Assembly, when a petition therefor, signed by at least five per centum (5%) of the qualified voters of any such city, borough, town, township or village, as evidenced by the total number of votes cast at the then next preceding election for members of the General Assembly in any such city, borough, town, township or village, shall have been filed with the clerk of said city, borough, town, township or village, of which submission the same notice shall be given as is required by law to be given of said primary or general election, as the case may be, and the legal voters of any such city, borough, town, township or village may, at such election, decide upon the acceptance or rejection of this act in the following manner: There shall be printed on each official primary or general elec-

Proviso.

Act
inoperative.

Referendum.

Petition.

Notice given.

tion ballot, underneath the names of the candidates, the following:

Marking ballot.

If you favor the proposition printed below make an X mark in the square opposite the word "Yes." If you are opposed thereto, make an X mark in the square opposite the word "No."

Proposition.

	Yes.	Shall the act entitled "An act to amend an act entitled 'An act to amend an act entitled "An act for suppressing vice and immorality" (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four,' which amendment was approved February twenty-eighth, one thousand eight hundred and ninety-three," be adopted?
	No.	

Canvassing.

The said ballots so cast for or against this act shall be counted and the result thereof returned by the election officers, and a canvass of such election had in the same manner and at the same time as in the case of ballots cast for candidates or for officers at any primary or general election, and the acceptance or rejection of this act so determined shall be declared in the same manner as the general result of any primary or general election is now declared, and if there shall be a majority of all votes entitled by law to be counted as votes, either for or against such proposition, in favor of the adoption of this act, but not otherwise, this act shall immediately become operative in such city, borough, town, township or village so voting for the adoption of this act.

Result.

Repealer.

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

4. This act shall take effect immediately.

Approved April 12, 1933.

CHAPTER 116

AN ACT concerning banks, trust companies and savings banks having shares of capital stock.

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

1. Any State bank or trust company now or hereafter incorporated or existing under any law of the State of New Jersey and any savings bank now or hereafter authorized to and which heretofore has issued or may hereafter issue shares of capital stock is hereby authorized, subject to the approval of the Commissioner of Banking and Insurance, to amend its charter or certificate of incorporation to provide for the issuance of one or more classes of preferred stock.

Classes of stock issuable.

2. Such amendment to a charter or certificate of incorporation to provide for the issuance of the preferred stock shall be made in the following manner:

Method of amending charter.

The board of directors shall pass a resolution declaring that the issuance of such preferred stock and said amendment are advisable and calling a meeting of the stockholders to take action thereon; the meeting shall be held upon not less than five (5) days' written notice, given by registered mail; if a majority in interest of the stockholders shall vote in favor of the issuance of such preferred stock and of such amendment, a certificate thereof shall be signed by the president or secretary under the corporate seal, acknowledged or proved as in the cases of deeds of real estate, and such certificate shall be submitted to the Commissioner of Banking and Insurance for his approval, and upon his approval shall be filed in the Department of Banking and Insurance, and upon the filing of the same the charter or certificate of incorporation shall be deemed to be amended accordingly.

Resolution;

Meeting;

Certificate filed with commissioner.

Form of
certificate of
amendment.

The resolution of the board of directors and the certificate of amendment shall specify the amount and priority of each class of such preferred stock to be issued and the par value of each share thereof, and the rate of dividends to be paid thereon.

Conversion
of stock.

The resolution of the board of directors and the certificate of amendment may also contain provisions for the conversion of such preferred stock into common stock on such terms as to the directors and stockholders may seem desirable and subject to the approval of the Commissioner of Banking and Insurance, which terms and conditions, however, shall not provide for such conversion at a value less than the par value of such common stock, and may also provide for such increase in the authorized issue of common stock as may be necessary to permit of such conversion.

Dividends.

3. The rate of dividends to be paid on such preferred stock shall not exceed six per centum (6%) per annum and such dividends shall be cumulative, and the holders of such preferred stock shall have such priorities and voting rights, and such stock shall be subject to retirement or conversion into common stock in such manner and on such terms and conditions as may be provided in the said certificate of amendment.

Common
stock.

4. All of the stock issued by any such bank, trust company or savings bank other than such preferred stock shall be designated and known as "common stock."

Dividends
on common
stock.

5. No dividends shall be declared or paid on common stock until the cumulative dividends on preferred stock shall have been paid in full, and if such bank, trust company or savings bank is placed in voluntary liquidation, or is liquidating under the authority of the Commissioner of Banking and Insurance after said Commissioner has taken possession of the property and business of such bank, trust company or savings bank, or if a receiver is appointed therefor, no payments shall be made to the holders of common stock until the

holders of preferred stock shall have been paid in full the par value of such stock, plus all accumulated dividends.

6. Subscriptions to such preferred stock shall be paid for either in cash or by an offset in the same amount against any deposit balance or balances on the books of such bank, trust company or savings bank or partly by cash and partly by such offset against deposit balance or balances.

Payment of subscriptions.

7. Any such bank, trust company or savings bank which has not been permitted or licensed by the Commissioner of Banking and Insurance, or by the Secretary of the Treasury, if said bank or trust company is a member bank of the Federal Reserve System, to perform all of its usual banking functions, may be reorganized for the resumption of its normal and usual banking business by the issuance of preferred stock as hereinabove provided. Said reorganization plan may provide for the issuance of preferred stock to all of the depositors and other creditors of such bank or trust company or savings bank, and may provide that each creditor and depositor must subscribe at least a certain percentage of his claim for said stock. Such reorganization plan shall become effective (1) when the Commissioner of Banking and Insurance shall be satisfied that the plan of reorganization is fair and equitable as to all depositors, other creditors and stockholders and is in the public interest and shall have approved the plan subject to such conditions, restrictions and limitations as he may prescribe, and (2) when, after such notice of such reorganization, as the Commissioner of Banking and Insurance may require (a) depositors and other creditors of such bank, trust company or savings bank representing at least seventy-five per centum (75%) of its total deposits and other liabilities as shown by the books thereof and (b) stockholders owning at least two-thirds of its outstanding capital stock as shown by the books thereof, shall have consented in writing to the plan of reorganization; *provided, however*, that claims

Federal Reserve members may issue.

Reorganization plan.

Fair plan;

Notices of reorganization;

Proviso.

of depositors or other creditors which under existing law are entitled to full and immediate payment, even though said bank, trust company or savings bank is operating on a restricted basis, shall not be included among the total deposits and other liabilities of said bank, trust company or savings bank in determining the seventy-five per centum (75%) thereof as above provided.

Depositors
and creditors
bound by
terms of re-
organization.

8. In any reorganization which shall have been approved and shall have become effective as provided herein, all depositors and other creditors and stockholders of such bank, trust company or savings bank, whether or not they shall have consented to such plan of reorganization, shall be fully and in all respects subject to and bound by its provisions, and claims of all depositors and other creditors shall be treated as if they had consented to such plan of reorganization.

9. This act shall take effect immediately.

Approved April 12, 1933.

CHAPTER 117

AN ACT to amend an act entitled "An act to amend an act entitled 'An act respecting the orphans' court and relating to the powers and duties of the ordinary and the orphans' court and surrogates' (Revision of 1898), approved June fourteenth, one thousand eight hundred ninety-eight," which amendment was approved March twenty-ninth, one thousand nine hundred four.

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

Section 154
amended.

1. Section one hundred and fifty-four of the act entitled "An act respecting the orphans' court and

relating to the powers and duties of the ordinary and the orphans' court and surrogates" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight, be amended so as to read as follows:

154. When any testator or intestate shall in his or her lifetime have made any agreement for the sale or conveyance of any lands, tenements or hereditaments within this State, and the purchase price shall have been paid therefor by the purchaser, and the said purchaser shall have been placed in the possession of such lands, tenements or hereditaments by such testator or intestate, or when any testator or intestate shall in his or her lifetime have made any contract in writing for the sale or conveyance of any lands within this State, the executor or administrator of such testator or intestate, or the purchaser, or his or her legal representatives or assigns, may apply to the orphans' court of the county in which such lands lie, for the fulfilment of such contract; *provided*, such application be made within fifteen years from the date of such contract or making of such agreement, except in the case of continuous or other contracts, or agreements of such nature that the completion or performance of said contracts or agreements within the said period of fifteen years from the date thereof is impossible, in which case the fulfilment of such contract or agreement may be ordered as in the manner hereinafter provided for, in the discretion of the said orphans' court.

2. This act shall take effect immediately.

Approved April 12, 1933.

Fulfilment of
agreement by
executor.

Proviso.

CHAPTER 118

AN ACT to amend an act entitled "An act for the relief of Alfred C. Smith," approved June thirteenth, one thousand nine hundred and thirty-two.

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

Section 1
amended.

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

Annual
payment to.

1. There shall be paid to the said Alfred C. Smith the sum of six hundred dollars (\$600.00), annually, which shall be paid in equal monthly installments of fifty dollars. Such payments to be made by the treasurer of the State on warrant of the Comptroller.

Act effective.

2. This act shall take effect July first, one thousand nine hundred and thirty-three.

Approved April 12, 1933.

CHAPTER 119

AN ACT to amend an act entitled "An act for the relief of Frank Liberto," approved June thirteenth, one thousand nine hundred and thirty-two.

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

Section 1
amended.

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

Annual
payment to.

1. There shall be paid to the said Frank Liberto the sum of six hundred dollars (\$600.00), annually,

which shall be paid in equal monthly installments of fifty dollars. Such payments to be made by the treasurer of the State on warrant of the Comptroller.

2. This act shall take effect July first, one thousand nine hundred and thirty-three. Act effective.

Approved April 12, 1933.

CHAPTER 120

AN ACT to amend and supplement an act entitled "An act concerning the manufacture, distribution and sale of certain beverages having an alcoholic content and providing for licenses, regulations and fees in connection therewith and penalties for violations thereof," approved April fifth, one thousand nine hundred and thirty-three, being known as chapter eighty-five of the laws of one thousand nine hundred and thirty-three.

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

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

1. It shall be lawful to manufacture, distribute and sell certain fermented malt or vinous liquors, including ale, beer, lager, porter and wine having an alcoholic content not greater than 3.2 per centum by weight (hereinafter in this act called "beverages") from the sixth day of April, one thousand nine hundred and thirty-three, until midnight on the twenty-fifth day of May, one thousand nine hundred and thirty-three, in conformity with Manu-
facture, sale,
etc., legal.

the provisions of an act of Congress entitled "An act to provide revenue by the taxation of certain non-intoxicating liquor, and for other purposes," approved March twenty-second, one thousand nine hundred and thirty-three, but only when the tax thereon, hereinafter provided for, has been paid or payment thereof secured.

Section 2
amended.

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

Temporary
license.

2. It shall be lawful for the governing body of any municipality in this State, other than a county, by resolution, to temporarily license any individual, partnership or corporation to distribute or sell beverages as defined in section one of this act on which said tax has been paid or payment thereof secured, until midnight of the twenty-fifth day of May, one thousand nine hundred and thirty-three; *provided, however*, where a board of aldermen exists, such board of aldermen shall be the governing body for the purpose of this act; *and provided further*, that in any municipality now or hereafter having a population of not less than one hundred thousand inhabitants or more than one hundred and thirty thousand inhabitants as ascertained by the preceding Federal census, and which municipality now has a board of excise commissioners, the licenses authorized to be issued under this act shall be issued by said board of excise commissioners; *and provided further*, that in such municipality the mayor shall be an ex-officio member of such board of excise commissioners with power to vote on all applications for licenses under this act and his vote shall be among those voting in favor of the issuance of a license to any such applicant before the said application is approved.

Proviso.

Proviso.

Proviso.

License fee.

It shall be lawful for the municipality to charge a license fee for such temporary license, which said license fee shall be fixed by resolution or ordinance, but in case of a license to sell beverages not to be consumed on the premises such fee shall not exceed fifty dollars (\$50.00) for any one place or location.

Where a person, firm or corporation desires to sell or distribute such beverages as described in this act in more than a single municipality, he shall obtain a license as provided in section four of this act, and shall then not be required to take out or pay for any municipal license if consumption of beverages on the premises of the licensee is not to be permitted.

Licensed
under Sec. 4.

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

Section 3
amended.

3. Licenses authorized to be issued by a municipality for sale and consumption only on the premises shall not be subject to the foregoing limitation as to the amount of the license fee but shall be subject to the following restrictions:

License
restrictions:

a. The governing body shall not be obliged to issue any such license, but may do so in its discretion.

Discre-
tionary;

b. No license shall permit the sale of the beverages herein mentioned between the hours of one A. M. and seven A. M., and no such beverage shall be sold on Sunday.

Time of sale;

c. No beverage shall be sold to any person under the age of eighteen years.

Age limit;

d. No beverage shall be sold in any place which shall be concealed by screens or otherwise from public view except in licensed clubs.

Places of
sale;

e. No beverage shall be sold in any place to which the public is not admitted, nor in any room having a floor space of less than four hundred square feet, except as hereinafter provided.

Floor space;

f. No license under this section shall be issued to a person or to a partnership unless such person or members of such partnership are citizens of the United States, residents of the State of New Jersey for at least three years, are over the age of twenty-one years, nor to one who has within the past ten years been convicted of a crime involving moral turpitude; nor except to an existing corporation, the officers and directors of which are citizens

Require-
ments;

- of the United States and residents of the State of New Jersey over the age of twenty-one years and who have not within the past ten years been convicted of a crime involving moral turpitude; *provided*, that a license may be issued to a hotel or restaurant corporation under this section where some of the officers or directors are not residents of the State, but which otherwise complies with this subsection.
- Proviso;**
- Clubs;** g. Licenses may be issued to regularly incorporated clubs or fraternal or military organizations which have been incorporated or organized for more than one year last past and whose members pay regular annual dues. Such clubs or organizations when so licensed shall not be subject to the regulations contained in subsections "d" and "e" of this section.
- Specific location;** h. Every license granted under this section shall be for a particular place or location, which shall be described in such license.
- Consumption on premises;** i. Licenses for sale and consumption only on the premises shall not admit of sales of beverages to be taken from the premises.
- Taking from premises.** j. Where the beverage is sold to be taken from the premises the seller shall have either a municipal or State distributor's license.
- Section 4 amended.** 4. Section four of the act of which this act is an amendment be and the same hereby is amended to read as follows:
- Manufacturer's license.** 4. Any person, firm or corporation desiring to manufacture the beverages mentioned in section one of this act shall first obtain a license so to do from the State Tax Commissioner, and shall pay for such a license a fee of fifty dollars (\$50.00) and in addition thereto a tax of three cents (\$.03) a gallon for each gallon or fraction thereof sold by such manufacturer.
- Fee.**
- Distributor's license.** Any distributor who shall desire to sell the beverages mentioned in section one of this act in more than one municipality shall, and any distributor desiring to sell such beverages in a single

municipality but not to be consumed on the premises of the licensee may, obtain a like license from the State Tax Commissioner, and shall pay for such license a fee of fifty dollars (\$50.00) for each place or location in which such distributor shall have a place of business and in addition thereto a tax of three cents (\$0.03) a gallon for each gallon or fraction thereof distributed by such distributor; *provided, however,* that where the manufacturer has already paid to the State of New Jersey a tax of three cents (\$0.03) per gallon for the manufacture of such beverage, the distributor shall not be again obliged to pay such tax for the distribution of the same beverage for which the license tax has already been paid.

The manufacturer may also have a distributor's license.

Any railroad desiring to sell the beverages mentioned in section one of this act in any car or train operated or situated in this State to any passenger traveling in or occupying such car or train, for consumption by such passenger in such car or train, shall first obtain a license so to do from the State Tax Commissioner, and shall pay for such license a fee of fifty dollars (\$50.00) and in addition thereto shall pay a tax of three cents (\$0.03) a gallon for each gallon or fraction thereof sold by such railroad in this State; *provided, however,* that where the manufacturer of such beverages or any distributor thereof has already paid to the State of New Jersey a tax of three cents (\$0.03) a gallon for the manufacture or sale thereof, such railroad shall not be obliged to pay such tax for the sale of the same beverages for which the tax has already been paid.

It is *further provided* that no person, firm or corporation who shall pay the fees provided for in this section shall be compelled to pay any additional fees for operating as a manufacturer or a distributor hereunder.

Construing.	No license issued by the State Tax Commissioner shall be construed to permit the sale of said beverages from any place or location in any municipality which shall by resolution decline to permit any such sales.
Payment by veterans.	The license fees provided for in this act shall be payable to the State or municipality respectively by all veterans of any wars, regardless of the provisions of any other law.
Section 5 amended.	5. Section five of the act of which this act is an amendment be and the same hereby is amended to read as follows:
Refusal to grant license.	5. The State Tax Commissioner shall refuse to issue a license to any person or to any partnership or to any corporation where such person or members of such partnership or officers, director or employees of such corporation has been convicted, within the past ten years, of any crime involving moral turpitude; or he may revoke such license for any violation of the provisions of this act or the rules and regulations made in pursuance hereof.
Revoking.	The State Tax Commissioner shall have power to make such further rules and regulations as he may deem necessary and requisite to enforce the provisions of this act and insure the collection of such license fees and taxes, and may require a bond or other surety for the payment of such fees and taxes and the faithful observance of the conditions contained in such license.
Rules and regulations.	
Surety.	
Employing assistants.	The State Tax Commissioner shall also have power to employ necessary deputies and assistants free from any limitations imposed by the law known as the civil service law, or imposed by any other law except this; and shall have power to fix their compensation, subject as to such compensation to the approval of the State House Commission.
Expenses.	The expenses of administering this act shall be paid by the Treasurer of the State on orders of the State Tax Commissioner out of the fees and taxes collected hereunder by the State Tax Commissioner.

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

Section 9
amended.

9. No person, firm or corporation shall manufacture, distribute or sell any beverage mentioned in section one of this act without first having obtained a license as provided herein, nor unless the tax on such beverages has been paid to the State Tax Commissioner or the payment thereof secured, nor shall any such beverages be transported into this State for the purpose of sale unless such tax has been so paid or secured, and for any violation of any of the provisions of this act any such person, members of such partnership, officers, directors and such employees of such corporation shall be guilty of a misdemeanor.

Violation
a misde-
meanor.

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

Section 12
amended.

12. Distributors of beverages to private dwellings within a single municipality shall be subject to all of the provisions of section three of this act which may be applicable thereto, with the exception of subsections (e) and (h) of said section, and where the distributor is licensed to distribute in more than one municipality the distributor shall not permit the consumption thereof in or about the premises of the distributor; and shall deliver the said beverages to the residence of the purchaser or his present place of abode, unless the purchaser is the holder of an unrevoked license issued under this act, and shall sell in quantities of not less than six bottles, or its equivalent.

Application
of act to
distributors.

8. Add a new section sixteen and change the present section sixteen to seventeen:

New section.

16. Definitions. "A crime involving moral turpitude" as used in this act shall mean any crime, the punishment of which could be imprisonment for more than one year, all felonies and misdemeanors except assault and battery, and offenses against the Federal government punishable by imprison-

Definition
of terms.

Distributor. ment exceeding one year. The term "distributor" as used in this act shall mean any person, partnership or corporation that buys the beverages herein mentioned from a manufacturer, either within or without the State, or from another distributor for the purpose of resale, either to a licensee under section three of this act, or for delivery in quantities of six (6) bottles or greater to the homes of the purchaser.

9. This act shall take effect immediately.

Approved April 12, 1933.

CHAPTER 121

AN ACT to further amend an act entitled "An act to amend an act entitled 'A supplement to an act entitled "An act relating to, regulating and providing for the government of cities, towns, boroughs and other municipalities within this State," approved April twenty-fifth, one thousand nine hundred and eleven,' which supplement was approved April seventh, one thousand nine hundred and fourteen," which act was approved April third, one thousand nine hundred and seventeen.

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

Section 4
amended.

1. Section four of the act to which this act is an amendment, namely, chapter two hundred and seventy-five, laws of nineteen hundred seventeen, is hereby amended to read as follows:

Ballot and
voting.

4. The form of ballot and the method of voting at said general or special election shall be as follows:

1. Except that the crosses here shown shall be omitted, and that in place of the names and officers here shown shall be substituted the names of the actual candidates and the offices for which they are respectively nominated, the ballots shall be in substantially the following form:

Form of ballot.

General or special municipal election, city of (inserting date thereof).

DIRECTIONS TO THE VOTER

To vote for any person, or persons, whose names are printed on this ballot, mark a cross (X) or plus (+) in the square at the left of the name or names to be voted for not in excess of the number to be elected to the office.

Marking ballot.

To vote for any person or persons whose names are not printed on this ballot, write or paste the name or names of such person or persons, not in excess of the number to be elected to office, in the blank spaces provided below the printed names, and mark a cross (X) or plus (+) in the square at the left of each name so written or pasted.

Voting independently.

If you wrongly mark, tear or deface this ballot return it and obtain another.

- | | |
|--|---------------------------------------|
| | Vote for Three
(or five as may be) |
| For Commissioners: | |
| <input type="checkbox"/> William Brown | (Slogan, if any, here) |
| <input type="checkbox"/> Louis Coe | “ “ “ “ |
| <input type="checkbox"/> John Doe | “ “ “ “ |
| <input type="checkbox"/> Henry Poe | “ “ “ “ |
| <input type="checkbox"/> Richard Roe | “ “ “ “ |
| <input type="checkbox"/> Charles Smith | “ “ “ “ |

II. Blank spaces equal to the number of offices to be filled shall be left below the printed names of the candidates of each office to be voted for, wherein the voter may write, or paste, the name, or names, of any person, or persons, for whom he may wish to vote.

Spaces for other names.

Arrangement of names and designation.	III. The names of the candidates for the same office shall be printed on the ballot in alphabetical order. Any candidate whose name is to be voted for on the ballot may, by petition addressed to the city clerk, request that the said clerk shall print opposite his name on the ballot a designation, or slogan, in not more than six words, as named by him in said petition, for the purpose of indicating either any official act or any policy to which he is pledged or committed; <i>provided</i> , that such designation shall not indicate political party affiliations.
Proviso.	On the filing of any such petition the said clerk shall cause the said designation to be printed opposite the name of the said person upon the ballot.
Grouping candidates.	If several candidates for the same office shall in said petition request that their names be grouped together, and that the common designation to be named by them shall be printed opposite their said names, the said clerk shall group the said names of the said persons in a bracket, and opposite the said bracket shall print the said designation as aforesaid.
Designation.	Such petition to the said clerk requesting a designation or a grouping of the candidates shall be filed with the clerk at least eight days before the election. If two candidates or groups shall select the same designation, the clerk shall notify the candidate or group whose petition was last filed, and the said candidate or group shall select a new designation.
Counting ballots.	IV. As soon as the polls are closed the election officers shall immediately open the ballot boxes, take therefrom singly and count the ballots in public view, and enter the total thereof on the tally sheet provided therefor by the city clerk.
Number of votes entered.	They shall also carefully enter the number of votes for each candidate on said tally sheet and make immediate return thereof to the city clerk. Only one vote shall be counted for any candidate on any one ballot. If a ballot contains votes in excess of the number of offices to be filled such ballot shall be declared void. Except as hereinbefore provided all votes shall be counted as marked on the ballot.

On the day following the said election the city clerk shall determine the successful candidates, as hereinafter provided in this section, and shall immediately make and file the result thereof in the office of the city clerk. Said canvass by the city clerk shall be publicly made in the manner following:

Determination
of result.

(a) Candidates equal in number to the number of offices to be filled receiving the highest number of votes shall be elected.

Those elected.

(e) A tie between two or more candidates shall be decided by the city clerk who shall write the names of tied candidates each on a separate card of equal size and thickness, place them in a closed receptacle which shall be thoroughly shaken and turned over, and shall thereupon place his hand in the said receptacle and withdraw the cards one by one therefrom. Such drawing shall be held in the presence of the justice of the Supreme Court presiding in the circuit in which such city, town, borough or other municipality is located. The candidate's card first withdrawn shall be declared elected. If more than two are tied, the successful candidates shall be in the order drawn.

Ties.

Drawing.

V. No informalities in conducting said municipal election shall invalidate the same, if they be conducted fairly and in substantial conformity with the requirements of this act.

Informalities
not to in-
validate.

2. An act to amend an act entitled "A supplement to an act entitled 'An act relating to, regulating and providing for the government of cities, towns, boroughs and other municipalities within this State,' approved April twenty-fifth, one thousand nine hundred and eleven," which supplement was approved April seventh, one thousand nine hundred and fourteen, which amendment was approved March sixteenth, one thousand nine hundred and sixteen, and all other acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed.

Act repealed.

3. This act shall take effect immediately.

Approved April 24, 1933.

CHAPTER 122

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

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

Art. IX, Sec. 2
amended.

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

ARTICLE IX

Commission
appointed to
define ward
lines.

Oath.

Appointment
by judge.

2. When such ordinance shall have become effective, the mayor or other chief executive officer of such municipality, shall appoint four commissioners, who shall be residents and legal voters of such municipality, and not more than two of whom shall be of the same political party, to fix and define the lines and boundaries of such wards; and such commissioners shall, within ten days after their appointment, take and subscribe, before some other officer duly authorized to administer oaths or affirmations, an oath or affirmation faithfully and impartially to execute and perform the duties imposed upon them; in municipalities having no mayor or other chief executive officer, said commissioners shall be appointed by the governing body of such municipality by resolution. If the mayor or other chief executive officer, or governing body, shall not appoint such commissioners, as above provided, then the Supreme Court justice holding the circuit in which such municipality is located, shall, upon petition, appoint said four commissioners.

2. (a) Section six of the act of which this act is amendatory be and the same is hereby amended so that it shall read as follows: Section 6 amended.

2 (a). The acts of a majority of said commissioners shall be deemed and taken to be the acts of all the said commissioners and a report signed by a majority of said commissioners shall be considered the report of said commissioners. Procedure. Should the commissioners be unable to agree by a majority vote thereof the mayor or other chief executive officer of such municipality shall have the deciding vote thereon. Ties. The mayor or other chief executive officer shall call a meeting of the said commissioners, and a report signed by any two commissioners, together with the mayor, shall be considered as the report of said commissioners. Meeting quorum. Said commissioners shall be entitled to the aid and assistance of any surveyor and other persons in the employ of such municipality, and shall, where necessary, have power and authority to employ a competent surveyor, and other assistants, to aid them in the discharge of their duties. Assistants.

3. All acts or parts of acts inconsistent herewith be and the same are hereby repealed. Repealer.

4. This act shall take effect immediately.
Passed April 25, 1933.

CHAPTER 123

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

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

Section 7
amended.

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

Commissioners
may borrow
money.

7. Upon the making of any such contract as is herein provided for, the Passaic Valley Sewerage Commissioners are authorized and empowered to borrow upon their corporate notes, or other obligations, any moneys which may be required by them in the performance of said contract, for the payment of which moneys so borrowed said contract with the several municipalities executing the same shall be security.

Security.

2. This act shall take effect immediately.

Approved April 27, 1933.

CHAPTER 124

A FURTHER SUPPLEMENT to an act entitled "An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof, and proceedings for the violation of the provisions of the act and penalties for said violations," approved April eighth, one thousand nine hundred and twenty-one, approved April twenty-first, one thousand nine hundred and thirty-one.

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

1. In addition to the motor vehicle licenses authorized to be issued pursuant to the provisions of the act to which this act is a further supplement, the Commissioner of Motor Vehicles shall issue upon application therefor a license plate for trucks marked "farmer," which shall be issued upon evidence satisfactory to the commissioner that the applicant is actually engaged in the growing of food crops as an occupation; which license so as aforesaid issued shall be placed upon motor trucks engaged exclusively in the carrying or transporting of applicant's own-grown farm products and farm supplies and not engaged in hauling for hire. Farmers' trucking license.
2. The applicant therefor shall pay a rate equal to one-half the present registration fee now provided for trucks under the terms of the act to which this act is a further supplement; *provided, however,* that where the owner or owners of any such motor trucks shall have paid the license fee for one thousand nine hundred and thirty-three, Fec. Proviso.

Renewal. such owner or owners shall be entitled to renew and have issued to them licenses for the calendar year one thousand nine hundred and thirty-four upon the payment of a fee of one dollar (\$1.00) to the Department of Motor Vehicles.

3. This act shall take effect immediately.

Approved April 27, 1933.

CHAPTER 125

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

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

Furnishing
improper
supplies.

1. Any person, firm, or corporation furnishing foodstuffs, fuel, clothing, or other valuable thing to any unemployed or poor person, pursuant to any written order issued by any of the poor or emergency relief authorities of this State, or of the several municipalities thereof, who shall do so in any manner or to any extent other than as specified in such order, or who shall furnish on account of any such order foodstuffs, fuel, clothing, or other valuable thing of a quality unfit for human consumption or use; or any person, firm, or corporation who shall purchase, sell, or offer for sale any such order contrary to the intent and purpose thereof, shall be guilty of a misdemeanor and punished accordingly.

Misdemeanor.

2. This act shall take effect immediately.

Approved April 27, 1933.

CHAPTER 126

AN ACT concerning the legal settlement of any person in this State.

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

1. For the period of present economic emergency, the time or period beginning October thirteenth, one thousand nine hundred and thirty-one, during which any person, resident of this State, shall receive dependency or poor relief from any of the poor or emergency relief agencies of this State, or of the several municipalities thereof, shall not be counted in computing the residence or domiciliary period necessary for any such person to either gain or lose a place of legal settlement under any law of this State, to the end that the place of legal settlement of any person receiving dependency or poor relief shall be and remain the same during this emergency.

Legal residence to remain the same.

2. This act shall take effect immediately, but shall become inoperative on and after January thirty-first, one thousand nine hundred and thirty-four.

Act inoperative.

Approved April 27, 1933.

CHAPTER 127

AN ACT to amend an act entitled "An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations," approved April eighth, one thousand nine hundred and twenty-one.

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

Section 11
amended.

Manufacturers'
registration.

Certificate.

Valid for
five cars.

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

11. (1) Every manufacturer of automobiles residing and having his principal place of business within this State, instead of registering each automobile owned or controlled by him, may make application as hereinbefore provided in this act for a registration number, and the written statement, in addition to the matters hereinbefore contained, shall state that he is a manufacturer; that he desires to use a single number on automobiles owned or controlled by him while being used for demonstration purposes or for shop purposes. The Commissioner of Motor Vehicles may thereupon, if satisfied of the facts stated in the application, issue a certificate as herein set forth assigning the same a number, which certificate shall contain a statement that the same is issued to the applicant as a manufacturer. One certificate shall cover and be valid for the use of not more than five automobiles of said manufacturer at one time while

under his control. The Commissioner of Motor Vehicles shall provide five sets of identification marks of the general style and kind provided for motor vehicle registration in this act, and such identification marks shall not be used on any vehicle not actually owned by said manufacturer or operated either by him or his duly authorized agent.

Sets of
markers.

All such automobiles shall be regarded as registered under such general number, and in addition to the registration number displayed on the front and rear of the car, as hereafter provided, there shall be added the letter "D" of equal size and prominence. The annual fee for such manufacturer's registration shall be five dollars (\$5.00) for each car so authorized to be operated under each registration number, and the Commissioner of Motor Vehicles shall issue registration certificates in duplicate equal to the number of cars not exceeding five authorized to be operated under the said registration number.

Form of
markers.

Fee.

(2) Every dealer in automobiles or motorcycles doing business in this State, instead of registering each automobile or motorcycle owned or controlled by him, may make application as hereinbefore provided in this act for a registration number, and the written statement, in addition to the matters hereinbefore contained, shall state that he is a dealer; that he desires to use a single number on automobiles or motorcycles owned or controlled by him while being operated for the purposes of his business as a dealer and not for hire. The Commissioner of Motor Vehicles may thereupon, if satisfied of the facts stated in said application, issue certificate as herein set forth, assigning the same a number, which certificate shall contain a statement that the same was issued to the applicant as a dealer. One certificate shall cover and be valid for the use of not more than five automobiles or motorcycles of said dealer at one time while under his control. The Commissioner of Motor Vehicles

Dealer's
registration

Certificate.

Valid for
five cars.

Sets of
markers.

Form of markers.	<p>shall provide five sets of identification marks of the general style provided for motor vehicle registration in this act, and such identification marks shall not be used on any vehicle not actually owned by said dealer or operated either by him or his duly authorized agent. All such automobiles or motorcycles shall be regarded as registered under such general number and in addition to the registration number displayed on the front and rear of the car or motorcycle as hereafter provided, there shall be added the letter "D" of equal size and prominence. The annual fee for such dealer's registration shall be five dollars for each car or motorcycle so authorized to be operated under such registration number, and the Commissioner of Motor Vehicles shall issue registration certificates in duplicate equal to the number of cars or motorcycles not less than five sets for automobile dealers nor less than three sets for motorcycle dealers authorized to be operated under said registration number.</p>
Fee.	<p>Dealers' plates shall be issued to bona fide dealers only, and said plates shall be used only on motor vehicles owned by such dealers; nor shall any dealer lend dealers' plates to any person or persons whatsoever for display upon any motor vehicle not exclusively owned by said dealer.</p>
Use limited.	<p>Dealers' plates marked "in transit" and corresponding in number to the numerals displayed on the dealers' registration may be issued by the Commissioner of Motor Vehicles on application from any dealer. Such plates shall be used solely in the transportation of motor vehicles from the factory to the place of business of the dealer within this State and for no other purpose whatsoever.</p>
"In transit" plates.	<p>The cost of such dealers' plates shall be two dollars (\$2.00) for each set.</p>
Fee.	<p>(3) For each vehicle used as an omnibus for the transportation of passengers for hire, the applicant shall pay an annual fee of fifteen dollars (\$15.00) for vehicles having a carrying capacity</p>
Registration fees for omnibuses.	

of five passengers or less; for each such vehicle having a carrying capacity for passengers of not less than six nor more than eight passengers, the annual fee shall be seventeen dollars and fifty cents (\$17.50); for each such vehicle having a carrying capacity for passengers of not less than nine nor more than twelve passengers, the annual fee shall be twenty dollars (\$20.00); for each such vehicle having a carrying capacity for passengers of not less than thirteen nor more than seventeen passengers, the annual fee shall be twenty-five dollars (\$25.00); for each such vehicle having a carrying capacity for passengers of not less than eighteen nor more than twenty-two passengers, the annual fee shall be thirty dollars (\$30.00); for each such vehicle having a carrying capacity for passengers of not less than twenty-three nor more than twenty-six passengers, the fee shall be thirty-five dollars (\$35.00); for each such vehicle having a carrying capacity of not less than twenty-seven nor more than thirty passengers, the fee shall be forty dollars (\$40.00); for each such vehicle having a carrying capacity for passengers in excess of thirty passengers, the applicant shall pay an annual fee of forty dollars (\$40.00), and an additional fee of two dollars (\$2.00) for each passenger, measured by carrying capacity, in excess of thirty passengers.

The Commissioner of Motor Vehicles shall provide identification marks of the general style and kind provided for motor vehicle registrations, assigning a number to each identification mark, and before each number the letter "O" shall be placed.

Form of
markers.

Every such applicant for omnibus registration shall make application, setting forth the fact that he is in business of transporting passengers for hire, and the Commissioner of Motor Vehicles, if satisfied of the correctness of the statements made in such application, may issue a registration certificate for omnibus license.

Application.

Nothing in this section shall prohibit the use by an omnibus operator of any automobile duly licensed by him as owner.

Registration
of commercial
vehicles, etc.

(4) Commercial motor vehicles, trailers, semi-trailers, tractors. The applicant for registration for automobile, commercial vehicles, trailers, semi-trailers and tractors shall pay to the Commissioner of Motor Vehicles a fee based upon the gross weight of such vehicle and load, when loaded to its carrying capacity. When the gross weight of the vehicle and load exceeds the gross weight allowed by law for the particular size of tires set forth in the application for registration, then such gross weight of vehicle and load shall be determined according to law upon the size of tires given in such application. The plates to be used for the commercial motor vehicles shall display the word "commercial," and the numerals shall be prefixed by the letter "X"; the trailer plates shall have the letter "T."

Form of
markers.

Schedule
of fees.

The fee shall be in accordance with the following table:

The gross weight of vehicle and carrying capacity is—	
1,000 pounds or less	\$10.00
1,001 to 2,000 pounds	12.00
2,001 to 3,000 pounds	15.00
3,001 to 4,000 pounds	20.00
4,001 to 5,000 pounds	24.00
5,001 to 6,000 pounds	27.00
6,001 to 7,000 pounds	30.00
7,001 to 8,000 pounds	33.00
8,001 to 9,000 pounds	36.00
9,001 to 10,000 pounds	39.00
10,001 to 11,000 pounds	42.00
11,001 to 12,000 pounds	45.00
12,001 to 13,000 pounds	48.00
13,001 to 14,000 pounds	51.00
14,001 to 15,000 pounds	54.00
15,001 to 16,000 pounds	57.00

16,001 to 17,000 pounds	60.00
17,001 to 18,000 pounds	63.00
18,001 to 19,000 pounds	66.00
19,001 to 20,000 pounds	69.00
20,001 to 21,000 pounds	72.00
21,001 to 22,000 pounds	75.00
22,001 to 23,000 pounds	78.00
23,001 to 24,000 pounds	81.00
24,001 to 25,000 pounds	84.00
25,001 to 26,000 pounds	87.00
26,001 to 27,000 pounds	90.00
27,001 to 28,000 pounds	93.00
28,001 to 29,000 pounds	96.00
29,001 to 30,000 pounds	99.00

Provided, that no automobile, commercial vehicle, trailer, semi-trailer or tractor shall be registered by the Commissioner of Motor Vehicles unless the same is equipped with rubber tires on all wheels; *and provided, further*, that the owner of any commercial motor vehicle, tractor, trailer or semi-trailer, whose vehicle shall be found overloaded on a public highway or operated with a load beyond the gross weight shown in the registration certificate for said vehicle, shall be fined not less than one hundred dollars (\$100.00) nor more than two hundred and fifty dollars (\$250.00) for the first offense, and for any subsequent offense not less than two hundred and fifty dollars (\$250.00) nor more than five hundred dollars (\$500.00), and said vehicle, but not the contents thereof, may be detained until the owner submits to the jurisdiction of the court and the fine is paid or proper bond be posted for an appeal if there be a conviction; and any person who shall operate an automobile, commercial vehicle, trailer, or semi-trailer, or tractor not equipped on all wheels with rubber tires shall be fined not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00), for the first offense and for any subsequent offense not less than one hundred dollars

Proviso.

Proviso.

Overloading.

Fine.

Vehicle detained.

Equipped with rubber tires.

Fine.

- Proviso.** (\$100.00) nor more than two hundred dollars (\$200.00); *provided, further*, that any person who shall operate a commercial vehicle, trailer, or semi-trailer or tractor equipped with solid rubber tires impaired to such an extent as to be likely to cause damage to the public highways shall be fined not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00) for the first offense, and for any subsequent offense not less than one hundred dollars (\$100.00) nor more than two hundred dollars (\$200.00); *and provided, further*, that tractors used for agricultural purposes may be operated over the highways of this State without being equipped with rubber tires under such regulations as shall from time to time be adopted by the Commissioner of Motor Vehicles.
- Fine.**
- Proviso.**
- Passenger vehicle registration.** (5) Passenger vehicles. The applicant for registration for motor vehicles shall pay to the Commissioner of Motor Vehicles for each registration a fee of forty cents (\$0.40) per horsepower for the rated horsepower of such motor vehicle or the major fraction thereof for the rated horsepower of such motor vehicle up to and including vehicles of a twenty-nine horsepower rating; and all passenger motor vehicles having a rating of thirty horsepower or more shall pay a fee of fifty cents (\$0.50) per horsepower or the major fraction thereof.
- Fee.**
- Fee.**
- Motorcycle registration.** (6) Motorcycles. The applicant for registration for a motorcycle shall pay to the Commissioner of Motor Vehicles for each registration a fee of two dollars (\$2.00).
- Fee.**
- Half fee.** (7) Reduction in fee on and after July first. If application shall be made for registration of a motor vehicle, commercial motor vehicle, trailer, semi-trailer, tractor or omnibus on and after the first day of July in any year, the applicant shall be required to pay but one-half the registration fee herein provided for in the class to which said vehicle belongs.

(8) Refusal of registration. The Commissioner of Motor Vehicles may refuse registration in the case of any automobile, commercial motor vehicle, trailer, semi-trailer, tractor, or omnibus, that shall not comply with the requirements of this act or that shall seem to him unsuitable for use on the roads and highways of this State.

Refusing
registration.

(9) Certificate issued. The Commissioner of Motor Vehicles shall issue for each automobile so registered a certificate, properly numbered, stating that such motor vehicle or motorcycle is registered in accordance with the law, and shall cause the name of such owner, with his address and the number of his certificate and description of such automobile, to be entered on the records of his department in alphabetical and numerical order. And the holder of said certificate, when requested by any motor vehicle inspector, police officer, or magistrate, while in the performance of the duties of his office, shall exhibit said certificate, to the end that the said motor vehicle inspector, police officer, or magistrate may thereby determine the correctness of said certificate as the same relates to the registration number plates of the motor vehicle for which the said certificate was issued.

Certificate
issued.

Certificate
shown upon
request.

(10) Duplicate certificates. The Commissioner of Motor Vehicles, upon presentation of a statement duly sworn to, setting forth that the original registration certificate or driver's license has been destroyed, lost or stolen, may, if he is satisfied that the facts as set forth in the statement are substantially true, issue a duplicate registration certificate or driver's license to the original holder thereof, upon the payment to the Commissioner of Motor Vehicles of a fee of one dollar for each duplicate registration certificate or driver's license so issued.

Duplicate
certificates.

Fee.

2. This act shall take effect immediately.
Approved April 27, 1933.

CHAPTER 128

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

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

Section 23
amended.

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

Transfers.

23. With the consent of the commission, a person holding an office or position in the classified service may on his own request be transferred to a similar office or position in another office, department or institution, but no transfer shall be made from an office or position in one class to an office or position in another class, nor shall a person be transferred to an office or position for original entrance to which there is required by this act, or the rules adopted pursuant thereto, an examination involving essential tests or qualifications different from or higher than those required for original entrance to an office or position held by such person. When any person holding an office or position under the classified service has been separated from the service without any delinquency or misconduct on his part, but owing to reasons of economy or otherwise, his name shall be placed upon a special eligible list which list shall take precedence over all other civil service lists and shall be entitled to reinstatement at any time thereafter in the same office or position or any

Placed upon
special list.

Reinstatement.

similar office or position of the same kind as that previously abolished as soon as such an opportunity arises. The name or names of such person or persons, when an office or position is to be filled of a character the same or similar to that previously held by them, shall be certified by the Civil Service Commission to any appointing officer or body when such appointing officer or body shall make known to the Civil Service Commission, in the proper manner provided in the act to which this act is an amendment, the office or position to be filled.

Name
certified.

Approved April 27, 1933.

CHAPTER 129

AN ACT validating certain special elections in school districts which have rejected the annual budget.

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

1. In any school district in this State where a special election has been held for the purpose of resubmitting the annual budget of such school district to the voters and the majority of voters voting at such special election have rejected such annual budget, the election so held is hereby validated notwithstanding that all requirements as to the notice of the holding of such special election were not complied with; *provided, however,* that the notice of such election was posted as now required by law at least five days prior to such special election and further that at least ten per centum (10%) of all registered voters in such school district voted at such special election.

Validating
election.

Proviso.

2. This act shall take effect immediately.
Approved April 27, 1933.

CHAPTER 130

AN ACT authorizing any municipality to receive in payment of taxes, assessments or other municipal charges orders issued by any board of education for the payment of obligations.

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

Orders issued
by school
district re-
ceivable by
municipality.

1. Any municipality may receive for payment of taxes, assessments or other municipal charges orders issued by the board of education for the payment of obligations to the amount of money due and owing by such municipality to the school district, and any such order may be assigned by mere endorsement by the holder thereof.

Municipality
may receive
orders.

2. Any municipality may likewise receive for such payments orders issued by any board of education under regulations prescribed by the municipality.

Construing.

3. Nothing contained in this act shall be held to conflict with or to repeal any of the provisions of "An act to amend an act entitled 'A further supplement to an act entitled "An act concerning municipal and county finances," approved March twenty-eighth, one thousand nine hundred and thirty-two,' which amendment was approved March fourteenth, one thousand nine hundred and thirty-three."

4. This act shall take effect immediately.

Approved April 27, 1933.

CHAPTER 131

A FURTHER SUPPLEMENT to an act entitled "An act to authorize and regulate the issuance of bonds and other obligations and the incurring of indebtedness by county, city, borough, village, town, township or any municipality governed by an improvement commission or any municipality governed by a board of commissioners," approved March twenty-second, one thousand nine hundred and sixteen, and constituting chapter two hundred and fifty-two of the Pamphlet Laws of one thousand nine hundred and sixteen, as amended.

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

1. Any county or municipality may refund its notes, bonds, or installments of bonds, including interest thereon, or any part thereof, issued since March twenty-second, one thousand nine hundred and sixteen, and maturing up to and including the year one thousand nine hundred and thirty-four, by the issuance of refunding bonds of such county or municipality pursuant to the provisions of the act to which this act is a supplement, and such refunding bonds shall bear interest at a rate not exceeding six per centum (6%) per annum, payable semi-annually or otherwise as the governing body may determine, and shall be general obligations, and the full faith and credit of the county or municipality shall be pledged for the payment of the principal and interest thereof as the same become due; *provided*, that unless all such refunding bonds shall mature within ten years from their date, they shall be issued to mature in annual in-

Refunding
bonds may
be issued.

Rate.

Security.

Proviso.

Maturity.

stallments the first of which shall mature not more than five years from the date of the bonds and the last of which shall mature not more than ten years from the date of the bonds and no annual installments shall be more than fifty per centum (50%) in excess of the amount of the smallest prior installment. Such refunding bonds may be issued as a single issue to refund bonds of one or more issues for different purposes, or such refunding bonds may be issued in two or more series, but bonds that are deductible in ascertaining any limit of indebtedness shall not be combined with bonds that are not so deductible in a refunding issue. In the event that any such bonds to be refunded are authorized to be deducted in ascertaining any limitation of indebtedness, the bonds refunding such bonds and interest thereon may likewise be deducted.

Details of issue.

Exchanging.

Proviso.

Authorization.

At the option of the governing body, such refunding bonds or any part thereof may be exchanged directly with the holders of the bonds to be refunded upon the surrender and cancellation of like principal amounts of such outstanding bonds; *provided*, that if the refunding bonds bear a date prior to the date of the bonds to be refunded, accrued interest shall be paid to the county or municipality from the date of the refunding bonds to the date of the bonds to be refunded, but the refunding bonds may bear a higher rate of interest than the bonds to be refunded. Such refunding bonds shall be authorized by the governing body by ordinance, except that the governing body of any county may authorize such refunding bonds by resolution.

2. This act shall take effect immediately.

Approved April 27, 1933.

CHAPTER 132

AN ACT to amend and change the title and body of an act entitled "An act to provide for the apportionment to counties by the State Highway Commission of a part of State highway system funds for the construction or reconstruction of county roads," approved April eighteenth, one thousand nine hundred and thirty.

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

1. An act entitled "An act to provide for the apportionment to counties by the State Highway Commission of a part of State highway system funds for the construction or reconstruction of county roads," approved April eighteenth, one thousand nine hundred and thirty, is hereby changed and amended so that henceforth the title of said act shall read as follows:

Title amended.

An act to provide for the apportionment by the State Highway Commission of a part of State highway system funds for the construction, reconstruction, maintenance and repair of county roads and bridges.

New title.

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

Section 1 amended.

1. The State Highway Commission shall annually apportion to each county of this State the sum of thirty-five thousand dollars from State highway system funds to be used for the construction, reconstruction, maintenance and repair of county roads and bridges, which apportionment shall include the apportionment made for the calendar year one thousand nine hundred and thirty-three.

Apportionment to counties.

3. This act shall take effect immediately.

Approved April 27, 1933.

CHAPTER 133

AN ACT to supplement an act entitled "An act making appropriations for the support of the State government and for several public purposes for the fiscal year ending June thirtieth, one thousand nine hundred and thirty-three, and regulating the disbursement thereof," approved June tenth, one thousand nine hundred and thirty-two.

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

Appropriation
for payment of
indemnities to
owners of
cattle.

1. In addition to the sum appropriated for tuberculosis eradication in and by the act of which this act is a supplement, there is hereby appropriated to the Department of Agriculture out of the State fund, for the payment of indemnities to the owners of cattle reacting to the tuberculin test, the sum of fifty thousand dollars (\$50,000.00).

2. This act shall take effect immediately.

Approved April 27, 1933.

CHAPTER 134

AN ACT to amend an act entitled "An act authorizing the Commissioner of Education to exact the payment of fees by applicants for qualifying academic certificates," approved April sixth, one thousand nine hundred and fourteen.

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

1. Amend section two of the act to which this is an amendment so that it shall read as follows: Section 2 amended.
2. Every person desiring a "qualifying academic certificate" shall make application therefor in the manner and form prescribed by the Commissioner of Education and shall, before the certificate is issued, pay to the said commissioner the sum of five dollars. If the credentials and evidence submitted by an applicant are not sufficient to entitle him to such certificate without an examination in one or more academic subjects, such applicant shall, before he begins such examination, pay to the said commissioner an examination fee of five dollars, and for each subsequent examination and prior thereto such applicant shall pay to the said commissioner a further examination fee of three dollars. Application for certificate.
Fee.
Examination.
Fee.
Re-examination fee.
2. This act shall take effect immediately.

Approved April 27, 1933.

CHAPTER 135

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

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

Section 3
amended.

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

Powers of
State board
enumerated.

3. The State Board of Education shall have power:

I. To frame and modify by-laws for its own government; to elect its president and other officers and to prescribe and enforce rules and regulations necessary to carry into effect the school laws of this State.

II. To prescribe rules and regulations for holding teachers' institutes.

III. To decide appeals from the decisions of the Commissioner of Education.

IV. To make and enforce rules and regulations for the examination of teachers, and the granting of certificates or licenses to teach; *provided*, that a fee of not less than five dollars shall be charged for each certificate.

Proviso.

2. This act shall take effect immediately.
Approved April 27, 1933.

CHAPTER 136

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

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

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

Section 6
amended.

6. The said petition shall be filed at least twenty days before the date of the annual election for members of the said board of education.

Time for
filing petition.

2. This act shall take effect immediately.

Approved April 27, 1933.

CHAPTER 137

AN ACT to amend an act entitled "An act concerning concentrated commercial feeding stuffs," approved March twenty-eighth, nineteen hundred and twelve, approved April fourteenth, nineteen hundred and thirty-one.

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

Section 10
amended.

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

Violations a
misdemeanor.

10. Any manufacturer, importer, jobber, firm, association, corporation or person who has sold, offered or exposed for sale or distributed in this State any commercial feeding stuff for which the required statement of tonnage sold had not been made nor the fees paid, has rendered a false statement and paid fees in accordance therewith, or has impeded, obstructed, hindered or otherwise prevented or attempted to prevent said State chemist or State Tax Commissioner or their authorized agents in the performance of their respective duties in connection with the provisions of this act, or who has sold, offered or exposed for sale or distributed in this State any commercial feeding stuff as defined in section one, without complying with the requirements of the provisions of this act, or who has sold, offered or exposed for sale or distributed in this State any commercial feeding stuff which contained a smaller per centum of crude protein or crude fat or a larger per centum of crude fiber than has been certified to be contained therein, or who has failed to properly state the specific name of each and every ingredient used in its manufacture shall be guilty of a violation of the provisions of this act, and upon the conviction

thereof shall pay a penalty of not less than twenty-five nor more than one hundred dollars for the first offense, and not less than one hundred (100) dollars nor more than two hundred (200) dollars for each subsequent offense. Any such penalty shall be sued for and recovered by and in the name of the director of the New Jersey State Agricultural Experiment Station. Such penalty, when recovered, shall be paid by said director into the treasury of the State of New Jersey. When judgment is obtained for any penalty under this act in any court of this State against any person execution may issue against the goods, chattels and body of such person. Any manufacturer, importer, jobber, firm, association, corporation or person who shall mix or adulterate any feeding stuff with any substance or substances injurious to the health of live stock or poultry shall be deemed guilty of a violation of the provisions of this act, and the lot of feeding stuff shall be subject to seizure, condemnation and sale as the court may direct; the proceeds from such sale to be paid to the treasurer of the State of New Jersey. The court may, in its discretion, release the feeding stuff as seized when the requirements of the provisions of this act have been complied with, and upon payment of all costs and expenses incurred by the State in any proceedings connected with such seizure. Every district court in any city or judicial district in any county and every court of common pleas in any county is hereby empowered upon the filing of a complaint, in writing, duly verified, which said verification when made by the director of the New Jersey State Agricultural Experiment Station may be made upon information and belief that any person has violated any of the provisions of this act, to issue process at the suit of the director of the New Jersey State Agricultural Experiment Station as plaintiff; such process shall be in the nature of a summons and shall be returnable in not less than five nor more than fifteen days; such process shall

Penalties.

Recovery
of penalties.

Execution.

Injurious
adulterations.Release of
seized food.Issue of
process.

Details.

state what provision of the law is alleged to have been violated by the defendant or defendants, and on the return of such process or at any time to which the trial shall be adjourned, the said court shall proceed in a summary manner, without a jury, to hear testimony and to determine and give judgment in the matter without the filing of any pleadings, either for the plaintiff for the recovery of such penalty, with costs, or for the defendant, and the said court shall, if judgment be rendered for the plaintiff, cause any such defendant, who may refuse or neglect to forthwith pay the amount of the judgment rendered against him and all costs and charges incident thereto, to be committed to the county jail for any period not exceeding one hundred days; that the officers to serve and execute all process under this act shall be the officers authorized to serve and execute process in said courts.

Summary hearing.

Commitment on failure to settle.

Form of conviction.

The conviction in prosecutions under this act shall be in the following or similar form:

State of New Jersey }
County of } ss

Be It Remembered that on this day of , at in said county defendant was by (name the court) convicted of violating the section of an act entitled "An act concerning concentrated commercial feeding stuffs," approved March twenty-eighth, nineteen hundred and twelve, as amended by act approved April fourteenth, nineteen hundred and thirty-one, in a summary proceeding at the suit of the director of the New Jersey State Agricultural Experiment Station 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.

The conviction shall be signed by the judge of the court before whom the conviction is had. In case the defendant is committed to jail in default of payment of the penalty, a commitment in the following form shall be added beneath the judge's signature to the conviction:

Signing
conviction.

And the said _____ neglecting and refusing to pay the amount of the penalty above mentioned with costs, it is hereby ordered that the said _____ 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.

Form of
commitment.

This commitment shall also be signed by the judge and in cases 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.

Signing
commitment.

In case any defendant shall after conviction of any violation of this act be again convicted and shall fail or neglect to forthwith pay the amount of the penalty imposed, the court shall commit such defendant to jail in the manner above set forth for any number of days not exceeding two hundred days.

Length of
commitment.

2. This act shall take effect immediately.

Approved April 27, 1933.

CHAPTER 138

A SUPPLEMENT to an act entitled "An act to amend an act entitled 'An act to amend an act entitled "An act for suppressing vice and immorality" (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four,' which amendment was approved February twenty-eighth, one thousand eight hundred and ninety-three," approved April twelfth, one thousand nine hundred and thirty-three.

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

Special ballots for non-party voters. 1. In addition to the regulations and powers conferred by the provisions of the act to which this act is a supplement, the clerk of any municipality with whom a petition has been filed pursuant to section two of said act requesting the submission of the question of the adoption of said act at any then coming primary election is hereby directed to provide a sufficient number of special ballots for voters desiring to vote at said primary election on said question who, at the same time, do not desire to vote for any candidates on any party ticket used at such primary election.

Wording. There shall be printed on such special ballots the same wording as is provided in said act to be printed underneath the names of the candidates on the regular party primary ballots provided for by law, which wording is particularly set forth in section two of said act.

Ballot boxes used. 2. The said special ballots when used and cast by the said voters not desiring to vote for any party candidates shall be deposited by the election officers in either of the ballot boxes being used at any such primary election and shall be counted the same as the other ballots used and cast at any such primary election as provided in said act.

Canvass.

3. The name of no candidate nor any other wording shall be printed or written on such special ballots except the wording aforesaid as set forth in section two of said act.

Names of candidates not used on special ballot.

4. This act shall take effect immediately.
Approved April 27, 1933.

CHAPTER 139

A FURTHER SUPPLEMENT to an act entitled "An act to enable the owners and possessors of the meadow, marsh and lowlands lying upon Salem canal in the upper reaches of Salem creek in Salem county to bank, drain and dam the same," approved April sixth, one thousand nine hundred and thirty-one.

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

1. In addition to the powers and authorization conferred by the act to which this act is a further supplement, it shall be lawful for any of the owners and possessors of the meadow, marsh and lowlands lying in Upper Penn's Neck township, Salem county, and State of New Jersey, lying on both sides of the Salem canal, east of the Pennsylvania Railroad bridge across said canal and extending to the Salem creek, and upon both sides of the upper reaches of said creek extending eastward, to construct and erect a bulkhead, across the said Salem canal east of the pipe line thereon, at such place as shall be deemed most suitable for such purposes, in such sites and directions and of such form and dimensions as shall be deemed most proper for said purposes, and to keep, alter and maintain the same.

Owners along Salem canal may construct bulkheads.

2. This act shall take effect immediately.
Approved May 2, 1933.

CHAPTER 140

AN ACT to amend an act entitled "An act to regulate elections" (Revision of 1930), approved April eighteenth, one thousand nine hundred and thirty.

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

Par. 389
amended.

1. Article XXVIII, paragraph three hundred and eighty-nine, section eleven, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Change of Residence Notice.

Changing
residence in
certain
counties.

Par. 389, Sec. 11. In counties other than counties of the first class, change of residence 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 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 in any municipality having permanent registration within the same county. Copies of these notices shall also be available at the office of the municipal clerks in each municipality having permanent registration 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 and 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 resi-

Card form
of notice.

Copies
available.

Daily notice.

Form of
notices.

Change
effected.

dence notice the commissioner shall cause the signature to be compared with the permanent registration forms of such applicant and, if such signature appears to be of and by one and the same legal voter, shall cause the entry of such 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 said registrant shall so have 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 such registrant at his new address directing him to appear at a time to be fixed in said 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 said registrant fails to appear at the time and place as directed and a return registry card has been received by the commissioner or if said notice is returned as not delivered or if the said notice is not returned as undelivered and no return registry card is received, the registration forms of said applicant shall be placed in the inactive file until such time as said applicant establishes to the satisfaction of the commissioner the accuracy of the signature on said 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 fourth Tuesday preceding any election; said registered voter, on the day of such election, shall apply directly to the district board in the district wherein he is registered and upon filling out and signing a transfer form to be provided by the commissioner and the comparison of the signature on said transfer form with the signature on the duplicate permanent registration form, the board or a majority thereof if the signature appears to be the same shall endorse its consent to such transfer

Commissioner
may institute
inquiry.

Placing card
on inactive
list.

Proviso.

Transfer by
district
board.

upon such transfer form whereupon the applicant shall file such transfer form with the district board in the district in which he is then entitled to vote and the said board shall after the signing of the poll-book and the comparison of his signature in said book with his signature on the transfer form, and after the said board or a majority thereof shall be satisfied that the compared signatures are of and by one and the same legal voter, he shall be permitted to vote. Said transfer form shall be filed with the commissioner at the same time as the binders containing the duplicate permanent registration forms and the record of voting forms are returned to the office of said commissioner. Upon receipt of said transfer forms, the commissioner shall cause the entry of such change of residence to be made on the original and duplicate permanent registration forms and the corresponding record of voting forms and said forms shall be transferred to the proper district binders.

In 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 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 in any municipality having permanent registration, within the same county. Copies of these notices shall also be available at the office of the municipal clerks in each municipality having permanent registration 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 and 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

Transfer forms filed.

Corresponding changes made.

Changing residence in first class counties.

Card form of notice.

Copies available.

Daily notice.

Form of notices.

signature. Upon receipt of such change of residence notice the commissioner shall cause the signature to be compared with the permanent registration forms of such applicant and if such signature appears to be of and by one and the same legal voter shall cause the entry of such 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 said registrant shall so have 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 such registrant at his new address directing him to appear at a time to be fixed in said 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 said registrant fails to appear at the time and place as directed and a return registry card has been received by the commissioner or if said notice is returned as not delivered or if the said notice is not returned as undelivered and no return registry card is received, the registration forms of said applicant shall be placed in the inactive file until such time as said applicant establishes to the satisfaction of the commissioner the accuracy of the signature on said 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 fifth day preceding any municipal election and on the twelfth day preceding any other election.

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

3. This act shall take effect immediately.

Passed May 2, 1933.

Change effected.

Commissioner to institute inquiry.

Placing card on inactive list.

Proviso.

Application for change.

Repealer.

CHAPTER 141

AN ACT to amend an act entitled "An act concerning district courts" (Revision of 1898).

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

Section 163
amended.

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

When judgment given
against
plaintiff.

163. If the plaintiff in any action shall be nonsuited or shall discontinue or withdraw his action without the consent of the defendant where he may lawfully do so, or where in case no set-off, counterclaim or recoupment shall have been filed the court or jury shall have found in favor of the defendant, judgment shall be given against such plaintiff for the costs which have accrued, which judgment for costs may include an additional fee to be fixed by the court to the attorney of the defendant of not more than ten dollars in addition to the costs now allowed by statute; but in case a set-off, counterclaim or recoupment shall have been filed and such plaintiff shall appear to owe, or to be indebted to the defendant, then judgment shall be given against him for the debt, or damages and costs, as otherwise provided in this act; *provided, however*, no costs whatsoever, shall be assessed or fixed against an executor, administrator, receiver, trustee or any other persons suing in a fiduciary capacity.

Fee to attorney of
defendant.

Proviso.

2. This act shall take effect immediately.
Approved May 3, 1933.

CHAPTER 142

AN ACT to amend an act entitled "An act to provide for the proper construction, grading, drainage, maintenance and repair of unimproved town, township, village and borough roads of the State and to provide State aid therefor," approved April twenty-first, one thousand nine hundred and thirty.

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

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

6. The amount contributed as herein provided for State aid in the maintenance and repair of any road shall not exceed ninety per centum of the total cost of such maintenance and repair, and shall include the amount contributed for the calendar year one thousand nine hundred and thirty-three. Amount of State aid.

2. This act shall take effect immediately.

Approved May 3, 1933.

CHAPTER 143

AN ACT to amend an act entitled "An act to provide for the proper construction, grading, drainage, maintenance and repair of unimproved town, township, village and borough roads of the State and to provide State aid therefor," approved March twentieth, one thousand nine hundred and sixteen, as amended April twenty-first, one thousand nine hundred and thirty, approved April sixth, one thousand nine hundred and thirty-one.

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

Section 5
amended.

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

State's share
of cost.

5. The share of the cost of the work to be assumed by the State shall not exceed ninety per centum of the cost of the work as set forth in the preceding section, and shall include the amount contributed for the calendar year one thousand nine hundred and thirty-three.

2. This act shall take effect immediately.

Approved May 3, 1933.

CHAPTER 144

AN ACT to amend an act entitled "An act to incorporate the first judicial district of the county of Burlington," approved April twenty-ninth, one thousand nine hundred and twenty-nine.

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 hereby amended to read as follows:

Section 1
amended.

1. There is hereby created, established and incorporated the first judicial district of the county of Burlington, and the territory comprised therein shall be coextensive with the territory comprised within the limits of the said county of Burlington; and the provisions of an act entitled "An act concerning district courts" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight, and the acts amendatory thereof and supplemental thereto, as far as the same may be applicable and not inconsistent with the provisions of this act, shall apply to the district hereby established.

First judicial
district co-
extensive with
Burlington
county.

Acts ap-
plicable.

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

Section 2
amended.

2. The district court of said district shall be held at stated periods, and the board of chosen freeholders shall provide suitable rooms for the transaction of the business of the said court, and further shall provide suitable furniture therefor, and such books, stationery and other supplies as may be necessary.

When and
where court
held.

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

Section 4
amended.

4. The judge of the court of common pleas of such county shall, in addition to his other duties, hold the district court in and for such county at

Judge.

least once every two weeks, and the official title of such judge shall be "judge of the court of common pleas of Burlington county, sitting as judge of the district court." The county clerk of such county is hereby constituted as clerk of the said district court. No compensation in addition to salaries now fixed by law shall be paid to such judge and clerk.

Clerk.

Approved May 3, 1933.

CHAPTER 145

AN ACT to amend an act entitled "An act providing for divorce and for decrees of nullity of marriage and for alimony and the maintenance of children" (Revision of 1907), approved May seventeenth, one thousand nine hundred and seven.

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

Section 25
amended.

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

Alimony and
its enforce-
ment.

25. Pending a suit for divorce or nullity, or after decree of divorce, it shall be lawful for the Court of Chancery to make such order touching the alimony of the wife, and also touching the care, custody, education and maintenance of the children, or any of them, as the circumstances of the parties and the nature of the case shall be rendered fit, reasonable and just, and to require reasonable security for the due observance of such orders, and upon neglect or refusal to give such reasonable security, as shall be required, or upon default in complying with the order, to award and issue process for the

Security for
payment.

immediate sequestration of the personal estate, and the rents and profits of the real estate of the party so charged, and to appoint a receiver thereof, and cause such personal estate and the rents and profits of such real estate, or so much thereof as shall be necessary, to be applied toward such alimony and maintenance as to the said court shall from time to time seem reasonable and just, or to enforce the performance of the said orders by such other lawful ways and means as is usual, and according to the course and practice of the Court of Chancery; orders so made may be revised and altered by the court from time to time as circumstances may require; *provided, however,* that it shall be unlawful **Proviso.** for the Court of Chancery to make any order or decree touching the alimony of the wife should she have married subsequent to the decree of divorce; *and provided further,* that the Court of Chancery **Proviso.** upon application of the former husband, on notice and upon proof of the marriage of the former wife after the decree of divorce, must modify any order or decree touching the alimony of the former wife by vacating and annulling any and all provisions in any such order or decree, or both, directing the payment of money for the support of the former wife.

2. This act shall take effect immediately.
Approved May 3, 1933.

CHAPTER 146

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

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

Extension of
eligibility list
during litigation.

1. Where an eligible list has been or shall hereafter be established by the Civil Service Commission for any position or employment, whether in the service of the State, or of any county or municipality thereof, and a proceeding has been or shall be instituted in any court of record, with respect to the filling of any position or employment from such eligible list, such list shall not expire during the period in which such litigation is pending, but such eligible list shall be extended from the time of the entry of judgment, for a period of time equal to the period during which the said proceeding or litigation was pending.

2. This act shall take effect immediately.

Approved May 3, 1933.

CHAPTER 147

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

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

1. It shall be lawful for any municipality to make appropriations to post of the Grand Army of the Republic, and if there be no such post in such municipality, then it shall be lawful to make appropriations to any camp of Sons of Union Veterans of the Civil War, for the proper carrying out of memorial and other patriotic holidays.

Municipal appropriations toward memorial observance.

2. This act shall take effect immediately.

Approved May 3, 1933.

CHAPTER 148

AN ACT concerning policemen and firemen of municipalities of this State.

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

1. From and after the first day of January, nineteen hundred and thirty-three, when the governing body of any municipality in this State shall, for reasons of economy, decrease the number of policemen or firemen in such municipality they shall proceed in the following manner:

Reducing number of firemen and police.

In the event that any policeman or fireman is removed from the department in which he is employed, such policeman or fireman shall be carried

Assigned to special list.

New Jersey State Library

Restoration
to duty.

on a special list and in the event that any new appointments are made to such department, the policeman or fireman so removed shall first be appointed thereto before any other person is appointed.

2. This act shall take effect immediately.

Approved May 3, 1933.

CHAPTER 149

AN ACT to further amend an act entitled "An act to provide for the protection, welfare and relief of aged persons in need, and residents in the State of New Jersey, and providing for the administration therefor and dedicating certain income of the State therefor and prescribing penalties for the violation thereof," approved April twenty-fourth, one thousand nine hundred and thirty-one.

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

Section 11
amended.

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

Claims for re-
imbursement.

11. Claims for reimbursement under this act shall be presented monthly by the board of chosen freeholders of the respective counties through the division of old age relief to the Comptroller of the Treasury.

2. This act shall take effect immediately.

Approved May 3, 1933.

CHAPTER 150

AN ACT authorizing all banks, bankers, trust companies, savings banks, investment companies and other persons carrying on a banking business organized under the laws of the State of New Jersey to secure deposits made by the Port of New York Authority.

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

1. In order to protect public funds deposited by the Port of New York Authority, a corporate instrumentality of the States of New Jersey and New York, all banks, bankers, trust companies, savings banks, investment companies and other persons carrying on a banking business organized under the laws of the State of New Jersey, are authorized to give to the Authority a good and sufficient undertaking with such sureties as shall be approved by the said Authority to the effect that such bank and/or banking institution as hereinbefore described shall faithfully keep and pay over to the order of or upon the warrant of said Authority or its authorized agent, such deposits and agreed interest thereon, at such times or upon such demands as may be agreed upon with said Authority or in lieu of said sureties, to deposit with the Authority as collateral, such securities as the Authority may approve; *provided*, said securities shall consist of obligations in which public officers and bodies of this State and of its municipal subdivisions, savings institutions including savings and loan associations, insurance companies and associations, executors, administrators, guardians, trustees and other fiduciaries in this State may properly and legally invest the funds within their control, in such amounts

Depository
to secure
deposits by
New York
Port Au-
thority.

Proviso.
Nature of
securities.

Agreement.

as may be agreed upon by the Authority and such bank and/or banking institution, which said deposits of the Authority may be evidenced by a depository collateral agreement in such form and upon such terms and conditions as may be agreed upon by the Authority and the said bank and/or banking institution.

2. This act shall take effect immediately.

Approved May 3, 1933.

CHAPTER 151

AN ACT to amend an act entitled "A supplement to an act entitled 'An act to amend an act entitled "An act to amend an act entitled 'An act for suppressing vice and immorality' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," which amendment was approved February twenty-eighth, one thousand eight hundred and ninety-three,' approved April twelfth, one thousand nine hundred and thirty-three," approved April twenty-seventh, one thousand nine hundred and thirty-three.

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

Section 1
amended.

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

Special ballots
provided for
non-party
voters.

1. In addition to the regulations and powers conferred by the provisions of the act to which this act is a supplement, the clerk of any municipality with whom a petition has been filed pursuant to section two of said act requesting the submission of the

question of the adoption of said act at any then coming primary election is hereby directed to provide a sufficient number of special ballots for voters desiring to vote at said primary election on said question who, at the same time, do not desire to vote for any candidates on any party ticket used at such primary election. The poll books provided for by an act entitled "An act providing for the election of delegates to a convention and providing for the holding of a convention to consider the article of amendment, proposed by the Congress, to the Constitution of the United States designed to repeal the eighteenth article of amendment, and known as chapter seventy-three, Pamphlet Laws of one thousand nine hundred and thirty-three, shall also be used for voters who desire to cast a special ballot as provided herein.

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

Section 3
amended.

3. The name of no candidate nor any other wording shall be printed or written on such special ballots except the wording aforesaid as set forth in section two of said act; *provided, however*, that such special ballots shall correspond in form and detail, as far as practicable, to the provisions of an act entitled "An act to regulate elections" (Revision of 1930), approved April eighteenth, one thousand nine hundred and thirty, and the acts amendatory and supplemental thereto.

Wording on
ballot.

Proviso.

3. This act shall take effect immediately.

Approved May 3, 1933.

CHAPTER 152

AN ACT to provide for the investigation and study of wages of women and minors employed in trade and industry in the State of New Jersey; and for the determination and establishment of minimum fair wage standards for such workers; and for the purpose of preventing unfair and oppressive exploitation of such workers; and for other purposes.

Preamble.

WHEREAS, The employment of women and minors in trade and industry in the State of New Jersey at wages unreasonably low and not fairly commensurate with the value of the services rendered is a matter of grave and vital public concern. (Many women and minors employed for gain in the State of New Jersey are not as a class upon a level of equality in bargaining with their employers in regard to minimum fair wage standards, and "freedom of contract" as applied to their relations with their employers is illusory;) and

Preamble.

WHEREAS, Since a very large percentage of such workers are obliged from their week to week wages to support themselves and others who are dependent upon them in whole or in part they are, by reason of their necessitous circumstances, forced to accept whatever wages are offered them. Judged by any reasonable standard, wages are in many cases fixed by chance and caprice and the wages accepted are often found to bear no relation to the fair value of the service rendered. Women and minors employed for gain are peculiarly subject to the overreaching of inefficient, harsh or ignorant employers and under unregulated competition where no adequate machinery exists for the

effective regulation and maintenance of minimum fair wage standards, the standards such as exist tend to be set by the least conscionable employers. In the absence of any effective minimum fair wage rates for women and minors, the constant lowering of wages by unscrupulous employers constitutes a serious form of unfair competition against other employers, reduces the purchasing power of the workers and threatens the stability of industry. The evils of oppressive, unreasonable and unfair wages as they affect women and minors employed in the State of New Jersey are such as to render imperative the exercise of the police power of the State for the protection of industry and of the women and minors employed therein and of the public interest of the community at large in their health and well-being and in the prevention of the deterioration of the race; therefore,

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

1. As used in this act:

- | | |
|--|---------------------------------------|
| <p>(a) "Commissioner" shall mean the Commissioner of Labor.</p> | <p>Definitions:
Commissioner;</p> |
| <p>(b) "Director" shall mean the director or any deputy director of the minimum wage division, which shall be set up as a separate division in the Department of Labor by the Commissioner with a director in charge and with such deputy directors and other assistants and employees as the Commissioner may deem desirable.</p> | <p>Director;</p> |
| <p>(c) "Wage Board" shall mean a board created as provided in section five of the act.</p> | <p>Wage board;</p> |
| <p>(d) "Women" shall mean a female of twenty-one years or over.</p> | <p>Women;</p> |
| <p>(e) "Minor" shall mean a person of either sex under the age of twenty-one years.</p> | <p>Minor;</p> |
| <p>(f) "Occupation" shall mean an industry, trade or business or branch thereof or class of work therein in which women or minors are gainfully</p> | <p>Occupation;</p> |

employed, but shall not include domestic service in the home of the employer or labor on a farm or employment in any hotel.

Oppressive or unreasonable wage;

(g) "An oppressive and unreasonable wage" shall mean a wage which is both less than the fair and reasonable value of the services rendered and less than sufficient to meet the minimum cost of living necessary for health.

Fair wage;

(h) "A fair wage" shall mean a wage fairly and reasonably commensurate with the value of the service or class of service rendered. In establishing a minimum fair wage for any service or class of service under this act the Commissioner and the wage board without being bound by any technical rules of evidence or procedure (1) may take into account all relevant circumstances affecting the value of the service or class of service rendered, and (2) may be guided by like considerations as would guide a court in a suit for the reasonable value of services rendered where services are rendered at the request of an employer without contract as to the amount of the wage to be paid, and (3) may consider the wages paid in the State for work of like or comparable character by employers who voluntarily maintain minimum fair wage standards.

Directory order;

(i) "A directory order" shall mean an order the nonobservance of which may be published as provided in section nine of this act.

Mandatory Order.

(j) "A mandatory order" shall mean an order the violation of which shall be subject to the penalties prescribed in section fifteen (b) of this act.

Against public policy.

2. It is hereby declared to be against public policy for any employer to employ any woman or minor in an occupation in this State at an oppressive and unreasonable wage as defined in section one of this act, and any contract, agreement or understanding for or in relation to such employment shall be null and void.

3. The commissioner or the director or any authorized representative of the director shall have full power and authority:

Commissioner,
etc., em-
powered:

(a) To investigate and ascertain the wages of women and minors employed in any occupation in the State;

To investi-
gate wage;

(b) To enter the place of business or employment of any employer of women and minors in any occupation for the purpose of examining and inspecting any and all books, registers, payrolls, and other records of any employer of women or minors that in any way appertain to or have a bearing upon the question of wages of any such women or minors and for the purpose of ascertaining whether the orders of the Commissioner have been and are being complied with; and

To examine
records;

(c) To require from such employer full and correct statements in writing when the Commissioner or the director or any authorized representative of the director deems necessary of the wages paid to all women and minors in his employment.

To require
statements.

4. The commissioner or the director shall have the power, and it shall be the duty of the Commissioner on the petition of fifty or more residents of the State, to cause an investigation to be made by the director or any authorized representative of the director, of the wages being paid to women or minors in any occupation to ascertain whether any substantial number of women or minors in such occupation are receiving oppressive and unreasonable wages as defined in section one. If, on the basis of information in the possession of the Commissioner or the director, with or without a special investigation, the commissioner is of the opinion that any substantial number of women or minors in any occupation or occupations are receiving oppressive and unreasonable wages as defined in section one, he shall appoint a wage board to report upon the establishment of minimum fair

Petition for
investigation.

Wage board
to report.

wage rates for such women or minors in such occupation or occupations.

**Board, how
composed.**

5. (a) A wage board shall be composed of not more than three representatives of the employers in any occupation or occupations, an equal number of representatives of the employees in such occupation or occupations and of not more than three disinterested persons representing the public, one of whom shall be designated as chairman. The Commissioner after conferring with the director shall appoint the members of such wage board, the representatives of the employers and employees to be selected so far as practicable from nominations submitted by employers and employees in such occupation or occupations. Two-thirds of the members of such wage board shall constitute a quorum and the recommendations or report of such wage board shall require a vote of not less than a majority of all its members. Members of a wage board shall serve without pay, but may be reimbursed for all necessary traveling expenses. The Commissioner after conferring with the director shall make and establish from time to time rules and regulations governing the selection of a wage board and its mode of procedure not inconsistent with this act.

Appointing.

Quorum.

No salary.

**Rules and
regulations.**

**Powers of
board.**

(b) A wage board shall have power to administer oaths and to require by subpœna the attendance and testimony of witnesses, the production of all books, records, and other evidence relative to any matters under investigation. Such subpœnas shall be signed and issued by a member of the wage board and shall be served and have the same effect as if issued out of the Supreme Court. A wage board shall have power to cause depositions of witnesses residing within or without the State to be taken in the manner prescribed for like depositions in civil actions in the Supreme Court.

**Information
furnished.**

(c) The commissioner or the director shall present to a wage board promptly upon its organization all the evidence and information in the pos-

session of the Commissioner or director relating to the wages of women and minor workers in the occupation or occupations for which the wage board was appointed and all other information which the commissioner or the director deems relevant to the establishment of a minimum fair wage for such women and minors, and shall cause to be brought before the committee any witnesses whom the commissioner or the director deems material. A wage board may summon other witnesses or call upon the Commissioner or the director to furnish additional information to aid it in its deliberations.

Summons.

(d) Within sixty days of its organization a wage board shall submit a report including its recommendations as to minimum fair wage standards for the women or minors in the occupation or occupations the wage standards of which the wage board was appointed to investigate. If its report is not submitted within such time the Commissioner may constitute a new wage board.

Report.

(e) A wage board may differentiate and classify employments in any occupation according to the nature of the service rendered and recommend appropriate minimum fair rates for different employments. A wage board may also recommend minimum fair wage rates varying with localities if in the judgment of the wage board conditions make such local differentiation proper and do not effect an unreasonable discrimination against any locality.

To classify employments.

To recommend minimum wage.

(f) A wage board may recommend a suitable scale of rates for learners and apprentices in any occupation or occupations, which scale of learners' and apprentices' rates may be less than the regular minimum fair wage rates recommended for experienced women or minor workers in such occupation or occupations.

Scale of rates for learners, etc.

6. A report from a wage board shall be submitted to the Commissioner who shall within ten days confer with the director and accept or reject

Report submitted:

Rejected; such report. If the report is rejected the Commissioner shall resubmit the matter to the same wage board or to a new wage board with a statement of the reasons for the resubmission. If the report is accepted it shall be published, together with such proposed administrative regulations, as the Commissioner after conferring with the director may deem appropriate to supplement the report of the wage board and to safeguard the minimum fair wage standards to be established, and notice shall be given of a public hearing to be held by the Commissioner or the director not sooner than fifteen nor more than thirty days after such publication at which all persons in favor of or opposed to the recommendations contained in such report or in such proposed regulations may be heard.

Accepted.

Hearing.

Report acted upon in 10 days.

7. Within ten days after such hearing the Commissioner shall confer with the director and approve or disapprove the report of the wage board. If the report is disapproved the commissioner may resubmit the matter to the same wage board or to a new wage board. If the report is approved the Commissioner shall make a directory order which shall define minimum fair wage rates in the occupation or occupations as recommended in the report of the wage board and which shall include such proposed administrative regulations as the Commissioner may deem appropriate to supplement the report of the wage board and to safeguard the minimum fair wage standards established. Such administrative regulations may include among other things, regulations defining and governing learners and apprentices, their rates, number, proportion or length of service, piece rates or their relations to time rates, overtime or part-time rates, bonuses or special pay for special or extra work, deductions for board, lodging, apparel or other items or services supplied by the employer, and other special conditions or circumstances; and in view of the diversities and complexities of different occupations and the dangers

Directory order made upon approval.

Administrative regulations.

of evasion and nullification, the Commissioner may provide in such regulations without departing from the basic minimum rates recommended by the wage board such modifications or reductions of or addition to such rates in or for such special cases or classes of cases as those herein enumerated as the Commissioner may find appropriate to safeguard the basic minimum rates established.

8. For any occupation for which minimum fair wage rates have been established the Commissioner or the director may cause to be issued to a woman or minor, including a learner or apprentice, whose earning capacity is impaired by age or physical or mental deficiency or injury, a special license authorizing employment at such wages less than such minimum fair wage rates and for such period of time as shall be fixed by the Commissioner or the director and stated in the license.

Earning
capacity
impaired.

9. If the Commissioner or the director or any authorized representative of the director has reason to believe that any employer is not observing the provisions of any order made by him under section seven of this act, the Commissioner or the director may, on fifteen days' notice, summon such employer to appear before the Commissioner or the director to show cause why the name of such employer should not be published as having failed to observe the provisions of such order. After such hearing and the finding by the Commissioner or the director of nonobservance, the Commissioner may cause to be published in a newspaper or newspapers circulating within the State of New Jersey or in such other manner as the Commissioner may deem appropriate, the name of any such employer or employers as having failed in the respects stated to observe the provisions of the directory order of the Commissioner. Neither the Commissioner nor any authorized representative of the Commissioner, nor any newspaper publisher, proprietor, editor, nor employee thereof shall be liable to an action for damage for publish-

Summons
issued for
violation.

Violators'
names
published.

Liability.

ing the name of any employer as provided for in this act, unless guilty of some wilful misrepresentation.

Failure to observe order.

10. If at any time after a directory minimum fair wage order has been in effect for nine months the Commissioner is of the opinion after conferring with the director that the persistent non-observance of such order by one or more employers is a threat to the maintenance of fair minimum wage standards in any occupation or occupations the Commissioner or the director may give notice of the intention of the Commissioner to make such order mandatory and of a public hearing to be held not sooner than fifteen nor more than thirty days after such publication at which all persons in favor of or opposed to a mandatory order may be heard by the Commissioner or the director. After such hearing the Commissioner, if he adheres to his opinion, may make the previous directory order or any part thereof mandatory and so publish it.

Hearing.

Modifying minimum wage.

11. At any time after a minimum fair wage order has been in effect for one year or more, whether during such period it has been directory or mandatory, the Commissioner may, on his own motion, after conferring with the director, and shall, on petition of fifty or more residents of the State, reconsider the minimum fair wage rates, set therein, and reconvene the same wage board, or appoint a new wage board to recommend whether or not the rate, or rates, contained in such order, shall be modified. The report of such wage board shall be dealt with in the manner prescribed in section seven and eight of this act, *provided*, that, if the order under reconsideration has theretofore been made mandatory, in whole or in part, by the Commissioner, under section ten, then the Commissioner, in making any new order or confirming any old order, shall have power to declare to what extent such order shall be directory and to what extent mandatory.

Report.

Proviso.

12. The Commissioner may, at any time, and from time to time after conference with the director, propose such modifications of, or additions to any administrative regulations, included in any directory or mandatory order of the Commissioner, without reference to a wage board, as the Commissioner may deem appropriate to effectuate the purposes of this act, provided such proposed modification or additions could legally have been included in the original order, and notice shall be given of a public hearing to be held by the Commissioner or director not less than fifteen days after such publication at which all persons in favor of or opposed to such proposed modifications or additions may be heard. After such hearing the Commissioner may make an order putting into effect such proposed modifications of or additions to the administrative regulations as he deems appropriate, and if the order of which the administrative regulations form a part has theretofore been made mandatory in whole or in part by the Commissioner under section eleven, then the Commissioner in making any new order shall have the power to declare to what extent such order shall be directory and to what extent mandatory.

Modifying
administrative
regulations.

Hearing.

Order.

13. All questions of fact arising under this act except as otherwise herein provided shall be decided by the Commissioner or the director and there shall be no appeal from the decision of the Commissioner or the director on any such question of fact, but there shall be a right of review by the Supreme Court of New Jersey, by a writ of certiorari of any ruling or holding on a question of law included or embodied in any decision or order of the Commissioner or the director.

Questions of
fact.

Review by
Supreme
Court.

14. Every employer of women and minor workers shall keep a true and accurate record of the hours worked by each and the wages paid by him to each and shall furnish to the Commissioner or the director or the authorized representative of the director upon demand a sworn statement of

Record kept.

Records open to inspection.	the same. Such records shall be open to inspection by the Commissioner or the director or any authorized representative of the director at any reasonable time. Every employer subject to a minimum fair wage order whether directory or mandatory shall keep a copy of such order posted in a conspicuous place in every room in which women or minors are employed. Employers shall be furnished copies of orders on request without charge.
Copies of orders furnished.	
Discrimination by employers.	15. (a) Any employer and his agent, or the officer or agent of any corporation, who discharges or in any other manner discriminates against any employee because such employee has served or is about to serve on a wage board or has testified or is about to testify before any wage board or in any other investigation or proceeding under or related to this act or because such employer believes that said employee may serve on any wage board or may testify before any wage board or in any investigation or proceeding under this act shall be guilty of a misdemeanor and upon conviction be punished by a fine of not less than fifty (\$50.00) nor more than two hundred dollars (\$200.00).
Misdemeanor. Fine.	
Paying, etc., less than fair wage.	(b) Any employer or the officer or agent of any corporation who pays or agrees to pay to any woman or minor employee less than the rates applicable to such woman or minor under a mandatory minimum fair wage order shall be guilty of a misdemeanor and upon conviction be punished by a fine of not less than fifty (\$50.00) nor more than two hundred dollars (\$200.00) or by imprisonment of not less than ten nor more than ninety days or by both such fine and imprisonment, and each week in any day of which such employee is paid less than the rate applicable to him under a mandatory minimum fair wage order and each employee so paid less shall constitute a separate offense.
Misdemeanor. Fine.	
Failure to keep records.	(c) Any employer or the officer or agent of any corporation who fails to keep the records required

under this act or to furnish such records to the Commissioner or the director or any authorized representative of the director upon request shall be guilty of a misdemeanor and upon conviction be punished by a fine of not less than twenty-five (\$25.00) nor more than one hundred dollars (\$100.00), and each day of such failure to keep the records requested under this act or to furnish same to the Commissioner or the director or any authorized representative of the director shall constitute a separate offense.

Misdemeanor.

Fine.

16. If any woman or minor worker is paid by his employer less than the minimum fair wage to which he is entitled under or by virtue of a mandatory minimum fair wage order he may recover in a civil action the full amount of such minimum wage less any amount actually paid to him by the employer together with costs and such reasonable attorney's fees as may be allowed by the court, and any agreement between him and his employer to work for less than such mandatory minimum fair wage shall be no defense to such action. At the request of any woman or minor worker paid less than the minimum wage to which he or she was entitled under a mandatory order, the Commissioner may take an assignment of such wage claim in trust for the assigning employee and may bring any legal action necessary to collect such claim, and the employer shall be required to pay the costs and such reasonable attorney's fees as may be allowed by the court.

Recovery by
civil action.Assignment
by employee.

17. If any provisions of this act, or the application thereof to any person or circumstance, is held invalid the remainder of the act and the application of such provision to other persons or circumstances shall not be affected thereby.

Validity of
act.

18. This act shall take effect immediately.

Approved May 8, 1933.

CHAPTER 153

AN ACT to amend an act entitled "An act to encourage the propagation of game birds and game animals in the State of New Jersey, and the sale of propagated game birds and game animals, and providing licenses therefor, and to repeal the act or parts of acts inconsistent herewith," approved June fourteenth, one thousand nine hundred and thirty-two.

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

Section 1
amended.

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

Licensing
game pre-
serves.

1. Any person desiring to engage in the business of raising and selling game birds and/or game animals in a wholly enclosed preserve of which he is the owner or lessee, or to have in captivity game birds or game animals, or to propagate pheasants and/or quail in a semi-wild state on lands of which he is the owner or lessee, as hereinafter prescribed, may make application in writing to the Board of Fish and Game Commissioners for a license to do so. The license fee shall be two dollars per annum for each of the above purposes.

Fee.

Enclosed
preserve.

For the purpose of this act a wholly enclosed preserve is construed to mean an area of land the boundaries of which are surrounded by a fence at least six feet in height to be constructed of a woven wire not larger than two-inch mesh for game birds and for quadrupeds at least eight feet in height; and propagating in the semi-wild is construed to mean on land, the boundaries to be clearly defined by a fence, road, ditch, wire, water or highway, and posted at intervals of not to exceed five

Semi-wild
propagating.

hundred feet with signs to be prescribed by the board.

The Board of Fish and Game Commissioners, when it shall appear that such application is made in good faith, shall upon the payment of the fee issue to such applicant a propagating license permitting the licensee to propagate game birds and/or game animals in such wholly enclosed preserve, the location of which shall be stated in such license and the application therefor, and to sell such propagated game birds and/or game animals and ship the same from the State alive at any time and to kill the same and sell the carcasses for food as hereinafter prescribed; or/and a license to propagate pheasants and/or quail in a semi-wild state on lands of which he is the owner or lessee; *provided*, that such applicant who desires to propagate pheasants and/or quail in a semi-wild state has produced evidence satisfactory to the board that he has released, or already has on land described in his license, at least ten female and two male pheasants and/or at least six female and six male quail to each one hundred acres of land and/or a proportionate number of birds for less than one hundred acres prior to May first in the calendar year for which the license is to be issued; and/or a license to keep game birds and animals in captivity.

License issued.

Proviso.

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

Section 3 amended.

3. Game birds or game animals bred or raised in such wholly enclosed preserve may be killed in any manner other than shooting, except in the case of deer, which may be killed by shooting, and at any time and the carcasses sold for food; but no such game birds or game animals shall be sold for food unless the carcass of each bird or animal shall have been tagged with a suitable tag or seal which shall be supplied by the Board of Fish and Game Commissioners. Nothing herein contained shall alter

Killing game.

Construing.

- or supersede the provisions of the laws of the State requiring a license to hunt; *provided*, that section twenty-three of an act entitled "An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture and provide open and close seasons for such capture and possession" (Revision of 1903), as amended April ninth, one thousand nine hundred and ten, shall not apply to any person authorized to shoot pheasants under the provisions of this act.
- Section 4 amended. 3. Section four of the act to which this act is amendatory be and the same is hereby amended so as to read as follows:
- Pheasants and quail tagged. 4. No pheasants or quail propagated in the semi-wild state shall be sold. Such birds shall not be possessed or transported outside of licensed areas unless each such bird shall have been tagged with the special tag prescribed in this act. Any licensee raising pheasants and/or quail in the semi-wild state cannot procure from the Board of Fish and Game Commissioners during any year of operation more tags to be affixed to the dead bodies of pheasants or quail propagated in a semi-wild state than four times the number of female pheasants and/or quail released prior to May first in each year; *provided, however*, that in addition to this number of tags there may be provided to any licensee a number of tags equal to four-fifths of the number of birds released after May first in each year. Such tags are to be of a special kind provided for this purpose. The number of birds taken in any year either alive or dead on lands on which pheasants and/or quail are propagated in the semi-wild state shall not exceed the number of tags obtained from the board; *provided*, that pheasants propagated in the semi-wild state may be taken by shooting only from November tenth to January twentieth, and quail propagated in the semi-wild state may be taken by shooting only from November tenth to December fifteenth in each year; *and provided, further*, that no pheasants or quail propagated in a
- Proviso.
- Number of tags.
- Proviso.
- Proviso.
- Proviso.

semi-wild state shall be trapped without the written permission of the board. Such licensee or any person or persons authorized by him so to do may take pheasants by shooting from November tenth to the next following February twenty-eighth, both days inclusive, on the land described in his license; *provided*, that such licensee shall have produced evidence satisfactory to the Board of Fish and Game Commissioners that he has liberated on said land during the year covered by his license, or that he has in his possession on said land or in some other designated place or places and will liberate on said land prior to said February twenty-eighth, at least one hundred pheasants for any acreage up to one hundred acres and at least one pheasant for each additional acre; *and provided, further*, that the number of pheasants so taken by shooting shall not exceed four-fifths of the total number of pheasants liberated on said land during the year covered by said license.

Proviso.

Proviso.

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

Section 8 amended.

8. All licenses under this act shall expire on March first of each year, and no renewal of a propagating license for pheasants or quail in the semi-wild state shall be granted until the required number of birds have been released as provided in section one of this act, or until the applicant for renewal shall have submitted evidence satisfactory to the board showing that the minimum number of birds required in section one of this act are present on his property.

Expiration of license.

5. This act shall take effect immediately.
Approved May 10, 1933.

CHAPTER 154

AN ACT to conserve the seniority rights of municipal employees and county employees appointed, transferred, assigned or promoted, to other positions or departments in the municipal employ, or in the county service, in counties of the second class of this State.

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

Determining
seniority.

1. Whenever heretofore there has been or hereafter there may be effected by appointment, transfer, assignment or promotion, of a municipal employee, to any other department or position in the municipal employ, to a position or department of the county government; or when there has been or hereafter may be effected by appointment, transfer, assignment or promotion, of a county employee, to any other position or department in the county employ, or to a department or position of the municipal government, in counties of the second class of this State, the period of such prior service in said county or municipal employment, for any purpose, whatsoever, shall be computed as if the whole period of employment of such employee had been in the service of the department, or in the position, to which the said employee had been appointed, transferred, assigned or promoted.

Repealer.

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

Approved May 10, 1933.

CHAPTER 155

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

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

1. Whenever any part of the State apportionments, which have been made from State taxes in accordance with the statutes governing such apportionments, remain unpaid on June thirtieth of either the years one thousand nine hundred and thirty-one and/or one thousand nine hundred and thirty-two together with any such apportionments remaining unpaid up to April first of the year one thousand nine hundred and thirty-three, such amounts may be included in the annual or supplemental appropriation bills from any State moneys in the hands of the State Treasurer not otherwise obligated or appropriated or from any moneys in the hands of or available to the State Treasurer or other agency of the State which moneys have been deposited with or made available by any act of the Congress of the United States or any agency thereof, or made available or deposited in any manner by any law or from any fund of the United States, or may be appropriated from the proceeds of the sale of State bonds or notes issued for school purposes or from the proceeds of any taxes designated by the Legislature. Such apportionments shall be paid by the State Treasurer in the manner now provided by law to the several county treasurers on orders of the Commissioner of Education, and by them to the several custodians of school

Unpaid State apportionments included in appropriation bill.

Payment.

Proviso. funds; *provided*, that evidences of indebtedness described in section two of this act shall have been deposited with the State Treasurer and the county treasurers.

Evidence of indebtedness furnished. 2. The State Treasurer shall require from the several county treasurers evidence of indebtedness of the county to the State in the amount paid by the State, which evidence of indebtedness shall be authorized by the board of chosen freeholders and approved by the State Treasurer. The county treasurer of each county receiving such moneys from the State Treasurer shall pay to the custodians of the school districts of the county upon the order of the county superintendent of schools the amount due such districts upon receipt of evidence of indebtedness from the co-extensive municipality or municipalities, which evidence of indebtedness shall be approved by the board of chosen freeholders. Such evidences of indebtedness as are deposited with the State Treasurer or county treasurers shall be redeemed as taxes or funds are available for that purpose.

Redeeming indebtedness.

3. This act shall take effect immediately.

Approved May 10, 1933.

CHAPTER 156

AN ACT relating to the financing of schools.

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

Taxes paid in scrip.

1. Whenever any municipality and/or county is authorized by law to issue scrip, the governing body of such municipality shall pay in scrip of suitable denominations, if payment cannot be made in cash, the State and county school taxes which remained unpaid to the county treasurer on Febru-

ary first, one thousand nine hundred and thirty-two, and/or February first, one thousand nine hundred and thirty-three, with the exception of ten per centum (10%) of the State school tax which shall be paid in cash. The county treasurer shall receive such scrip in payment of State and county school taxes.

2. The county treasurer shall pay to the custodians of the several school districts upon the warrants of the county superintendent the amounts of the State apportionment then due such districts in the scrip of the municipalities making payment in scrip, except that those school districts making payment in scrip which receive greater amounts than are due from the co-extensive municipalities shall receive such excess in county scrip issued in lieu of and secured by the amount of municipal scrip of such excess payments.

State apportionment paid in scrip to school districts.

Exception.

3. The county shall be relieved of that part of its obligation to the State for ninety per centum (90%) of the State school tax when the county treasurer shall have filed with the State Treasurer receipts from the custodians of the several school districts, which receipts shall acknowledge the acceptance of county and/or municipal scrip as payment for amounts due such school districts from the county treasurer.

County relieved of 90% of its obligation.

4. The county treasurer shall likewise pay in county scrip the amounts of county school taxes remaining unpaid to the treasurer of any county school board authorized to receive such payments.

County school boards paid in scrip.

4½. No county or municipality shall be obligated to issue scrip by reason of the provisions of this act nor shall any school district be obliged to accept scrip, other than county scrip, of any municipality other than one of which such school district is a part.

Construing.

5. This act shall take effect immediately.

Approved May 10, 1933.

CHAPTER 157

AN ACT to amend an act entitled "An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations," approved April eighth, one thousand nine hundred and twenty-one.

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

Section 11 (4)
amended.

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

License fee
for commercial
vehicles.

4. Commercial motor vehicles, trailers, semi-trailers, tractors. The applicant for registration for automobile, commercial vehicles, trailers, semi-trailers and tractors shall pay to the Commissioner of Motor Vehicles a fee based upon the gross weight of such vehicle and load, when loaded to its carrying capacity. When the gross weight of the vehicle and load exceeds the gross weight allowed by law for the particular size of tires set forth in the application for registration, then such gross weight of vehicle and load shall be determined according to law upon the size of tires given in such application. The plates to be used for the commercial motor vehicles shall display the word "commercial", and the numerals shall be prefixed by the letter X; and the trailer plates shall have the letter "T".

Gross weight.

Markers.

The fee shall be in accordance with the following table: Schedule of
fees.

The gross weight of vehicle and carrying capacity is—

1,000 pounds or less	\$10.00
1,001 to 2,000 pounds	12.00
2,001 to 3,000 pounds	15.00
3,001 to 4,000 pounds	20.00
4,001 to 5,000 pounds	24.00
5,001 to 6,000 pounds	27.00
6,001 to 7,000 pounds	30.00
7,001 to 8,000 pounds	33.00
8,001 to 9,000 pounds	36.00
9,001 to 10,000 pounds	39.00
10,001 to 11,000 pounds	42.00
11,001 to 12,000 pounds	45.00
12,001 to 13,000 pounds	48.00
13,001 to 14,000 pounds	51.00
14,001 to 15,000 pounds	54.00
15,001 to 16,000 pounds	57.00
16,001 to 17,000 pounds	60.00
17,001 to 18,000 pounds	63.00
18,001 to 19,000 pounds	66.00
19,001 to 20,000 pounds	69.00
20,001 to 21,000 pounds	72.00
21,001 to 22,000 pounds	75.00
22,001 to 23,000 pounds	78.00
23,001 to 24,000 pounds	81.00
24,001 to 25,000 pounds	84.00
25,001 to 26,000 pounds	87.00
26,001 to 27,000 pounds	90.00
27,001 to 28,000 pounds	93.00
28,001 to 29,000 pounds	96.00
29,001 to 30,000 pounds	99.00

Provided, that no automobile, commercial vehicle, trailer, semi-trailer, or tractor shall be registered by the Commissioner of Motor Vehicles, unless the same are equipped with rubber tires on all wheels; *and provided, further*, that the owner of any commercial motor vehicle, tractor, trailer or semi-trailer, whose vehicle shall be found over-

Proviso—
rubber tires.

Proviso—
overload.

loaded on a public highway or operated with a load beyond the gross weight shown in the registration certificate for said vehicle issued by the Commissioner of Motor Vehicles or by the authorized official or body of any other State, shall be fined not less than one hundred dollars (\$100.00) nor more than two hundred and fifty dollars (\$250.00) for the first offense, and for any subsequent offense, not less than two hundred and fifty dollars (\$250.00) nor more than five hundred dollars (\$500.00), and said vehicle, but not the contents thereof, may be detained until the owner submits to the jurisdiction of the court and the fine is paid or proper bond be posted for an appeal if there be a conviction; and any person who shall operate an automobile, commercial vehicle, trailer or semi-trailer, or tractor not equipped on all wheels with rubber tires shall be fined not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00) for the first offense and for any subsequent offense not less than one hundred dollars (\$100.00), nor more than two hundred dollars (\$200.00); *provided, further*, that any tractor equipped with solid rubber tires impaired to such an extent as to be likely to cause damage to the public highways shall be fined not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00) for the first offense, and for any subsequent offense not less than one hundred dollars (\$100.00) nor more than two hundred dollars (\$200.00); *and provided, further*, that tractors used for agricultural purposes may be operated over the highways of this State without being equipped with rubber tires under such regulations as shall from time to time be adopted by the Commissioner of Motor Vehicles. No provision contained in this subdivision shall be construed as to supersede or repeal the provisions of subdivision six of section fourteen and subdivision four of section twenty-one of the act to which this act is amendatory.

2. This act shall take effect immediately.

Approved May 10, 1933.

CHAPTER 158

AN ACT to amend an act entitled "An act concerning municipal and county finances," constituting chapter one hundred and ninety-two of the laws of one thousand nine hundred and seventeen, approved March twenty-eighth, one thousand nine hundred and seventeen, as amended.

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

1. Section twenty-six of the act entitled "An act concerning municipal and county finances," approved March twenty-eighth, one thousand nine hundred and seventeen, as heretofore amended, is hereby amended to read as follows:

26. All notes or bonds issued hereunder shall be authorized by resolution. They shall be negotiable instruments, but may be registered upon request of the purchaser or holder. They shall bear interest at a rate not in excess of six per centum per annum, and shall be sold by the municipal or county maker thereof for not less than par. The faith and credit of the municipality or county shall be deemed to be pledged for the payment of such notes or bonds with interest, as though a statement to that effect were endorsed thereon. When any municipality or county shall issue at one time notes or bonds hereunder, where the amount exceeds one-tenth of one per centum of the next preceding assessed valuations of the taxable real and personal property of such municipality or one-fortieth of one per centum of the next preceding assessed valuations of the taxable real and personal property of such county (excepting that this limitation shall not apply to an issue that shall be less than fifty thousand dollars, nor wherein tax revenue notes or bonds are issued to the holder of

Section 26 amended.

Details of issue.

Security.

Sale.

Exception.

tax anticipation notes or bonds to refund same), such notes or bonds shall be sold at public bidding as the result of sealed proposals, which shall be publicly opened and read at the place and time as stated in the advertisement for such bidding, and after one advertisement at least one week previous to date of bidding in the official newspaper of said municipality or county, if there be such, or if not, in a newspaper published or circulated in said municipality or county, as the case may be, and in such financial papers as the governing body may direct. Such notes or bonds shall be sold at not less than one per centum below par. The bidder shall be required to state the amount of interest he is willing to take for the loan about to be made. The bidder offering the least interest rate expressed in multiples of one-hundredths of one per centum shall be awarded the sale of said notes or bonds; if however one or more bidders offer the same interest rate, then the bidder who shall offer the greatest additional premium shall be awarded the sale of said notes or bonds. Should no bid be received in response to the advertisement, the governing body shall have power within thirty days to sell such notes or bonds at private sale at the most advantageous rate obtainable; *Provided, however,* that upon a two thirds vote of the governing body notes or bonds to any amount may be sold to the sinking fund of the issuing municipality or county, as the case may be, at par, without advertisement or public bidding; *provided, further,* that upon two-thirds vote of the governing body notes or bonds to any amount which are by the provisions thereof payable within one year from their date, may be sold at private sale at not less than par without advertisement or public bidding; *provided, further,* that the governing body may, by resolution adopted by the vote of not less than two-thirds of its members, fix the maximum amount of any bonds or notes issued under this act and the maximum rate of interest to be borne by

Below par.

Award to lowest bidder.

In case no bids received.

Proviso.

Proviso.

Proviso.

them and delegate to a financial officer of the municipality the power to determine any other matter with respect to, and to issue and sell, said bonds or notes.

2. This act shall take effect immediately, but it shall not affect or apply to the issuance of bonds or notes heretofore authorized to be issued.

Application
of act.

Approved May 10, 1933.

CHAPTER 159

AN ACT to amend an act entitled "An act to amend an act entitled 'An act to amend an act entitled "An act to amend an act entitled "An act relative to sales of land under a public statute, or by virtue of any judicial proceedings" (Revision), approved March twenty-fifth, eighteen hundred and seventy-four,' which amendment was approved March nineteenth, nineteen hundred and twelve," approved April fourteenth, nineteen hundred and thirty.' "

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

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

Section 1
amended.

1. In all cases whatsoever where any sheriff, coroner, master in chancery, executor, administrator, guardian, commissioners, auditors, or other officers or person is now or hereafter shall be authorized or required by any public statute, or the direction of any court of competent jurisdiction in this State, to make sale of any lands, tenements or hereditaments or real estate, such officer or officers, person or

Selling officer
to give public
notice.

persons, unless specially directed by law, shall give notice by public advertisement signed by himself, herself or themselves, and set up at five or more public places in the county, one whereof shall be in the township, ward or city where such real estate is situate of the time and place of such sale at least three weeks next before the time so appointed, and shall also cause the same to be published four times in two newspapers to be designated by such officer or officers, person or persons, printed and published in the county in which the lands are situate, of which one shall be either a newspaper printed and published at the county seat of said county or a newspaper printed and published in the municipality in said county having the largest population by the last preceding Federal or State census, at least once a week, during four consecutive calendar weeks, the first publication to be at least twenty-one days prior and the last publication to be not more than eight days prior to the time appointed for selling the same; and at the time and place so appointed, between the hours of twelve and five in the afternoon, such officer or officers, person or persons, if requested by any person or persons interested in the sale of the lands and tenements or hereditaments or real estate to be sold, shall read the description of the lands, tenements or hereditaments or real estate to be sold by metes and bounds, but if there is no request for said reading, then in lieu of such reading, the officer or officers, person or persons authorized or required by any public statute or the direction of any court of competent jurisdiction in this State to make sale of any lands, tenements or hereditaments or real estate, shall announce the street and number, or streets and numbers of the lands, tenements or hereditaments or real estate to be sold, or the block and lot number or numbers by which the same are designated on the taxing maps of the municipality or municipalities in which the same are located if they are not identi-

Advertisements.

Sale.

Designation of property.

fied by a street and number, or streets and numbers on said taxing map or maps in said municipality or municipalities. In cases where there is no street number or lot and block number, then the selling officer may announce such description or designation as to him may be deemed sufficient and sell the same at public vendue to the highest bidder.

Approved May 10, 1933.

CHAPTER 160

AN ACT respecting proceedings in certain criminal cases and providing for the hearing, trial and disposition of such cases before the recorder, police justice or other official presiding over any recorder's court, police court or other municipal court having jurisdiction over criminal offenses and power of committal, in cities of the fourth class in this State.

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

1. Hereafter justices of the peace, duly elected and commissioned, in and for the several cities of the fourth class in this State may take complaints as now provided by law, against any person or persons offending against the criminal laws of this State, or any of them, in the manner now provided by law, and to issue warrants thereon, returnable before such justice issuing the same.

Warrants returnable to issuing justice.

2. When any such person or persons charged as aforesaid with any criminal offense shall be apprehended and brought before the justice issuing said warrant, it shall be the duty of such justice,

Offenders bailable.

provided the offense for which said offender shall be so apprehended as aforesaid shall be bailable in law, to admit such offender or offenders, if in the opinion of such justice after a summary hearing a prima facie case has been established, to bail for his, her or their appearance at the earliest possible day before the recorder, police justice or other official presiding over any recorder's court, police court or other municipal court having jurisdiction over criminal offenses and power of committal holding court in such city.

Summary hearing.

Held for appearance.

Justice to forward papers relative to case.

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

If no bail.

4. In case the offense for which such offender shall be apprehended shall not be bailable in law by a justice of the peace, or such offender shall not give bail as aforesaid for his appearance before said recorder, police justice or other official presiding over any recorder's court, police court or other municipal court having jurisdiction over criminal offenses and power of committal, then it shall be the duty of such justice of the peace to commit said offender or offenders to the city jail of such city, and to send forthwith, and in the manner aforesaid, the complaint or complaints and all other papers and exhibits connected therewith, to the said recorder, police justice or other official presiding over any recorder's court, police court or other municipal court having jurisdiction over criminal offenses and power of committal of such city.

Commitment.

5. It shall be lawful for any recorder, police justice or other official presiding over any recorder's court, police court or other municipal court having jurisdiction over criminal offenses and power of committal of any city of the fourth class in this State, upon the receipt of the complaint, warrant, recognizance and other papers and exhibits as provided herein, to bring such offender or offenders at any time before such recorder, police justice or other official presiding over any recorder's court, police court or other municipal court having jurisdiction over criminal offenses and power of committal, for examination, or to admit such offender or offenders to bail in all cases now bailable before such justices of the peace, recorder, police justice or other official presiding over any recorder's court, police court or other municipal court having jurisdiction over criminal offenses and power of committal for his, her or their appearance before such recorder, police justice or other official presiding over any recorder's court, police court or other municipal court having jurisdiction over criminal offenses and power of committal, or for his, her or their appearance at the next session of the court of oyer and terminer or the court of quarter sessions for the county in which such offense was committed or to such other court where the said offense is cognizable. The recorder, police justice or other official presiding over any recorder's court, police court or other municipal court having jurisdiction over criminal offenses and power of committal of such city shall have the power, in his discretion, to increase or decrease the amount of bail fixed by such justices of the peace as hereinbefore provided.

Examination
of offenders by
recorders, etc.

Bail furnished.

Fixing bail.

6. It shall be the duty of the recorder, police justice or other official presiding over any recorder's court, police court or other municipal court having jurisdiction over criminal offenses and power of committal of cities of the fourth class in this State, to try, determine and dispose of in

Trial of cases.

Nature of
cases.

the manner now provided by law, and inflict such penalty as now authorized by law, all cases so brought before such recorder, police justice or other official presiding over any recorder's court, police court or other municipal court having jurisdiction over criminal offenses and power of committal of assault, simple assault and battery, malicious mischief, larceny or embezzlement where the price or value of the article, property or thing alleged to have been taken or stolen is under fifty dollars (\$50.00); obtaining money or property under false pretenses where the amount or value of the article, property or thing alleged to have been obtained is under fifty dollars (\$50.00); receiving stolen property where the value of the article, property or thing alleged to have been received is under fifty dollars (\$50.00); unlawful conversion where the property or thing alleged to have been converted is under the value of fifty dollars (\$50.00); desertion and nonsupport, fornication, adultery, selling cigarettes to minors, allowing minors to congregate and play in pool rooms, any offense or offenses within the intent and meaning of chapter one hundred and twenty-seven of the laws of one thousand nine hundred and five, approved April twelfth, one thousand nine hundred and five; any offense or offenses within the intent and meaning of chapter one hundred twenty-one of the laws of one thousand nine hundred and thirty, approved April fourteenth, one thousand nine hundred and thirty, and also other criminal offenses the penalty for which does not exceed a fine of two hundred dollars (\$200.00) or imprisonment for a term not exceeding six months, where any of the crimes heretofore specified are committed within the corporate limits of the municipality in which such recorder, police justice or other official presiding over any recorder's court, police court or other municipal court having jurisdiction over criminal offenses and power of committal is established; *provided*,

Proviso.

the person or persons charged with any such offense shall, in writing, waive indictment and trial by jury and request trial in said court. In all other cases of bailable offenses not triable before such recorder, police justice or other official presiding over any recorder's court, police court or other municipal court having jurisdiction over criminal offenses and power of committal, it shall be the duty of such recorder, police justice or other official presiding over any recorder's court, police court or other municipal court having jurisdiction over criminal offenses and power of committal to conduct the examination of such offender or offenders in the same manner as if the warrant had been issued originally by such recorder, police justice or other official presiding over any recorder's court, police court or other municipal court having jurisdiction over criminal offenses and power of committal, and at his discretion to dismiss or to bind by recognizance with sufficient surety or to bind by his own recognizance such offender or offenders to appear at the next session of the court of oyer and terminer or the court of quarter sessions for the county in which such offense was committed or to such other court where the said offense is cognizable; such proceedings as to detail shall be conducted in the manner now provided by law. The additional jurisdiction conferred upon such recorder, police justice or other official presiding over any recorder's court, police court, or other municipal court having jurisdiction over criminal offenses and power of committal by this act is in addition to the powers heretofore conferred upon such recorder, police justice or other official presiding over any recorder's court, police court, or other municipal court having jurisdiction over criminal offenses and power of committal of such city.

7. If any justice of the peace shall refuse or neglect to carry out in any respect the requirements of this act, or shall offend in anything

Cases not triable.

Examination of offender.

Surety.

Additional jurisdiction.

Misdemeanor.

against the true intent and meaning of this act, he shall be deemed guilty of a misdemeanor and punishable therefor.

Justices' fees.

Bill of costs itemized.

Forwarded to recorder, etc.

Correct amount certified.

Proviso.

8. For services performed under the provisions of this act the justices of the peace and constables performing the same shall be entitled to receive the same fees as are now prescribed by law in criminal cases, the fees of such justice of the peace and constable shall be itemized in the form of bills of costs and the bill of costs of such constable shall be approved by the justice of the peace before whom the complaint in such case was taken, and the constable's bill of costs, approved as aforesaid, shall be annexed to the bill of costs of such justice of the peace and all such bills of costs shall be forwarded to the recorder, police justice or other official presiding over any recorder's court, police court or other municipal court having jurisdiction over criminal offenses and power of committal together with the complaint, warrant, recognizance and other papers and exhibits in said case as herein provided, and the said recorder, police justice or other official presiding over any recorder's court, police court or other municipal court having jurisdiction over criminal offenses and power of committal, or the clerk of such court shall review and correct said bills of costs if necessary, and the said recorder, police justice or other official presiding over any recorder's court, police court or other municipal court having jurisdiction over criminal offenses and power of committal shall certify the correct amount of such bill or bills of costs to the county collector of the county in which such city is situate, who thereupon shall pay the correct amount or amounts so certified to such justice of the peace or constable; *provided, however,* if it shall appear to such recorder, police justice or other official presiding over any recorder's court, police court or other municipal court having jurisdiction over criminal offenses and power of committal, that the proceedings in such

case were taken by the justice of the peace im-
 providently, or that such proceedings were not
 calculated to promote the administration of justice,
 then the recorder, police justice or other official
 presiding over any recorder's court, police court
 or other municipal court having jurisdiction over
 criminal offenses and power of committal, may, in
 his discretion, disallow in whole or in part the bill
 or bills of costs of such justice of the peace or
 constable.

9. Whenever the recorder, police justice or other
 official presiding over any recorder's court, police
 court or other municipal court having jurisdic-
 tion over criminal offenses and power of committal
 of cities of the fourth class in this State, shall
 have a lawfully appointed clerk, it shall be the duty
 of such clerk to perform such clerical duties as
 are imposed upon such recorder, police justice or
 other official presiding over any recorder's court,
 police court or other municipal court having jurisdic-
 tion over criminal offenses and power of com-
 mittal by the terms of this act, and such recorder,
 police justice or other official presiding over any
 recorder's court, police court or other municipal
 court having jurisdiction over criminal offenses
 and power of committal, or such clerk shall keep
 a true and accurate record of all cases coming be-
 fore such recorder, police justice or other official
 presiding over any recorder's court, police court
 or other municipal court having jurisdiction over
 criminal offenses and power of committal under
 the provisions of this act and the disposition
 thereof, and it shall also be the duty of such
 recorder, police justice or other official presiding
 over any recorder's court, police court or other
 municipal court having jurisdiction over criminal
 offenses and power of committal, or such clerk to
 forward to the clerk of the county in which such
 offense was committed a statement or memoran-
 dum of all cases that have been finally disposed of
 by such recorder, police justice or other official

Clerk
 appointed,
 powers and
 duties.

Records kept.

Information
 relative to
 cases for-
 ward to county
 clerk.

presiding over any recorder's court, police court or other municipal court having jurisdiction over criminal offenses and power of committal, stating the names of the defendant or defendants, the crime and when and where committed, the names of the witnesses appearing both on behalf of the State and the defendant, the verdict rendered and the sentence imposed by the recorder, police justice or other official presiding over any recorder's court, police court or other municipal court having jurisdiction over criminal offenses and power of committal of such city, and the same shall be recorded by the clerk of the county in which the offense was committed, among the records of his office in a book provided for that purpose.

Records relative to case forwarded to prosecutor.

10. Whenever an offender has been held by such recorder, police justice or other official presiding over any recorder's court, police court or other municipal court having jurisdiction over criminal offenses and power of committal, for the next session of the court of oyer and terminer or the court of quarter sessions, or where the case of such offender has not been disposed of by such recorder, police justice or other official presiding over any recorder's court, police court or other municipal court having jurisdiction over criminal offenses and power of committal, then the complaint, warrant and recognizance taken together with a list or memorandum of the names and addresses of all witnesses for and in behalf of the State in such case, and all papers and exhibits connected therewith, except the bills of costs heretofore mentioned, shall be forwarded by such recorder, police justice or other official presiding over any recorder's court, police court or other municipal court having jurisdiction over criminal offenses and power of committal, or such clerk to the prosecutor of the pleas of the county in which such offense was committed.

Disposition of fines collected.

11. All fines imposed under the provisions of section six of this act and collected by the recorder,

police justice or other official presiding over any recorder's court, police court, or other municipal court having jurisdiction over criminal offenses and power of committal of such city as herein provided or by the probation officer of the county in which such city is situate in case such offender or offenders are placed in the custody of or under the control of such probation officer by the recorder, police justice or other official presiding over any recorder's court, police court or other municipal court having jurisdiction over criminal offenses and power of committal of such city as now provided by law, shall be paid by said recorder, police justice or other official presiding over any recorder's court, police court or other municipal court having jurisdiction over criminal offenses and power of committal of such city or by said probation officer as follows: one-half into the city treasury of such city and one-half into the treasury of the county in which such city is situate.

12. The prosecutor of the pleas of any county in which any recorder's court, police court or other municipal court having jurisdiction over criminal offenses, as mentioned in this act, in cities of the fourth class in this State, exists, may, whenever in his judgment the interest of justice so requires, appear in said court on behalf of the State, and conduct the prosecution of any case or cases against any defendant or defendants; and it shall be the duty of the prosecutor of the pleas of such county, whenever requested in writing by the recorder, police justice or other official presiding over any recorder's court, police court or other municipal court having jurisdiction over criminal offenses and power of committal, as mentioned in this act, to appear in said court on behalf of the State and conduct the prosecution of any case or cases against any defendant or defendants.

13. In case, for any reason, any section or provision of this act shall be questioned in any court, or be held to be unconstitutional or invalid, the

Prosecutor to appear in behalf of the State.

Prosecutor to act upon request.

Constitutionality.

same shall not in any wise affect any other section or provision of this act.

Repealer.

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

Approved May 10, 1933.

CHAPTER 161

AN ACT reincorporating in the township of Egg Harbor that part included in "An act fixing the boundaries of the city of Northfield, in the county of Atlantic and State of New Jersey," approved April twenty-seventh, one thousand nine hundred and thirty-one.

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

Part of
Northfield
restored to
Egg Harbor
township.

Description.

1. After the passing of this act the former part of the township of Egg Harbor, now incorporated in the city of Northfield, in the county of Atlantic and State of New Jersey, by an act of the Legislature of the State of New Jersey, approved April twenty-seventh, one thousand nine hundred and thirty-one, viz.: beginning at a point in the division line between the city of Pleasantville and the city of Northfield that is distant southeastwardly two thousand nine hundred seventy feet from the center line of the Shore road, when measured at right angles thereto; said point being also the seventh corner as described in the boundaries of the city of Northfield as set forth in the act of one thousand nine hundred and five, approved March twenty-first, one thousand nine hundred and five; and extends (1) southeastwardly, in and along the southerly boundary line of the city of Pleasantville, about five thousand five hundred feet to a point where the same would intersect the

middle of Whirlpool channel at the entrance to Lake's bay; thence (2) southwardly and south-westwardly, down the middle of Whirlpool channel to where the same intersects the middle of Risley's channel and the middle of Methodist ditch; thence (3) westwardly, along the middle of Methodist ditch to Scull's bay; thence (4) northwardly, along the easterly side of Scull's bay, to the middle of Mulberry thoroughfare where the same enters Scull's bay; thence (5) eastwardly, along the center of Mulberry thoroughfare, the several courses thereof, to the center of Isaac's creek; thence (6) northwardly, along the center of Isaac's creek to the sixth course as recited in deed from Nicholas W. Young to Oak Crest Land Company, dated April eighth, one thousand nine hundred and three, and filed in the clerk's office at May's Landing, Atlantic county, New Jersey, in Book 287 of Deeds, page 176, &c.; thence (7) along the sixth course as mentioned in deed filed in Book 287 of Deeds, page 176, &c., north fifty-three (53) degrees west, one thousand seven hundred feet, more or less, to the sixth corner as described in the boundaries of the city of Northfield, as set forth in the act of March twenty-first, one thousand nine hundred and five, said point being southeastwardly two thousand nine hundred seventy feet from the center line of Shore road when measured at right angles thereto; thence (8) northeastwardly, along the sixth course of the above recited boundary description and parallel with Shore road, nine thousand two hundred forty feet to the beginning; be and the same is reincorporated and included in the corporate bounds of the township of Egg Harbor, in the county of Atlantic and State of New Jersey.

Reincorporated
in township.

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

Approved May 10, 1933.

CHAPTER 162

A SUPPLEMENT to an act entitled "An act for the relief of the unemployed and dependents in the several counties and municipalities of this State and making appropriations therefor," approved October thirteenth, one thousand nine hundred and thirty-one.

Preamble.

WHEREAS, By a supplement to chapter ninety-five of the laws of one thousand nine hundred and eleven, known as the workmen's compensation act, employment provided by this State, or by any county or municipality, or by any board or agency thereof, pursuant to any plan of relief approved by the State Director of Emergency Relief, is declared to be casual employment, the effect of which is to exclude from the workmen's compensation act injuries or death by accident arising out of and in the course of such employment; therefor,

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

Inquiry made.

1. In case of personal injury or death by accident arising out of and in the course of employment provided by this State, or by any county or municipality, or by any board, commission, or agency thereof, pursuant to any plan of relief authorized and approved by the State Director of Emergency Relief, the said State Director, upon claim being made to him, shall inquire into the circumstances pertinent and material to the alleged accident from which such injury or death resulted, together with the number and condition of the dependents of such injured or deceased person. Upon due proof, satisfactory to the State Director, that

Damages awarded.

the accident from which the injuries or death resulted arose out of and in the course of employment as defined in this section, he is hereby authorized to make an award of damages to such injured person, or, in the case of death, to the legal representative of such deceased person, for such injury or death, as the case may be.

2. In carrying out the provisions of this act, the State Director of Emergency Relief is hereby authorized and empowered to subpoena witnesses, administer oaths, take testimony, and compel the production of such books, papers, records and documents as may be relevant to any claim for award made pursuant to this act. For the purpose of receiving proofs, taking testimony, and advising with reference to any such claim, the State Director shall have power to designate as his agents such persons as may be necessary, who shall also have power to administer oaths and take testimony relevant to any such claim.

3. The amount, terms and conditions of any award of damages made pursuant to section one hereof shall be discretionary with the State Director of Emergency Relief, but shall in no case be greater in amount than is allowed for like injuries or death under the provisions of "An act prescribing the liability of an employer to make compensation for injuries received by the employee in the course of employment, establishing an elective schedule of compensation, and regulating the procedure for the determination and liability and compensation thereunder," approved April fourth, one thousand nine hundred and eleven, and the amendments and supplements thereto. The amount of any such award shall be chargeable to any moneys now or hereafter appropriated to the State Director or to the Emergency Relief Administration, and a certified copy of each award shall be filed with the Comptroller of the Treasury and the State Treasurer, which copy shall be their warrant for the payment of the award, according to the

Witnesses,
records, etc.

Agents.

Amount of
damages.

Payment
of award.

- Record kept. terms thereof. The State Treasurer shall set up an account to be known as the "Emergency Compensation Awards" account, in which account the payments made pursuant to any award hereunder by the State Director shall be entered.
- No fee. 4. No attorney or counsellor-at-law of this State or any other State shall be entitled to receive any fee or other compensation for presenting or prosecuting any claim under the provisions of this act, nor to maintain any suit or action in any of the courts of this State to compel the payment of any such fee or other compensation.
- Fraudulent claims. 5. Any person presenting any claim for an award under this act, or presenting evidence with respect to any such claim, with intent to defraud the State or any county or municipality, shall be guilty of a misdemeanor and punished accordingly.
- Act inoperative. 6. This act shall take effect immediately, but shall become inoperative on and after January thirty-first, one thousand nine hundred and thirty-four.
- Approved May 10, 1933.

CHAPTER 163

AN ACT concerning radios and regulating the installation and use of short wave receivers in automobiles.

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

Permit to install short wave radio.

1. From and after the passage of this act no person shall install for use a short wave receiver in any automobile, unless a permit therefor has been first obtained from the chief of the county police, or from the chief of police of the municipality,

wherein such person resides; *provided, however,* Proviso. that nothing in this act contained shall be construed to apply to police officials of the State or of any county or municipality thereof.

2. Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor. Misdemeanor.

3. This act shall take effect immediately.

Approved May 10, 1933.

CHAPTER 164

AN ACT to amend an act entitled "An act for the assessment and collection of taxes" (Revision of 1918), approved March fourth, one thousand nine hundred and eighteen, and the several supplements and acts amendatory thereto.

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

1. Article II, section two hundred three of the act of which this act is amendatory is hereby amended by adding thereto another subsection to be known as (18), and said additional subsection of article II, section two hundred three shall read as follows: Art. II, Sec. 203 (18) added.

(18) Share loans, cash and liquid investment fund and any other statutory investment fund of building and loan associations organized under the laws of this State. Building and loan investments.

2. This act shall take effect immediately.

Approved May 10, 1933.

CHAPTER 165

AN ACT to amend an act entitled "An act for the assessment and collection of taxes" (Revision of 1918), approved March fourth, one thousand nine hundred and eighteen, and the several supplements and acts amendatory thereto.

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

Art. II, Sec.
203 (19)
added.

1. Article II, section two hundred three, of the act of which this act is amendatory is hereby amended by adding thereto another subsection to be known as nineteen (19) and said additional subsection of Article II, section two hundred three, shall read as follows:

Cash, etc., in
savings banks.

19. Cash on hand or on deposit and loans on collateral of savings banks, mutual savings banks and institutions for savings organized under the laws of this State.

2. This act shall take effect immediately.

Approved May 10, 1933.

CHAPTER 166

AN ACT to amend an act entitled "A supplement to an act entitled 'An act concerning building and loan associations' (Revision of 1925), approved March twelfth, one thousand nine hundred and twenty-five," which supplement was passed March tenth, one thousand nine hundred and thirty-three.

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

Commissioner
empowered
to conserve
assets:

1. The Commissioner of Banking and Insurance shall have power, in addition to such other powers

as he may have, notwithstanding the provisions of the act to which this act is a supplement and the amendments and supplements thereof, from time to time, to make orders for the purpose of conserving the assets of the building and loan associations of this State, which orders shall have the same force and effect as law and be binding on any and/or all building and loan associations of this State, whereby:

(a) to regulate the method of paying the withdrawal value and/or maturity value of shares of any and/or all such associations;

To regulate withdrawals;

(b) to regulate and/or postpone the filing of applications for withdrawal of shares and of requests for payment of maturity value of shares of any and/or all such associations;

To regulate, etc., applications for withdrawal of shares;

(c) to regulate or postpone the payment of all or any part of the maturity value or of the withdrawal value of shares of any and/or all such associations;

To regulate, etc., payment of maturity value of shares.

(d) to require any and/or all such associations to establish additional reserves or increase present reserves and to regulate any reserves of any and/or all such associations and to prescribe the manner in which such reserves shall be established;

To require additional reserves;

(e) to regulate, allocate, prohibit or postpone the receipt and/or disbursement of funds by any such association;

To regulate, etc., disbursements;

(f) to effect such changes and/or reorganizations in the business and/or affairs of any and/or all such associations as he shall deem necessary or proper;

To effect reorganizations;

(g) whenever it is essential, in the public interest, to appoint under his hand and official seal one or more conservators to assist him in the operation of the business of any building and loan association in this State and such conservator shall execute such changes and/or reorganization in the business and/or affairs of any such association as may be directed by the commissioner; and shall

To appoint conservators.

- be subject to such orders or regulations as issued or may hereafter be issued by the commissioner pursuant to the provisions of this act. The commissioner shall fix the compensation of such conservator and of such persons employed by him in the performance of his duties, which compensation shall be disbursed from the funds of such association.
- Salary.
- Liability of commissioner.
2. The commissioner shall not be liable in damages to any person by reason of errors of judgment in carrying out the powers herein conferred on him nor shall he be liable in damages for failure to act under said powers.
- Modifying orders.
3. The commissioner shall have authority to repeal, suspend or modify any order made by him pursuant to the provisions of this law.
- Orders, etc., filed in department.
4. No order made hereunto nor any suspension, modification or repealer thereof, shall be effective until a copy thereof shall be filed in the Department of Banking and Insurance and a copy thereof delivered or mailed to the association or associations affected.
- Act inoperative.
5. This act shall take effect immediately but shall become inoperative after three years from the date of its approval, but all orders or regulations made and all acts and things done under the provisions of this act shall be and remain valid and operative.
- Approved May 11, 1933.

CHAPTER 167

AN ACT to define the obligation of newspaper employees when called upon to testify before any court, tribunal, commission or inquest.

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

1. Definition: By the word "court" shall be designated the following: Court of Errors and Appeals, Court of Chancery, Supreme Court, Circuit Court, prerogative court, orphans' court, surrogate's court, court of common pleas, court of oyer and terminer, court of quarter sessions, court of special sessions, magistrate's court or recorder's court, or any tribunal, commission or inquest operating under any order of the above mentioned court.

Definition of "court."

2. No person engaged in, connected with or employed on any newspaper shall be compelled to disclose, in any legal proceedings or trial, before any court or before a grand jury of any county or a petit jury of any court or before the presiding officer of any tribunal or his agent or agents, or before any committee of the Legislature, or elsewhere, the source of any information procured or obtained by him and published in the newspaper on which he is engaged, connected with or employed.

Information published by newspapers privileged.

3. This act shall take effect immediately.

Approved May 12, 1933.

CHAPTER 168

A SUPPLEMENT to an act entitled "An act concerning the manufacture, distribution and sale of certain beverages having an alcoholic content and providing for licenses, regulations and fees in connection therewith and penalties for violations thereof," approved April fifth, one thousand nine hundred and thirty-three, as amended.

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

Act
continued.

1. The provisions of an act entitled "An act concerning the manufacture, distribution and sale of certain beverages having an alcoholic content and providing for licenses, regulations and fees in connection therewith and penalties for violations thereof," approved April fifth, one thousand nine hundred and thirty-three, as amended by a further act approved April twelfth, one thousand nine hundred and thirty-three, except as herein otherwise provided, are hereby continued in full force and effect until midnight, June thirtieth, one thousand nine hundred and thirty-three, notwithstanding the provision in said act that the same should become inoperative at midnight May twenty-fifth, one thousand nine hundred thirty-three.

Licenses
continued.

2. Except as hereinafter provided, all manufacturers', distributors' and railroad licenses issued by the State Tax Commissioner pursuant to the provisions of the above mentioned statute shall continue in full force and effect until midnight, June thirtieth, one thousand nine hundred thirty-three unless sooner revoked by the State Tax Commissioner; *provided*, the holder thereof, except in the case of railroads, shall pay to the State Tax Commissioner at such time and place as he shall designate the sum of twenty-five dollars (\$25.00)

Proviso.
Railroads
excepted.

Fee.

as an additional license fee and shall furnish such additional or extended security as may be required by said commissioner. The failure of any such licensee to pay said additional license fee and furnish any required additional or extended security at the time and place designated shall result in the immediate expiration of the license of said licensee. All conditions and limitations under which such licenses were originally issued shall remain in full force and effect with respect to the continuation of the same.

Nonpayment
voids licenses.

Conditions and
limitations
continued.

3. Except as hereinafter provided, all licenses issued by the governing body of any municipality pursuant to the provisions of the above mentioned statute shall continue in full force and effect, subject to the conditions and limitations under which the same originally were issued, until midnight, June thirtieth, one thousand nine hundred thirty-three, without the payment of any additional license fee.

Municipal
licenses
continued.

4. Any license issued under this act or under the act to which this act is a supplement, shall immediately cease, and become void and inoperative if the licensee shall not at all times have a valid, unrevoked permit, license or special tax stamp, issued by the United States Government, appropriate to the business authorized under the New Jersey license. Any license issued under this act or under the act to which this act is a supplement, may be revoked by the issuing authority for any violation of the provisions of any law of this State by the licensee or by any director, officer, agent or employee of the licensee, or by any person acting in behalf of the licensee, in connection with or in relation to the business of the licensee.

License
inoperative.

License
revoked for
violation.

5. In addition to the powers conferred and the duties imposed upon the State Tax Commissioner by the provisions of the act to which this act is a supplement, the State Tax Commissioner shall have power, whenever he deems it expedient, to make or cause to be made by his deputies, agents

Investigation
by commis-
sioner.

- or investigators an examination or investigation of the books, records and accounts of any person, firm or corporation holding a license issued pursuant to the provisions of the act to which this act is a supplement, whether such license shall have been issued by the State Tax Commissioner or by the governing body of a municipality of this State, for the purpose of administering the provisions of this act or of the act to which this act is a supplement. It shall be the duty of every licensee, and of every director, officer, agent and employee of any such licensee to exhibit to the State Tax Commissioner, his deputies, agents and investigators all of the books, records and accounts of the said licensee and to facilitate as far as it may be in their power so to do any such examination or investigation.
- Records exhibited.** For the purpose of any such examination or investigation, the State Tax Commissioner, his deputies and agents shall have power to examine under oath, any such licensee, and the directors, officers, agents and employees of any such licensee, relative to the business and affairs of any such licensee, in respect to any matter affecting the powers and duties of said Commissioner under said act or under this act. It shall be lawful for the State Tax Commissioner, his deputies, agents or investigators to take any oath or affirmation of any person signing any deposition, statement, return or report, required by the State Tax Commissioner in the administration of this act or of the act to which this act is a supplement.
- Examination under oath.**
- Administering oath.**
- New licenses.** 6. Any new or original licenses hereafter issued by the State Tax Commissioner, or by the governing body of any municipality, as the case may be, shall be issued for a term expiring midnight June thirtieth, one thousand nine hundred thirty-three, and shall be issued for the same fees and upon the same terms and conditions as those contained in the act to which this act is a supplement.
7. This act shall take effect immediately.
Approved May 23, 1933.

CHAPTER 169

AN ACT to regulate and control the purchase, distribution and sale of fluid milk and cream and to declare an emergency, and for this purpose to create a State board of milk control, defining its powers and duties and providing penalties for violations.

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

DECLARATION OF LEGISLATIVE POLICY AND INTENT

WHEREAS, During the past six months groups of producers of milk in many sections of the United States have joined together and have adopted various means or methods to control the production, sale and distribution of fluid milk, which, in their opinion, would force a better return to the milk producers, and some of the means adopted consisted of milk strikes, refusal to permit milk to be delivered to distributors and consumers, destruction and dumping of milk, and picketing, to prevent the delivery of milk to distributors and consumers; and

WHEREAS, In many communities these methods have been pursued to the extent that the public were denied a sufficient supply of good wholesome milk; and

WHEREAS, In certain sections of this nation nearby markets are not available for the local producer, with the result that fluid milk is being shipped into the State of New Jersey and into the New York and Philadelphia milk sheds at such price that the producers who supply milk to the residents of this State are now unable to receive

such a return for their milk that will reimburse them for the actual cost of production of good clean milk; and

Preamble. WHEREAS, Efforts are now being made to organize the producers in the Philadelphia and New York milk sheds, including the State of New Jersey, so as to restrict or limit the milk supply by picketing or other means, in order to force a higher price for fluid milk. In the event of such results being accomplished, the health of the citizens of this State may be seriously affected. The State of New York recognizing the seriousness of the situation has already enacted into law a measure which they believe will protect the citizens of that commonwealth; and

Preamble. WHEREAS, By reason of the action of the State of New York it becomes imperative that similar precautionary measures be put into effect in this State; therefore,

Purpose. 1. It is declared that the Legislature of the State of New Jersey, in the exercise of the police power reserved to the States in order to protect the public health and welfare of the inhabitants of this State, does hereby declare this act to be an emergency law, necessary for the immediate preservation of the public peace, health and safety.

Reasons. The reason for such necessity is that evils consisting as hereinbefore recited, of unfair, unjust, destructive and demoralizing practices are now being carried on in the production, sale and distribution of milk for human food, which are likely to result in the undermining of health regulations and standards, the demoralization of the agricultural interests of this State engaged in the production of milk, and the creation of conditions inimical to the health of milk consumers. Such conditions have progressed to the point that there is immediate danger not only to the public health, but also to the public peace and safety, and it is the intent of this act to correct those unfair, unjust, destructive and demoralizing practices.

Conditions
endanger
public
health.

ARTICLE I

DEFINITIONS

1. Words used in this act, unless otherwise expressly stated, or unless the context or subject matter otherwise requires, shall have the following meaning: Definitions:

“Board”—The milk control board. Board;

“Person”—Any individual, person, firm, association or corporation. Person;

“Milk Dealer”—Any person who purchases for sale, produces for sale direct to consumer, purchases for distribution, distributing broker, any person who purchases, distributes or handles within or without the State, for storage, manufacture or sale in this State, except for consumption on the premises of the producer, milk and cream. Any co-operative association organized under any law of this or any other State is declared to be a milk dealer or producer within the meaning of this act as the board may determine. Milk
dealer;

“Market”—Any municipality, incorporated or unincorporated, of this State, other than a county, including any natural marketing area designated by the board. Market;

“Licensee”—A licensed milk dealer. Licensee;

“Milk”—The natural product of a dairy animal or animals, and includes such product when cooled, pasteurized, condensed or concentrated except when contained in hermetically sealed cans, with a view to being sold as milk and also cream, buttermilk and skimmed milk, sold or intended to be sold as such for human food; said term excludes the natural product of a dairy animal or animals sold or intended to be sold for any other purpose. Milk;

“Producer”—Any person producing milk and/or cream delivered or to be delivered to any dealer or to any market in this State. Producer;

“Consumer”—Any person, other than a milk dealer, who purchases milk for fluid consumption. Consumer;

Sanitary
regulations.

“Sanitary regulations”—All laws enacted by the State of New Jersey; ordinances and regulations enacted or adopted by municipalities, municipal boards of health, or municipal departments, or officials exercising the powers and duties of local boards of health, relating to the production, handling, transportation, distribution and sale of milk within this State.

ARTICLE II

MILK CONTROL BOARD

Board of
control
created.

Terms of
office.

Employees.

1. (a) The Secretary of the Board of Agriculture, and a member of the State Board of Health to be designated by said board and a person to be appointed by the Governor are hereby constituted a milk control board for the purpose of effectuating the provisions of this act. The terms of office of the members of the board thereof shall be coincident with the terms for which they are severally appointed to the Department of Agriculture and to the board of health and the member appointed by the Governor shall serve during the pleasure of the Governor. Technical and other services for such milk control board shall be performed, so far as practicable, by forces or officers in the Department of Agriculture and when required by forces or officers in the State Department of Health, without additional compensation, but the milk control board may appoint and at pleasure remove the secretary of the milk control board, and any such additional technical, legal and other assistants and employees as may be necessary to carry out the provisions of this act and to prescribe their powers and duties.

To serve
without pay.

Expenses
paid.

(b) The members of the milk control board shall serve without pay, but shall, upon certification by the majority of the members of said board, be reimbursed for their actual and necessary expenses as required in the performance of their duties as prescribed by this act.

(c) The board shall fix the compensation of such appointees which, in case of the secretary, shall not exceed the sum of three thousand dollars (\$3,000.00) per annum. Employee's compensation.

(d) All positions under this act being temporary, shall be exempt from civil service examination and exempt from the provisions of the civil service law and rules. Positions exempt from civil service examination.

(e) The secretary shall, subject to the limitations herein contained, and the rules and regulations of the board, enforce the provisions of this act, but no official act shall be taken, rule or regulation promulgated, or official order made or enforced with respect to the provisions of this act, without the approval of the majority of the members of the board. Enforcement of act.

(f) The principal office of the board shall be in the city of Trenton in rooms assigned, furnished and equipped by the custodian of the State House. Office.

(g) Two members of the board shall constitute a quorum. Quorum.

ARTICLE III

GENERAL POWERS

1. The milk control board is hereby declared to be the instrumentality of the State for the purpose of attaining the ends in this act declared, and is hereby vested with power: Powers of board:

(a) To supervise and regulate the entire milk industry of the State of New Jersey, including the production, importation, transportation, manufacture, storage, distribution, delivery and sale of milk and milk products in the State of New Jersey, in those matters as in the declaration of legislative policy and intent stated in this act to be necessary to control or prevent unfair, unjust, destructive and demoralizing practices which are likely to result in the undermining of health regulations and standards, the demoralization of agricultural interests in this State engaged in the production of milk; *provided, however,* that nothing contained in To regulate, etc., milk industry;

Proviso.

this act or rules or regulations adopted thereunder shall be construed to abrogate or affect the status, force or operation of any public health law, any sanitary regulation or any local health ordinance, code or regulation, or an act entitled "An act to secure the purity of foods, beverages, confectionery, condiments, drugs and medicines, and to prevent deception in the distribution and sales thereof" (Revision of 1907), approved May twentieth, one thousand nine hundred and seven, and amendments thereof and supplements thereto.

To investigate
production,
sale, etc.;

To issue
subpœnas;

Service of
process;

Fees;

Refusal to
obey subpœna;

To apply for
writ of
attachment;

(b) To investigate all matters pertaining to the production, importation, manufacture, storage, transportation, disposal, distribution and sale of milk and milk products in the State of New Jersey. The board shall have the power to issue subpœnas to compel the attendance of witnesses and the production of books, papers and records for the purpose of obtaining such information as may be required to carry out the provisions of this act. Such subpœnas shall be signed by the secretary or by any member of the board.

(c) The process of subpœna authorized in the last preceding section shall be served in the same manner and be of the same force and effect as like process in civil actions in the Supreme Court; and any person attending in pursuance of such subpœna shall be entitled to the same fees and mileage as witnesses in civil actions in said Supreme Court.

(d) In case any person so summoned by subpœna issued by said secretary or member of the board, as aforesaid, shall refuse to obey such subpœna or any directions therein, or to give testimony, or to answer questions as required, or to produce any books, papers, documents or records as required, or in case any such person shall refuse to obey any order made by any Supreme Court justice, it shall be lawful for such board, or any member thereof, including the secretary, upon affidavits proving the facts, to apply to said Justice of the Supreme Court for attachment against such person, as for a contempt, and it shall be the duty

of such justice to hear such application, and if satisfactory proof be made of such refusal, to issue an attachment, directed to the sheriff or any constable of the county, for the arrest of such person, and, upon his being brought before him, to proceed to a hearing of the case; and the said justice shall have power to enforce, by imprisonment in any county jail, obedience to such subpœna, and the answer of any question that may be proper, and the production of any book, paper or document that the witness would be compelled to produce in a court of law, by similar process, and also to compel such witness to pay the costs of said proceedings, to be taxed by the court; and any person who shall willfully and corruptly testify falsely to any material matter upon oath or affirmation administered by any member of such board or its secretary, upon such investigation or inquiry, shall be guilty of perjury.

(e) Any member of such board, or the secretary, is hereby authorized to administer oaths to all such witnesses as may appear or be brought before said board.

(f) The board may act as mediator and arbitrator in any controversy or issue that may arise among or between milk producers and milk dealers as between themselves or that may arise between them as groups.

(g) The operation and effect of any provision of this act conferring a general power upon the board shall not be impaired or qualified by the granting to the board by this act of a specific power or powers, not inconsistent with the proviso contained in paragraph (a) of this article.

ARTICLE IV

RULES AND ORDERS

1. (a) The board may adopt and enforce all rules and orders necessary to carry out the provisions of this act. Every rule or order of the board shall

- be posted for public inspection in the main office of the board and a certified copy filed in the office of the Secretary of State. An order applying only to a person or persons named therein shall be served on the person or persons affected. Such order so required to be served shall be served by personal delivery of a certified copy or by mailing a copy thereof by mail to each person affected thereby to the last known address, which letter may or may not be registered as determined by the board, and in the case of a corporation, to any officer or agent of the corporation upon whom a summons may be served pursuant to the provisions of an act entitled "An act concerning corporations" (Revision of 1896), and the acts amendatory thereof and supplemental thereto.
- (b) The board is authorized to conduct hearings in any part of the State or may designate any member of the board so to do, which hearings shall be held pursuant to rules and regulations adopted and promulgated by the board.
- (c) Any member of the board or employee designated for such purpose shall have access to and may enter at all reasonable hours all places where milk is being stored, bottled or manufactured into food products. Any member of the board or designated employee shall have power to inspect all books, papers, records or documents in any place within this State for the purpose of ascertaining facts to enable the board to administer the provisions of this act.
- (d) The provisions of this article as to service of orders shall not apply to orders fixing prices of milk or cream under the provisions of this act.
- Served on person named;
Service of order;
- Acts applicable;
- Hearings;
- Right of entry and inspection.
- Exceptions.

ARTICLE V

LICENSES

1. (a) No milk dealer, as defined in this act, shall buy milk from producers or others for sale, transportation, importation, storage or manufacture, or
- Dealer licensed.

sell, transport, import, manufacture, store or distribute milk within this State, unless such dealer be duly licensed as in this act provided, and it shall be unlawful for a milk dealer to buy milk from a dealer who is unlicensed, or to sell milk to a dealer in this State who is unlicensed, or, in any way to deal in or handle milk which he may have reason to believe has previously been dealt in or handled in violation of the provisions of this act.

The licenses required by this act are for the purpose of correcting unfair, unjust, destructive and demoralizing practices in the milk and milk products industry in this State which are likely to result in the undermining of health regulations and standards, and to prevent the demoralization of agricultural interests engaged in the production of milk in this State. The licenses required by this act shall be in addition to any other license or permit required by any law of this State, or by any ordinance of a local board of health or other body exercising the powers thereof in any municipality of this State, and shall not be considered as such a license or certificate as is contemplated by section one of Article XV of "An act concerning municipalities," approved March twenty-seventh, one thousand nine hundred and seventeen, and the acts amendatory thereof or supplemental thereto.

Purpose of license;

(b) No dealer shall distribute or sell milk in this State which is obtained from any producer or other dealer where the source is not approved by the board or where the milk has been purchased for a price less than the price fixed by the board to be paid for milk to be distributed in a given market.

Source of milk approved;

(c) An application for a license to operate as a milk dealer shall be made within at least thirty days after this act takes effect and or before any person shall commence business as a milk dealer, and annually thereafter on or before the fifteenth day of June in each year, for the license year commencing July first and ending June thirtieth following. The applicant shall state the nature of the

Application for license;

Details of application;

License displayed;	business to be conducted, the full name of the person applying for the license and if the applicant be a firm or association, the full name of each member, and if a corporation the names and addresses of all officers and directors and the name of the municipality in which the business is to be conducted; facts showing that the applicant has adequate technical personnel, adequate technical and physical facilities to conduct the business of handling milk; that he has complied with all the rules and orders of the board and such other facts with respect to the license as may be required by the said board. A license shall be granted to the applicant by the board subject to the provisions of this article, and the original or a certified copy thereof shall be conspicuously displayed by the licensee in each place of business in this State.
Refusing, revoking license;	(d) The board, after hearing, may decline to grant a license or may suspend or revoke a license already granted when satisfied of the existence of any of the following:
Rejecting milk;	(1) That a licensee has rejected, without reasonable cause, any milk purchased from a producer.
Failure to pay;	(2) That the licensee has failed to account and make payment, without reasonable cause, for any milk purchased from a producer.
Price demoralization, etc.;	(3) That the licensee has committed any act likely to undermine health regulations and standards, or has committed any act injurious to the public welfare, or to trade or commerce, or any act which may demoralize the price structure of milk or interfere with an ample supply of milk for the inhabitants of this State.
Failure to conduct business properly;	(4) Where the licensee has continued in a course of dealing of such a nature as to satisfy the board of his inability or unwillingness properly to conduct the business of receiving or selling milk.
Fixing prices;	(5) Where the licensee has been a party to a combination to fix prices contrary to the provisions of this act.

(6) Where the licensee has continued in a course of dealing of such nature as to satisfy the board of an intent to deceive or defraud customers, producers or consumers.

Defrauding,
etc., cus-
tomers;

(7) Where there has been a failure either to keep records or to furnish the statements or information required by the board.

Failing to
keep records;

(e) Before declining to grant a license or conditioning or limiting a license, or suspending or revoking a license previously granted, the board shall give notice to the applicant or licensee personally, or by mail addressed to his last known address, and afford to him an opportunity to appear and be heard with respect thereto at a time and place specified in such notice. Such applicant or licensee shall have the right to be so heard in person or by attorney, and to offer evidence pertinent to the subject of the hearing, and to that end to invoke the powers of the board with respect to the compulsory attendance of witnesses and the production of books, accounts, papers, records and documents. A duly certified copy of the order of the board upon such hearing shall be served upon the applicant or the licensee in the manner provided by Article IV of this act.

Applicant
notified;

Hearing;

Certified copy
served upon
applicant;

(f) Any applicant or licensee deeming himself aggrieved by any action of the board taken pursuant to this act may, within thirty days after receipt of a copy of the order of the board, apply to a Justice of the Supreme Court for a writ of certiorari, which court shall have jurisdiction to suspend, reverse, vacate or modify the orders so made by the board, and the court may, in its discretion, require the prosecutor of said writ of certiorari to execute a bond payable to the State of New Jersey, in such a sum as the court may prescribe, with sureties satisfactory to said court, conditioned for the prompt payment by the said prosecutor of all damages arising from or caused by the delay in the effectiveness or enforcement of the order complained of or in the prompt prosecution of his writ.

Appeal;

ARTICLE VI

RECORDS

1. The board may require licensees to keep the following records:
- Records kept of: (a) A record of all milk received, detailed as to location, and as to names and addresses of suppliers, with butter fat test, prices paid, deductions or charges made.
- Milk received; (b) A record of all milk sold classified as to grade, location and market outlet and size and style of container, with prices and amounts received therefor.
- Milk sold; (c) A record of quantities and prices of milk sold.
- Quantities and prices; (d) A record of the quantity of each milk product manufactured and quantity of milk and/or cream used in the manufacture of these products. Also the quantity and volume of milk products sold.
- Milk products manufactured; (e) A record of wastage or loss of milk or butter fat.
- Waste; (f) A record of the items of the spread or handling expense and profit or loss, represented by the difference between the price paid and the price received for all milk or cream or milk and cream.
- Profit and loss; (g) Such other records, and information as the board may deem necessary for the proper enforcement of this act.
- Sundry information. (h) Each licensee shall, from time to time, as required by the rule or order of the board, make and file a verified report on forms prescribed by the board of all matters on account of which a record is required to be kept, together with such other information or facts as may be pertinent and material within the scope of this act.
- Report filed. (i) No licensee or other person, association or corporation shall hereafter contrary to the public interest operate in any municipality under any mutual or secret agreement, arrangement, combination contract or common understanding, with any other licensee or person, firm, association or corporation, whereby the price for fluid milk to be paid
- Contracts, etc., in restraint of trade.

to producers in this State is fixed or reduced or the price to be paid by the consumers for such milk is fixed or increased in pursuance of such mutual or secret agreement, arrangement, combination contract or common understanding, and each such contract, arrangement, agreement or understanding is hereby prohibited and declared to be contrary to the public interest and in restraint of trade and commerce, and shall subject the violator or violators to the penalty in this act prescribed.

It is the intent of the Legislature that no provisions of this act shall prevent a co-operative association or co-operative corporation which sells the milk of its members or of persons who are now under contract with such co-operative association or co-operative corporation from making collective sales or marketing milk for the producers being such members or contractees nor to prevent such co-operative association or co-operative corporations from blending the proceeds of all its or their net sales, and so paying its members or contractees.

Co-operative
association
permitted.

ARTICLE VII

FIXING OF PRICE AND VIOLATIONS

1. The board may ascertain, determine and fix, by such investigations and proof as the emergency permits, the prices to be paid to the producer and to be charged the consumer for milk in the several municipalities or markets of this State, under varying conditions, as will best protect the supply of fresh, wholesome and sanitary milk in this State, and insure a sufficient quantity of pure and wholesome milk to the inhabitants of this State, having special regard to the health and welfare of children and be most in the public interest. The board shall take into consideration the various grades of milk produced, the varying percentages of butter fat, plant volume, seasonal production, and other conditions affecting the cost of production, cost of transportation and marketing, and the amount neces-

Fixing
prices.

Grades taken
into consid-
eration.

- sary to yield a reasonable return to the producer and to the milk dealer. It may, in its discretion, hold a public hearing or hearings in this State and invite producers, consumers, local dealers, and public health officials in this State to submit such proofs as they may desire to aid the board in making its determination hereunder.
- Hearing.**
- Modifying prices.** (b) The board upon its own motion, or upon application may from time to time, upon such notice as it shall by rule and regulation determine, alter or modify any official order theretofore made with respect to the price of milk used for fluid consumption to be paid by milk dealers to producers and/or the price to be paid by consumers.
- Milk produced outside of State.** (c) It is the intent of the Legislature that the instant, whenever that may be, that the handling within the State, by a milk dealer, of milk produced outside of the State, becomes a subject of regulation by the State, in the exercise of its police powers, the restrictions set forth in this act respecting such milk so produced shall apply and the powers conferred by this act on the board shall attach. After any such milk so produced shall have come to rest within the State, any sale, within the State, by a licensed milk dealer or a milk dealer required by this act to be licensed, of any such milk purchased from the producer at a price lower within this State than that required to be paid for milk produced within the State, purchased under similar conditions, shall be unlawful and deemed a violation of this act, and for continued violations the board may apply to the Court of Chancery for its writ of injunction to restrain such further unlawful acts.
- Violation.** (d) Any person who shall violate any of the provisions of this act and/or the orders, rules and regulations of the board as adopted from time to time, shall be deemed guilty of a violation of the provisions of this act and shall pay a penalty of not less than twenty-five dollars (\$25.00) nor more than two hundred dollars (\$200.00), and such penalty when collected shall be paid to the treasurer of the State of New Jersey and become a part
- Penalty.**

of the general fund of the State of New Jersey. Any milk or cream or milk products which are the subject of the violation of this act or the orders, rules and regulations of the board, may be seized, condemned, destroyed or sold as the board or court may direct; the proceeds from such sale to be paid to the treasurer of the State of New Jersey, to abide the further order of the board or court, and if no such order is made, then to become a part of the general fund of the State of New Jersey.

Milk condemned or sold.

Proceeds of sale.

(e) The board or court may, in its or their discretion, release the milk or cream or milk products as seized, or the funds derived from the sale of such milk or cream or milk products, when the requirements of this act and/or the orders, rules and regulations of the board have been complied with, and upon payment of all costs and expenses incurred by the State in any proceedings connected with such seizure or prosecution.

Seized milk released.

(f) Every district court in any city or judicial district in any county and every court of common pleas in any county wherein a district court is not located is hereby empowered upon the filing of a complaint, in writing, duly verified, which said verification when made by the secretary of the milk control board may be made upon information and belief that any person has violated any of the provisions of this act, to issue process at the suit of the milk control board of the State of New Jersey as plaintiff, such process shall be in the nature of a summons and shall be returnable in not less than five nor more than fifteen days; such process shall state what provisions of the law are alleged to have been violated by the defendant or defendants, and on the return of such process or at any time to which the trial shall be adjourned, the said court shall proceed in a summary manner, without a jury, to hear testimony and to determine and give judgment in the matter without the filing of any pleadings, either for the plaintiff for the recovery of such penalty, with costs, or for the defendant,

Courts of jurisdiction.

Trial.

Execution
of processes.

and the said court shall, if judgment be rendered for the plaintiff, cause any such defendant, who may refuse or neglect to forthwith pay the amount of the judgment rendered against him and all costs and charges incident thereto, to be committed to the county jail for any period not exceeding one hundred days; that the officers to serve and execute all process under this act shall be the officers authorized to serve and execute process in said courts.

Validity of act.

(g) The sections and parts of sections included in this act are hereby declared to be independent sections and parts of sections; if any such section or part of section shall be held invalid, such holding shall not affect the remainder of this act, nor the context in which such part of section so held invalid may appear, excepting to the extent that an entire section or part of section may be inseparably connected in meaning and effect with the section or part of section to which such holding shall directly apply. The intention and purpose of this act as hereinbefore defined extends to the regulation of the milk marketing industry and to the control generally of milk to be sold to the inhabitants of the State of New Jersey to the full extent permitted by the constitutions of this State and of the United States as applied to legislation enacted under the emergency conditions described in this act.

Intention
of act.

ARTICLE VIII

SAVING CLAUSE

Construing.

1. No provisions of this act shall apply or be construed to apply to foreign or interstate commerce, except insofar as the same may be effective pursuant to the United States Constitution and to the laws of the United States enacted pursuant thereto.

ARTICLE IX

DURATION

1. This act shall expire on the first day of July, one thousand nine hundred and thirty-five, and all books, papers and records of the New Jersey Milk Control Board hereby created shall be thereafter disposed of as the Secretary of Agriculture may prescribe. Act inoperative.

2. This act shall take effect immediately.

Approved May 23, 1933.

CHAPTER 170

AN ACT to amend an act entitled "An act to supplement an act entitled 'An act to authorize and regulate the issuance of bonds and other obligations and the incurring of indebtedness by county, city, borough, village, town, township or any municipality governed by an improvement commission or any municipality governed by a board of commissioners,' approved March twenty-second, one thousand nine hundred and sixteen," approved February eighth, one thousand nine hundred and thirty-two.

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

1. Section one of the act entitled "An act to supplement an act entitled 'An act to authorize and regulate the issuance of bonds and other obligations and the incurring of indebtedness by county, city, borough, village, town, township or any municipality governed by an improvement commission or any municipality governed by a board of

Section 1 amended.

commissioners,' approved March twenty-second, one thousand nine hundred and sixteen," approved February eighth, one thousand nine hundred and thirty-two, is hereby amended to read as follows:

Sale of
unsold bonds
after adver-
tising.

1. The bonds of any county or municipality authorized to be issued pursuant to the act entitled "An act to authorize and regulate the issuance of bonds and other obligations and the incurring of indebtedness by county, city, borough, village, town, township or any municipality governed by an improvement commission or any municipality governed by a board of commissioners," constituting chapter two hundred and fifty-two of the laws of one thousand nine hundred and sixteen, approved March twenty-second, one thousand nine hundred and sixteen, as amended, and the acts supplemental thereto, may be sold in the manner hereinafter provided, and without regard to the provisions of any act, in any case where a notice of the sale of said bonds shall have been, or shall hereafter be, published in the manner prescribed by said act, and no legally acceptable bid or proposal for the purchase of all of said bonds shall have been received pursuant to such notice, and the period prescribed by said notice of the submission of such bids or proposal shall have expired, or shall hereafter expire, at any time after the first day of December, one thousand nine hundred and thirty-one, and before the first day of April, one thousand nine hundred and thirty-four.

2. This act shall take effect immediately.

Approved May 23, 1933.

CHAPTER 171

AN ACT to amend an act entitled "An act providing for the election of delegates to a convention and providing for the holding of a convention to consider the article of amendment, proposed by the Congress, to the Constitution of the United States designed to repeal the eighteenth article of amendment," approved March twenty-third, one thousand nine hundred and thirty-three.

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

1. Section twelve of the act of which this act is amendatory be and the same is hereby amended to read as follows: Section 12 amended.

12. The Board of State Canvassers shall meet at Trenton on the twenty-ninth day of May next after the day of election, for the purpose of canvassing and estimating the votes cast for each person for whom any votes shall have been cast for delegates-at-large, and of determining and declaring the persons who shall have been duly elected as such delegates-at-large. The said board shall meet in the chamber of the Senate or some other convenient place at Trenton at the hour of two o'clock in the afternoon. Meeting of Board of State Canvassers.

2. This act shall take effect immediately.

Approved May 24, 1933.

CHAPTER 172

A SUPPLEMENT to an act entitled "An act to regulate elections (Revision 1930)," approved April eighteenth, one thousand nine hundred and thirty.

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

Fixing dates
of State con-
ventions.

1. Whenever the day prescribed by law for holding State conventions of political parties, or any adjournment thereof, shall fall on a legal holiday, such convention, or adjournment thereof, as the case may be, shall be held on the day preceding such legal holiday.

2. This act shall take effect immediately.

Approved May 24, 1933.

CHAPTER 173

AN ACT to supplement an act entitled "An act to authorize and regulate the issuance of bonds and other obligations and the incurring of indebtedness by county, city, borough, village, town, township or any municipality governed by an improvement commission or any municipality governed by a board of commissioners," constituting chapter two hundred and fifty-two of the laws of one thousand nine hundred and sixteen, approved March twenty-second, one thousand nine hundred and sixteen, as amended.

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

Temporary
bonds and
notes may
be issued.

1. Notwithstanding anything to the contrary contained in section thirteen of the act entitled "An act to authorize and regulate the issuance of bonds

and other obligations and the incurring of indebtedness by county, city, borough, village, town, township or any municipality governed by an improvement commission or any municipality governed by a board of commissioners," approved March twenty-second, one thousand nine hundred and sixteen, as amended, any municipality may issue temporary bonds or notes maturing not later than the first day of April, one thousand nine hundred and thirty-four, for the purpose of renewing outstanding temporary bonds or notes heretofore issued pursuant to said section thirteen or any temporary bonds or notes issued in renewal thereof. This action shall not be construed as imposing any restriction not now imposed by law with respect to the maturity of temporary bonds or notes.

Construing.

2. This act shall take effect immediately.

Approved May 24, 1933.

CHAPTER 174

AN ACT to amend an act entitled "An act to regulate elections" (Revision of 1930), approved April eighteenth, one thousand nine hundred and thirty.

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

1. Article XXVIII, paragraph three hundred and seventy-nine, section one, of the act to which this act is an amendment be and the same is hereby amended to read as follows:

Par. 379
amended.

MUNICIPALITIES HAVING PERMANENT REGISTRATION

Municipalities Affected.

Permanent
registration
in municipali-
ties of 14,000.

Proviso.

Proviso.

Registration
required.

Compensation
of county
boards of
elections.

Par. 379, Sec. 1. In every municipality of this State having a population exceeding fourteen thousand, as ascertained by the Federal census of the year one thousand nine hundred and twenty, no person shall be permitted to vote at any election unless such person shall have been registered as hereinafter provided; *provided, however*, that in any county where permanent registration is now in effect, all municipalities in said county having a population exceeding fourteen thousand as ascertained by the Federal census of the year one thousand nine hundred and thirty or by any subsequent Federal census shall be subject to the provisions of this act; *provided, further*, that in municipalities in counties of the first class, affected by this act, any qualified person shall be permitted to vote at any election in accordance with the provisions of the act to which this act is an amendment, up to and including the next succeeding presidential election; after which election no person shall be permitted to vote at any subsequent election in said municipalities, unless such person shall have been registered permanently as now provided by law, but at every election held in said municipalities in counties of the first class after the passage of this act, and up to and including the next succeeding presidential election, every voter, before voting, shall register permanently, in the manner prescribed by the act to which this act is an amendment.

2. The compensation of the members of the several county boards shall be as follows: In counties having a population exceeding five hundred thousand, two thousand six hundred dollars per annum; in counties having a population of not more than five hundred thousand or less than two hundred thousand, two thousand dollars per annum; in counties having a population of not more than two hundred thousand or less than one

hundred and fifty thousand, fifteen hundred dollars per annum; in counties having a population of not more than one hundred and fifty thousand or less than one hundred thousand, nine hundred dollars per annum; in counties having a population of not more than one hundred thousand or less than eighty-two thousand, seven hundred and fifty dollars per annum; in counties having a population of not more than eighty-two thousand or less than fifty thousand, six hundred dollars per annum; in counties having a population of not more than fifty thousand or less than forty thousand, four hundred dollars per annum; in counties having a population of less than forty thousand, three hundred dollars per annum; *provided, however*, that the member of the county board of elections in counties other than counties of the first class, who shall be secretary thereof and who shall perform the clerical duties thereof, shall receive an additional compensation of one-half of the compensation of the individual members of said board. The compensation of the clerks of the county board of elections in counties of the first class shall be as follows: For the first year of service in such position the sum of thirty-five hundred dollars per annum, to be increased at the rate of one hundred and fifty dollars per annum for each year of service, to the maximum of fifty-five hundred dollars per annum; and the compensation of the assistant clerks shall be, for the first year of service in such positions the sum of three thousand dollars per annum, to be increased at the rate of one hundred dollars per annum for each year of service to the maximum of forty-five hundred dollars per annum; and the compensation of the clerk-stenographer shall be fixed by the respective county boards of elections, to be paid by the county collector or county treasurer, as the case may be, semimonthly as other county employees are paid; *provided, however*, that this act shall be applicable to the present as well as to the future

Proviso.

Secretary
of board.Clerks of
county boards.Assistant
clerks.Annual
increase.Stenographic
clerk.

Proviso.

incumbents and the years of service for such clerks and assistant clerks heretofore or hereafter appointed shall be computed from the time of their respective appointments to such positions. For services performed by commissioners of registration in counties of the first class, said commissioners shall receive additional compensation in an amount equal to twenty-five per centum of their salaries as clerks of the county boards, and for such services performed by commissioners of registration in other counties, said commissioners shall receive additional compensation in an amount equal to fifty per centum of their salaries as members and secretaries of said county boards; *provided, however*, that in counties of the second class where a member of the county board of elections likewise serves as commissioner of registration, he shall receive no additional compensation for the performance of his duties as such commissioner of registration, unless he shall devote his full time to the performance of his duties, as a member of the county board of elections, secretary to such county board, and commissioner of registration; *provided, further*, that the phrase "full time" as used in this act shall mean such time as is daily required of employees in the office of such county board of elections.

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

Additional compensation.

Proviso.

Proviso.

Repealer.

Approved May 24, 1933.

CHAPTER 175

AN ACT to regulate the occupation of barbering, to provide for the licensing of persons to carry on such occupation and to provide rules regulating the proper conduct and sanitation of the occupation of barbering for the protection of the public health, and to provide penalties for violation thereof.

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

1. On and after the passage of this act no person shall practice or attempt to practice barbering without a certificate of registration as a registered barber issued pursuant to the provisions of this act by the State Department of Health.

Barbers
registered
by depart-
ment of
health.

On and after the passage of this act, no person shall serve or attempt to serve as an apprentice under a registered barber without a certificate of registration as a registered apprentice issued by the State Department of Health.

Apprentices
registered.

On and after the passage of this act it shall be unlawful to operate a barber shop unless it is at all times under the direct supervision and management of a registered barber.

Supervision
of shops.

2. Any one or any combination of the following practices when done upon the scalp, face or neck for cosmetic purposes and not for the treatment of disease or physical or mental ailments and when done for payment either directly or indirectly or without payment for the public generally constitutes the practice of barbering:

What
constitutes
barbering.

Shaving or trimming the beard or cutting the hair;

Giving facial and scalp massage or treatment with oils, creams, lotions or other preparations, either by hand or mechanical appliances;

Singeing, shampooing or dyeing the hair or applying hair tonic;

Applying cosmetic preparations, antiseptics, powders, oils, clays or lotions to scalp, face or neck.

Apprentice to operate under registered barber.

3. No registered apprentice may independently practice barbering, but he may, as an apprentice, do any or all of the acts constituting the practice of barbering under the immediate personal supervision of a registered barber, and only one such apprentice shall be employed in any licensed shop. All apprentices shall be registered with the State Department of Health by the master barber employing such apprentices, and he shall pay a registration fee as hereinafter provided.

Registering apprentices.

Exemptions.

4. The following persons are exempt from the provisions of this act while in the proper discharge of their professional duties:

Physicians of State;

(1) Persons authorized by the law of this State to practice medicine and surgery;

Physicians in U. S. service;

(2) Commissioned medical or surgical officers of the United States Army, Navy or Marine Hospital Service.

Nurses;

(3) Registered nurses.

Beauticians.

(4) Female persons practicing hair and beauty culture in beauty shops.

Proviso.

However, the provisions of this section shall not be construed to authorize any of the persons to shave or trim the beard or cut the hair of any person for cosmetic purposes.

Qualifications necessary for registration.

5. A person is qualified to receive a certificate of registration to practice barbering:

(1) Who is qualified under the provisions of section six of this act.

(2) Who is at least eighteen years of age.

(3) Who is of good moral character and temperate habits.

(4) Who has practiced as a registered apprentice for a period of eighteen months under the personal supervision of a registered barber; and

(5) Who has passed a satisfactory examination conducted by the State Department of Health to determine his fitness to practice barbering.

An applicant for a certificate of registration to practice as a registered barber who fails to pass a satisfactory examination conducted by the State Department of Health must continue to practice as an apprentice for an additional six months before he is again entitled to take the examination for a registered barber.

If applicant fails in examination.

6. Each applicant for an examination shall:

(1) Make application to the board on blank forms prepared and furnished by the State Department of Health, such application to contain proof under the applicant's oath of the particular qualifications of the applicant.

Procedure by applicant for examination.

(2) Furnish to the State Department of Health two five-inch by three-inch signed photographs of the applicant, one to accompany the application and one to be returned to the applicant to be presented to the examiners when the applicant appears for examination, and

Photographs.

(3) Pay to the State Department of Health the required fee.

Fee.

7. The State Department of Health shall conduct the examination of applicants for certificates of registration to practice as registered barbers not less than twice each year at such times and places as the State Department of Health may determine.

Semiannual examinations by department of health.

The examination of applicants for certificates of registration as registered barbers shall include both a practical demonstration and a written and oral test, and shall embrace the following subjects: scientific fundamentals for barbering hygiene, bacteriology, histology of the hair, skin, nails, muscles and nerves, structure of the head, face and neck, elementary chemistry relating to sterilization and antiseptics, diseases of the skin, hair, glands and nails, hair cutting, shaving and arranging, dressing, coloring, bleaching and tinting the hair.

Nature of examinations.

8. Whenever the provisions of this act have been complied with the State Department of Health shall issue a certificate of registration as a registered barber.

Issue of certificate.

Registering
foreign
barbers.

9. Any person having practiced barbering in another State or country and who is at least eighteen years of age and of good moral character and temperate habits, or who has a license or certificate of registration as a practicing barber from another State or country which has substantially the same requirements for licensing or registering barbers as required by this act, shall upon payment of the required fee be issued a permit to practice as a journeyman barber only until he is called by the State Department of Health for examination to determine his fitness to receive certificate of registration to practice barbering. Should he fail to pass the required examination, he will be allowed to practice as a journeyman barber until he is called by the State Department of Health for the next term of examinations. Should he fail at the second and third examinations he must cease to practice barbering in this State.

When failure
to pass ex-
cludes acting.

Registration
without fee.

10. Any person, resident of this State, who for three years immediately preceding the passage of this act, was continuously engaged in the practice of barbering at one or more established places of business in this State, shall be granted a certificate of registration as a registered barber, without examination, by making application to the State Department of Health and paying the required fee.

Certificate
displayed.

11. Every holder of a certificate of registration shall display it in a conspicuous place adjacent to or near his work chair.

Annual
registration.

12. Every registered barber who continues in active practice or service, shall annually, on or before the first day of July of such year, renew his certificate of registration and pay the required fee.

Expiration of
license.

Every certificate of registration which has not been renewed during the month of July in any year, shall expire on the first day of July in that year.

Restoration
of license.

A registered barber whose certificate of registration has expired may have his certificate restored immediately, upon payment of the required restoration fee.

Renewal after
five years.

Any registered barber who retires from the practice of barbering for not more than five years,

may renew his certificate upon payment of the required restoration fee.

13. The State Department of Health may either refuse to issue or renew or may suspend or revoke any certificate of registration for any one or combination of the following causes:

- | | |
|---|------------------------------------|
| (1) Conviction of a felony shown by a certified copy of the record of the court of conviction. | Causes for suspending certificate. |
| (2) Gross malpractice or gross incompetency. | Conviction; |
| (3) Continued practice by a person knowingly having an infectious or contagious disease. | Malpractice; |
| (4) Advertising by means of knowingly false or deceptive statements. | Diseased; |
| (5) Habitual drunkenness or habitual addiction to the use of morphine, cocaine, or other habit-forming drugs. | Deception; |
| (6) Advertising, practicing or attempting to practice under a trade name or name other than one's own. | Use of liquor or drugs; |
| (7) Immoral or unprofessional conduct. | Use of trade name; |
| (8) The commission of any of the offenses described in sections fifteen and sixteen. | Improperities; |
| | Other offenses. |

14. The State Department of Health may neither refuse to issue nor refuse to renew, nor suspend, nor revoke any certificate of registration, however, for any of these causes, unless the person accused has been given at least twenty days' notice in writing of the charge against him and a public hearing by the State Department of Health.

Upon the hearing of any such proceeding the State Department of Health may administer oaths and may issue subpoenas for the attendance of witnesses and the production of relevant books and papers, before him, relating to the refusal, suspension or revocation of certificate of registration.

15. No person shall obtain or attempt to obtain a certificate of registration by fraudulent representations, nor obtain or attempt to obtain any money, or any other thing of value for a certificate of registration other than the required fee.

16. No person shall use any room or place for barbering which is also used for residential pur-

Hearing on charges.

Oaths and witnesses.

Acting fraudulently.

Barber shop.

poses (except the sale of hair tonics, lotions, creams, cutlery, toilet articles, cigars, tobacco, confectionery and such commodities as are used and sold in barber shops) unless a substantial partition of ceiling height separates that portion used for business purposes from that used for residential purposes.

Fees for examination and certificate.

17. The fee to be paid by an applicant for an examination to determine his fitness to receive a certificate of registration to practice barbering is five dollars (\$5.00) and for the issuance of the certificate one dollar (\$1.00).

Fees for renewal and restoration.

The fee to be paid for renewal of a certificate of registration to practice barbering is four dollars (\$4.00) and for restoration of an expired certificate six dollars (\$6.00).

Registration fee for apprentices.

The fee to be paid for registration of an apprentice is one dollar and fifty cents (\$1.50).

Perjury.

18. The wilful making of any false statement as to a material matter in any oath or affidavit which is required by the provisions of this act is perjury and punishable as such.

Board of examination.

19. Immediately after the adoption of this act the State Department of Health shall appoint three practical barbers, as follows: at least one journeyman barber recommended by the New Jersey State Association of Journeyman Barbers, one master barber recommended by the State Master Barbers Association, and a third member to be an appointee of the State Department of Health, who have followed the occupation of barber in this State for at least ten years immediately prior to their appointment, to hold and conduct the examinations for certificates of registration to practice barbering as herein provided and to perform such other duties in the enforcement of this act as may be determined by the State Department of Health. They shall in writing report to him the result of their examination of the applicants for registration, and no certificate of registration as a practicing barber shall be issued by the State Department of Health except upon the recommendation and approval of the examiners.

Report.

Recommendation necessary.

20. The three examiners first appointed under this act shall serve for three years, two years and one year, respectively as appointed, and members appointed thereafter shall serve for three years. **The State Department of Health may remove any examiner for cause and appoint some other person to fill the vacancy.** Examiners appointed to fill vacancies caused by death, resignation or removal shall serve during the unexpired term of the predecessors.

Terms of examiners.

Vacancies.

21. **The examiners shall each receive as compensation for their services in conducting said examinations or other duties assigned to them by the State Department of Health, the sum of ten dollars (\$10.00) per day, and necessary traveling expenses, which shall include only cost of transportation to and from the place of performance of their duties.**

Compensation of examiners.

22. **The State Department of Health shall have authority to make reasonable rules and regulations for the administration of the provisions of this act and prescribe sanitary requirements for barber shops, subject to the approval of the State Department of Health. The State Department of Health shall have authority to enter upon and to inspect any barber shop at any time during business hours. A copy of the rules and regulations made by the State Department of Health shall be furnished by it to the owner or manager of each barber shop and such copy shall be posted in a conspicuous place in such barber shop.**

Rules and regulations.

Inspection.

Rules furnished and posted.

The State Department of Health shall keep a record of its proceedings relating to the issuance, refusal, renewal, suspension and revocation of certificates of registration. This record shall also contain the name, place of business and residence of each registered barber and registered apprentice and the date and number of his certificate of registration. This record shall be open to public inspection at all reasonable times.

Records kept.

23. **Any person violating any of the provisions of this act shall be deemed and adjudged a disorderly person, and upon conviction by any police**

Penalties.

justice or recorder in this State shall be fined a sum of not less than twenty-five dollars (\$25.00) nor more than two hundred dollars (\$200.00).

Validity of act.

24. If any portion of this act is declared unconstitutional by a court of competent jurisdiction, it shall not affect the validity of the remainder of the act which can be given effect without the invalid portion.

Repealer.

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

26. This act shall take effect immediately.

Approved May 24, 1933.

CHAPTER 176

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

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

Apportionment credited to district receiving pupils.

1. The apportionment by the county superintendent for pupils who attend a high school, a high school department, or common school, in any district, pursuant to the provisions of an act entitled "An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof," approved October nineteenth, one thousand nine hundred and three, and the acts amendatory thereof and supplemental thereto, shall hereafter be made to the districts receiving such pupils, and the board of education shall credit the amount of such apportionment upon the bill for tuition as provided by the provisions of an act entitled "An act to

amend an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,' approved October nineteen, one thousand nine hundred and three," which amendatory act was approved May sixth, one thousand nine hundred and twenty-nine.

2. This act shall take effect immediately.

Approved May 24, 1933.

CHAPTER 177

AN ACT to amend an act entitled "An act for the punishment of crimes" (Revision of 1898).

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

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

Section 36
amended.

36. Personating officer. Any person who shall, without authority, exercise or attempt to exercise the functions of or hold himself out to anyone as a deputy sheriff, marshal, policeman, constable or other peace officer, a plumbing, sanitary, food and drug, and/or milk inspector or other accredited employee of a department of health in the State or in any municipality thereof, not so being, shall be guilty of a misdemeanor.

Personating
an officer a
misdemeanor.

Approved May 24, 1933.

CHAPTER 178

AN ACT to amend the title and body of an act entitled "An act to amend an act entitled 'A further supplement to an act entitled "An act concerning municipal and county finances," approved March twenty-eighth, one thousand nine hundred and thirty-two,' approved March fourteenth, one thousand nine hundred and thirty-three."

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

Title amended.

1. An act entitled "A further supplement to an act entitled 'An act concerning municipal and county finances,' approved March twenty-eighth, one thousand nine hundred and thirty-two," is hereby changed and amended so that henceforth the title of said act shall read as follows: "An act to amend an act entitled 'A further supplement to an act entitled "An act concerning municipal and county finances," approved March twenty-eighth, one thousand nine hundred and seventeen,' approved May second, one thousand nine hundred and thirty-two."

Issue and use of scrip validated.

2. Any certificates of indebtedness commonly known as "scrip" heretofore issued by any municipality or county as set forth in section one of the act of which this act is amendatory are hereby validated and confirmed as to their legality and any payments in discharge of tax assessments and other charges heretofore satisfied by the receipt of said certificates of indebtedness commonly known as "scrip" be and the same are hereby ratified, validated and confirmed.

3. This act shall take effect immediately.

Approved May 24, 1933.

CHAPTER 179

AN ACT to amend the title and the body of an act entitled "An act to amend an act entitled 'An act to amend an act entitled "A further supplement to an act entitled 'An act concerning municipal and county finances,' approved March twenty-eighth, one thousand nine hundred and thirty-two," which amendatory act was approved March fourteenth, one thousand nine hundred and thirty-three,' approved April sixth, one thousand nine hundred and thirty-three."

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

1. An act entitled "An act to amend an act entitled 'An act to amend an act entitled "A further supplement to an act entitled 'An act concerning municipal and county finances,' approved March twenty-eighth, one thousand nine hundred and thirty-two," which amendatory act was approved March fourteenth, one thousand nine hundred and thirty-three,' " is hereby changed and amended so that henceforth the title of said act shall read as follows: "An act to amend an act entitled 'An act to amend an act entitled "A further supplement to an act entitled 'An act concerning municipal and county finances,' approved March twenty-eighth, one thousand nine hundred and seventeen," which amendatory act was approved March fourteenth, one thousand nine hundred and thirty-three.' "

2. Any certificates of indebtedness commonly know as "scrip" heretofore issued by any municipality or county as set forth in section one of the act of which this act is amendatory are hereby validated and confirmed as to their legality and any payments in discharge of tax assessments and other

Title amended.

New title.

Issue and use of scrip validated.

charges heretofore satisfied by the receipt of said certificates of indebtedness commonly known as "scrip" be and the same are hereby ratified, validated and confirmed.

3. This act shall take effect immediately.

Approved May 24, 1933.

CHAPTER 180.

AN ACT to amend an act entitled "An act providing for the regulation of vehicles, animals and pedestrians on all public roads and turnpikes, and prescribing and regulating process and service thereof and proceedings for the violation of the provisions of the act, and penalties for said violations, and granting authority to towns, cities, boroughs and townships, under certain restrictions for the adoption of ordinances further regulating vehicles, pedestrians and animals, and designating the authorities to enforce its provisions, and defining their powers and their authority" (Revision of 1928), approved July fourteenth, one thousand nine hundred and twenty-eight.

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

Section 4
amended.

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

Driver's duty
before starting,
etc.

(a) The driver of any vehicle upon a highway, before starting, stopping, backing or turning from a direct line, shall first see that such movement can be made in safety, and if any pedestrian may be affected by such movement, shall give a clearly

audible signal by sounding the horn, and whenever the operation of any other vehicle may be affected by such movement, shall give a signal, as required in this section, plainly visible to the driver of such other vehicle or pedestrian of the intention to make such movement.

(b) The signal herein required shall be given either by means of the hand and arm in the manner herein specified, or by an approved mechanical or electrical signal device, except that when a vehicle is so constructed or loaded as to prevent the hand and arm signal from being visible, both to the front and rear, the signal shall be given by a device of a type which has been approved by the Department.

Method of signaling.

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

Repealer.

3. This act shall take effect immediately.

Approved June 5, 1933.

CHAPTER 181

A SUPPLEMENT to an act entitled "An act for the maintenance of bastard children" (Revision of 1898), approved June fourteenth, eighteen hundred and ninety-eight.

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

1. The functions and powers heretofore vested in and the duties required of and heretofore exercised by the overseer of the poor, under the act to which this act is a supplement are transferred to and vested in and shall be exercised by the director of welfare, under the direction of the county welfare board, in all counties of this State wherein the provisions of "A supplement to an act entitled 'An act for the settlement and relief of the poor, and pro-

Transferring duties, etc., of overseer of the poor to director of welfare.

viding for municipal, county or joint county relief, excepting from county or joint county relief, certain municipalities' (Revision of 1924), approved March eleventh, one thousand nine hundred and twenty-four," have heretofore been or shall hereafter be adopted by the electors thereof.

2. This act shall take effect immediately.

Approved June 5, 1933.

CHAPTER 182

AN ACT to amend an act entitled "An act to amend an act entitled 'An act for the assessment and collection of taxes' (Revision of 1918), approved March fourth, one thousand nine hundred and eighteen," which said amendment was approved March twelfth, one thousand nine hundred and twenty-four.

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

Section 605
further
amended.

1. Section six hundred and five of Article VI of an act entitled "An act for the assessment and collection of taxes" (Revision of 1918), approved March fourth, one thousand nine hundred and eighteen, amended March eighteenth, one thousand nine hundred and twenty-one and again amended March twelfth, one thousand nine hundred and twenty-four, be amended to read as follows:

Report and
payment by
collector.

605. It shall be the duty of the collector, or other officer having custody of collected taxes, on the first day of each month, or oftener if required by the governing body of the municipality, to report his collections to the governing body of the municipality, and to pay the amount collected to the treasurer

or other official of the municipality authorized to receive same. In case the collector shall also be the treasurer of the municipality, he shall immediately upon collection deposit all moneys collected in the name of the municipality to his account as treasurer in the place or places designated by the governing body of the municipality. The governing body of each municipality shall cause to be paid to the county treasurer of the county one-half of the amount of county taxes required to be assessed and raised in such municipalities on or before the fifteenth day of June in each year; and on or before the fifteenth day of December shall cause to be paid to the county treasurer the remaining one-half of the county taxes, and also all of the taxes required to be assessed and raised by taxation in such taxing district for State school and other State purposes; and shall pay over to the custodian of school moneys in the case of school districts in which appropriations for school purposes are made by the inhabitants of the school district after the first day of July in each year and before the succeeding August first twenty per centum of the appropriation for local school purposes, and thereafter, but prior to the first day of July in the next succeeding year, the balance of the moneys raised in such municipality for school purposes in such amounts as may from time to time be requested by the board of education within thirty days after each such request; *provided*, that the said board of education shall not request any more money at any one time than shall be required for its expenditures for a period of eight weeks in advance. The county treasurer shall pay the State taxes assessed in the taxing districts of his county to the State Treasurer on or before the twentieth day of December in each year. It shall be the duty of the governing body of the municipality or the county to cause the county, local school and State taxes to be paid as and when due for payment; if there shall not be funds enough in the treasury available for such

Depository
moneys
collected.

Payments to
county
treasurer.

Payments to
custodian
of school
moneys.

Proviso.

Payment to
State
Treasurer.

Payment of
taxes.

Interest on
delayed
payments.

payments, the governing body shall immediately borrow such money and pay such taxes. On any part of the taxes payable to the county treasurer and on any part of the taxes payable to the State by the county treasurer which shall remain unpaid after the time within which they are required to be paid by this act, the taxing district or county in arrears shall pay to the county or State, as the case may be, interest at the rate of six per centum (6%) per annum upon such delayed payment.

Repealer.

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

3. This act shall take effect immediately.

Approved June 5, 1933.

CHAPTER 183

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

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

Section 1
amended.

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

Special
classes for
subnormal
children.

1. Each board of education in this State shall ascertain what children, if any, there are in the public schools who are three years or more below the normal. In each school district in this State in which there are ten or more children three years or

more below normal, the board of education thereof shall establish a special class or classes for their instruction. In each school district in this State where there are five or more blind or ten or more deaf children who are not cared for, or who cannot be cared for better in an existing institution, or who do not require institutional care, a special class or classes shall be organized for their education. The board of education of every school district in this State shall provide special equipment and facilities adapted to the accommodation, care, physical restoration, and instruction of children of school age who are physically crippled to such an extent, or who possess such bodily deformities that they cannot, in the opinion of an orthopaedic surgeon of recognized standing or of the director of medical inspection or of the medical inspector of the school district be properly accommodated and instructed in the classrooms regularly or usually provided; such special facilities for crippled, blind, near-blind and deaf children shall include, when recommended or approved by the Commissioner of Education (a) home-teaching, bedside instruction, and transportation, (b) the payment of tuition in and transportation to a special class for crippled children, or maintenance while being away from home to attend a special class, in another school district, and (c) scholarships in vocational, and technical schools; *provided*, that not less than five hours of individual home or bedside teaching shall be given each week and be considered equal to one school week's work in special classes, or the regular school classes; if there are eight or more such crippled children in any district, the board of education thereof shall establish a special class or classes for their proper and adequate accommodation and instruction; *provided*, that no class shall contain more pupils than shall be approved by the Commissioner of Education; *and provided, further*, that the board of education of any district may, by arrangement with the board of education of another school dis-

Blind.

Special
equipment.Crippled
children.Special
facilities.Home-
teaching;Payment of
tuition;

Scholarship.

Proviso.

Proviso.

Proviso.

Special classes
 formed in
 hospitals, etc.

Moneys
 available.

Register of
 physically
 handicapped
 children kept.

Children
 examined.

trict in this State, provide for the accommodation and instruction of such crippled children in the special class or classes of such other district. Boards of education with the approval of the Commissioner of Education may establish special classes in hospitals, convalescent homes and other institutions, when eight or more physically handicapped children are available for such instruction. County and State moneys shall be available for such classes also in the same manner as provided by law for those special classes in the regular public school. It shall be the duty of every board of education to make a register of physically handicapped children from birth to twenty-one years of age residing in the district, specifying names, addresses and ages, as shall be required by the Commissioner of Education. Copies of such lists shall be forwarded at least annually to the Commissioner of Education who in turn shall furnish copies of such State register to the Commission for the Rehabilitation of Physically Handicapped Persons. The medical examiner of the district shall examine the children in special classes as often as necessary and proper and may co-operate in this service with the said Rehabilitation Commission and local orthopaedic surgeons.

2. This act shall take effect immediately.

Approved June 5, 1933.

CHAPTER 184

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

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

1. Amend section one hundred and twenty-four of the act to which this is an amendment so that it shall read as follows: Section 124 amended.

124. Children who shall have never attended any public or private school may be admitted to a public school during the ten days immediately following the opening of said school for the fall term, and at no other time except by a majority vote of all the members of the board of education of the school district in which said school shall be situate. When children may be admitted.

2. This act shall take effect immediately.

Approved June 5, 1933.

CHAPTER 185

AN ACT to amend an act entitled "An act for the establishment of an employees' retirement system for the employees of the State of New Jersey," approved March thirty-first, one thousand nine hundred and twenty-one.

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

Section 19
amended.

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

OPTIONAL BENEFITS

Members'
option on
retirement.

19. At the time of his retirement any member may elect to receive his benefits in a retirement allowance payable throughout life or he may on retirement elect to receive the actuarial equivalent at the time of his annuity, his pension or his retirement allowance in a lesser annuity, or a lesser pension, or a lesser retirement allowance, payable throughout life, with the provision that:

Dying before
full payment
of annuity.

Option 1. If he dies before he has received in payments the present value of his annuity, his pension or his retirement allowance as it was at the time of his retirement, the balance shall be paid to his legal representative or to such person having an insurable interest in his life as he shall nominate by written designation acknowledged and filed with the board of trustees at the time of his retirement.

Continuing in
favor of
person
designated;

Option 2. Upon his death, his annuity, his pension or his retirement allowance shall be continued throughout the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board of trustees at the time of his retirement.

Option 3. Upon his death, one-half of his annuity, his pension or retirement shall be continued throughout the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board of trustees at the time of his retirement.

Continuance
to person
having insur-
able interest;

Option 4. Some other benefit or benefits shall be paid either to the member or to such person or persons as he shall nominate; *provided*, such other benefit or benefits, together with the lesser annuity, or lesser pension, or lesser retirement allowance, shall be certified by the actuary to be of equivalent actuarial value and shall be approved by the board of trustees.

Other benefits.

Proviso.

No optional selection, however, shall be effective in case a beneficiary dies within thirty days after retirement and such a beneficiary shall be considered an active member at the time of death until the first payment on account of any benefit becomes normally due.

Option
effective.

Approved June 5, 1933.

CHAPTER 186

AN ACT defining and relating to narcotic drugs, making uniform the law with relation thereto and providing penalties for violations hereof.

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

ARTICLE I

1. The following words and phrases as used in this act shall have the following meanings unless the context otherwise requires:

Definitions:

1—"Person" includes any corporation, association, copartnership or one or more individuals.

Person;

- Physician;** 2—"Physician" means any person authorized by law to practice medicine in this State and any other person authorized by law to treat sick and injured human beings in this State and to use narcotic drugs in connection with such treatment.
- Dentist;** 3—"Dentist" means any person authorized by law to practice dentistry in this State.
- Veterinarian;** 4—"Veterinarian" means any person authorized by law to practice veterinary medicine in this State.
- Manufacturer;** 5—"Manufacturer" means a person who by compounding, mixing, cultivating, growing or other process produces or prepares narcotic drugs, but does not include a pharmacist who compounds narcotic drugs to be sold or dispensed on prescription.
- Wholesaler;** 6—"Wholesaler" means a person who supplies narcotic drugs that he himself has not produced or prepared, on official written order, but not on prescription.
- Pharmacist;** 7—"Pharmacist" means a registered pharmacist of this State.
- Pharmacy owner;** 7A—"Pharmacy Owner" means the owner of a store or other place of business where narcotic drugs are compounded or dispensed by a registered pharmacist; but nothing in this act contained shall be construed as conferring on a person who is not registered or licensed as a pharmacist any authority, right or privilege that is not granted to him by the pharmacy laws of this State.
- Hospital;** 8—"Hospital" means an institution for the care and treatment of the sick and injured, approved by the Department of Institutions and Agencies of the State of New Jersey as proper to be entrusted with the custody of narcotic drugs and the professional use of narcotic drugs under the direction of a physician, dentist or veterinarian.
- Laboratory;** 9—"Laboratory" means a laboratory to be entrusted with the custody of narcotic drugs and the use of narcotic drugs for scientific, experimental and medical purposes and for purposes of instruction approved by the State Department of Health.
- Sale;** 10—"Sale" includes barter, exchange or offer therefor, and each such transaction made by any

person, whether as principal, proprietor, agent, servant or employee.

11—"Coca Leaves" includes cocaine and any compound, manufacture, salt derivative, mixture or preparation of coca leaves, except derivatives of coca leaves which do not contain cocaine, ecgonine, or substances from which cocaine or ecgonine may be synthesized or made. Coca Leaves;

12—"Opium" includes morphine, codeine and heroin and any compound, manufacture, salt, derivative, mixture, or preparation of opium. Opium;

13—"Cannabis" includes the following substances under whatever names they may be designated: Cannabis;

(a) The dried flowering or fruiting tops of the pistillate plant cannabis sativa L. from which the resin has not been extracted;

(b) The resin extracted from such tops; and

(c) Every compound, manufacture, salt, derivative, mixture or preparation of such resin or of such tops from which the resin has not been extracted.

13A—"Narcotic Drugs" means coca leaves, opium, cannabis and every substance not chemically distinguishable from them. Narcotic drugs;

14—"Federal Narcotic Law" means the laws of the United States relating to opium, coca leaves and other narcotic drugs. Federal narcotic law;

15—"Official Written Order" means an order written on a form provided for that purpose by the United States Commissioner of Narcotics, under any laws of the United States making provision therefor, if such order forms are authorized and required by Federal law, and if no such order form is provided, then on an official form provided for that purpose by the State Department of Health. Official written order;

16—"Dispense" includes distribute, leave with, give away, dispose of or deliver. Dispense;

17—"Registry Number" means the number assigned to each person registered under the Federal narcotic laws. Registry number.

ARTICLE II

Unlawful to manufacture, possess, etc., narcotics.	1. It shall be unlawful for any person to manufacture, possess, have under his control, sell, prescribe, administer, dispense or compound any narcotic drug, except as authorized in this act.
License.	2. No person shall manufacture, compound, mix, cultivate, grow, or by any other process produce or prepare narcotic drugs and no person as a wholesaler shall supply the same without having first obtained a license so to do from the Department of Health of the State of New Jersey. A fee of fifty dollars (\$50.00) shall be charged for any license so issued. The Department of Health of the State of New Jersey is authorized to make rules and regulations governing the issue of any such license, <i>provided, however</i> , that this section shall not apply to pharmacists, physicians, dentists and veterinarians in the regular course of their legitimate professional activities.
Fee.	
Rules and regulations.	
Proviso.	
Proof furnished by applicant:	3. No license shall be issued unless and until the applicant therefor has furnished proof satisfactory to the Department of Health of the State of New Jersey:
Character;	(a) That the applicant is of good moral character and if the applicant be an association or corporation, that the managing officers are of good moral character.
Equipment and outlet;	(b) That the applicant is equipped as to land, buildings and paraphernalia properly to carry on the business described in his application; and that his trade connections are such that there is reasonable probability that he will apply all narcotic drugs manufactured or sold by him to medicinal and scientific purposes.
Financial condition;	(c) That the applicant is in sufficiently good financial condition to carry out his obligation, and that it is satisfactorily shown that the granting of such license is in the public interest.
Violators not licensed;	(d) No license shall be granted to any person who has within five years been convicted of a wilful

violation of any law of the United States or of any State, relating to opium, coca leaves or any other narcotic drug or to any person who is a narcotic drug addict.

4. The Department of Health of the State of New Jersey may for cause suspend or revoke any license so aforesaid issued. All licenses shall be issued for a period of one year and renewals may be granted for a like period upon payment of a renewal fee of five dollars (\$5.00).

5. A duly licensed manufacturer or wholesaler may sell and dispense narcotic drugs to any of the following persons but only on official written orders:

(a) To a manufacturer, wholesaler, pharmacist or pharmacy owner.

(b) To a physician, dentist or veterinarian.

(c) To a person in charge of a hospital, but only for use by or in that hospital; *provided*, the official written order is signed by a physician, dentist, veterinarian or pharmacist connected with such hospital.

(d) To a person in charge of a laboratory but only for use in that laboratory for scientific and medicinal purposes.

5(1) A duly licensed manufacturer or wholesaler may sell narcotic drugs to any of the following persons:

(a) On a special written order accompanied by a certificate of exemption, as required by the Federal narcotic laws, to a person in the employ of the United States Government or of any State, territory, district, county, municipality, or insular government, purchasing, receiving, possessing or dispensing narcotic drugs by reason of his official duties.

(b) To a master of a ship or a person in charge of any air craft upon which no physician is regularly employed for the actual medical needs of persons on board such ship or air craft when not in port, provided such narcotic drug shall be sold to the master of such ship or person in charge of such

Revoking
licenses.
Term of
license.

To whom
dispensed:

Manufacturer,
etc.;

Physician,
etc.;
Hospital.
Proviso.

Laboratory.

To whom
sold:

Federal
employee;

Shipmaster
or aviator;

air craft only in pursuance of a special order form approved by a commanding medical officer or acting assistant surgeon of the United States Public Health Service.

Person in foreign country.

(c) To a person in a foreign country if the provisions of the Federal narcotic laws are complied with.

Official orders in duplicate.

6. An official written order for any narcotic drug shall be signed in duplicate by the person giving said order or by his duly authorized agent. The original shall be presented to the person who sells or dispenses the narcotic drug or drugs named therein. In the event of the acceptance of such order by said person, each party to the transaction shall preserve his copy of such order for a period of two years, in such a way as to be readily accessible for inspection by any public officer or employee engaged in the enforcement of this act. It shall be deemed a compliance with this subsection if the parties to the transaction have complied with the Federal narcotic laws respecting the requirements governing the use of order forms.

Kept for two years.

Lawful possession.

7. Possession of or control of narcotic drugs obtained as authorized in this act shall be lawful if obtained in the regular course of business, occupation, profession, employment or duty of the possessor.

Use by hospitals, etc.

8. A person in charge of a hospital or of a laboratory, or in the employ of this State or of any other State, or of any political subdivision thereof, and the master or other proper officer of a ship or air craft, who obtains narcotic drugs under the provisions of this act or otherwise shall not administer, nor dispense nor otherwise use such drugs within this State except within the scope of his employment or official duty and then only for scientific or medicinal purposes and subject to the provisions of this act.

Prescriptions filled.

9. A pharmacist in good faith, may sell and dispense narcotic drugs to any person upon the written prescription of a physician, dentist or veterinarian, provided it is properly executed, dated and

signed by the person prescribing on the day when issued and bearing the full name and address of the patient for whom or of the owner of the animal for which, the drug is dispensed, and the full name, address and registry number under the federal narcotic laws of the person so prescribing if he is required by those laws to be so registered. If the prescription be for an animal, it shall state the species of animal for which the drug is prescribed. A person filling the prescription shall write the date of filling and his own signature on the face of the prescription. The prescription shall be retained on file by the proprietor of the pharmacy in which it is filled for a period of two years so as to be readily accessible for the inspection of any officers engaged in the enforcement of this act. The prescription shall not be refilled.

Form of prescription.

Prescription kept on file.

Not refilled.

10. The legal owner of any stock of narcotic drugs in a pharmacy, upon discontinuance of dealing in said drugs, may sell said stock to a manufacturer, wholesaler, pharmacist or pharmacy owner but only upon an official written order.

Disposition of drugs upon discontinuance of business.

11. A pharmacist only upon an official written order, may sell to a physician, dentist or veterinarian in quantities not exceeding one ounce at any one time, aqueous or oleaginous solutions of which the content of narcotic drugs does not exceed a proportion greater than twenty per centum (20%) of the complete solution, to be used for medical purposes.

Sale to physicians, etc.

ARTICLE III

PROFESSIONAL USE OF NARCOTIC DRUGS

1. A physician or a dentist, in good faith and in the course of his professional practice only, may prescribe on a written prescription, administer or dispense narcotic drugs or may cause the same to be administered by a nurse or interne under his direction and supervision. Such a prescription shall be dated and signed by the person prescribing on the day when issued and shall bear the full

Professional use.

Form of prescription.

name and address of the patient for whom the narcotic drug is prescribed and the full name, address and registry number under the federal narcotic laws of the person prescribing, providing he is required by those laws to be so registered.

Professional
use by vet-
erinarian.

2. A veterinarian in good faith and in the course of his professional practice only and not for use by a human being, may prescribe on a written prescription, administer and dispense narcotic drugs and he may cause them to be administered by an assistant or orderly under his direction and supervision. Such a prescription shall be dated and signed by the person prescribing on the day when issued and shall bear the full name and address of the owner of the animal, the species of the animal for which the narcotic drug is prescribed and the full name, address and registry number under the federal narcotic laws of the person prescribing, provided he is required by those laws to be so registered.

Form of
prescription.

Unused
portion
returned.

3. Any person who has obtained from a physician, dentist or veterinarian any narcotic drug for administration to a patient during the absence of such physician, dentist or veterinarian shall return to such physician, dentist or veterinarian any unused portion of such drug when it is no longer required by the patient.

Exceptions:

4. Except as otherwise in this act specifically provided, this act shall not apply to the following cases:

Limits
amount of
drugs per
ounce of
preparation;

(1) Prescribing, administering, compounding, dispensing or selling at retail of any medicinal preparation that contains in one fluid ounce, or if a solid or semisolid preparation, in one avoirdupois ounce (a) not more than two grains of opium (b) not more than one-quarter grain of morphine or of any of its salts, (c) not more than one grain of codeine, or of any of its salts, (d) not more than one-eighth of a grain of heroin or of any of its salts, (e) not more than one-half of a grain of extract of cannabis nor more than one-half of a grain of any more potent derivative or preparation of cannabis.

(2) Prescribing, administering, compounding, dispensing or selling at retail of liniments, ointments, and other preparations, that are susceptible of external use only and that contain narcotic drugs in such combinations as prevent their being readily extracted from such liniments, ointments, or preparations, except that this act shall apply to all liniments, ointments, and other preparations that contain coca leaves in any quantity or combination.

Liniments,
etc., for
external use.

5. The exemptions authorized by this section shall be subject to the following conditions:

Conditions
of exemptions.

(a) The medicinal preparation, or the liniment, ointment, or other preparation susceptible of external use only, prescribed, administered, dispensed, or sold, shall contain, in addition to the narcotic drug in it, some drug or drugs conferring upon it medicinal qualities other than those possessed by the narcotic drug alone.

Liniment, etc.,
to contain
other medic-
inal qualities;

(b) Such preparation shall be prescribed, administered, compounded, dispensed and sold in good faith as a medicine, and not for the purpose of evading the provisions of this act.

Preparation
sold in good
faith.

6. Nothing in this section shall be construed to limit the kind and quantity of any narcotic drug that may be prescribed, administered, compounded, dispensed, or sold, to any person or for the use of any person or animal, when it is prescribed, administered, compounded, dispensed, or sold, in compliance with the general provisions of this act.

Construing
act.

7. Every physician, dentist, veterinarian, or other person who is authorized to administer or professionally use narcotic drugs, shall keep a record of such drugs received by him, and a record of all such drugs administered, dispensed, or professionally used by him otherwise than by prescription. It shall, however, be deemed a sufficient compliance with this section if any such person using small quantities of solutions or other preparations of such drugs for local application, shall keep a record of the quantity, character, and potency of such solutions or other preparations purchased or made up by him, and of the dates when purchased or

Record kept
by physician,
etc.

Using small
quantities.

made up, without keeping a record of the amount of such solution or other preparation applied by him to individual patients.

Manufacturers, etc., to keep records.

Manufacturers and wholesalers shall keep records of all narcotic drugs compounded, mixed, cultivated, grown, or by any other process produced or prepared, and of all narcotic drugs received and disposed of by them, in accordance with the provisions of this section.

Pharmacists to keep records.

Pharmacists and pharmacy owners shall keep records of all narcotic drugs received and disposed of by them, in accordance with the provisions of this section.

Record kept.

Every person who purchases for resale, or who sells narcotic drug preparations exempted by section four, article three, of this act, shall keep a record showing the quantities and kinds thereof received and sold, or disposed of otherwise, in accordance with the provisions of this section.

Form of records for drugs received.

The form of records shall be prescribed by the Department of Health of the State of New Jersey. The record of narcotic drugs received shall in every case show the date of receipt, the name and address of the person from whom received, and the kind and quantity of drugs received; the kind and quantity of narcotic drugs produced or removed from process of manufacture and the date of such production or removal from process of manufacture; and the record shall in every case show the proportion of morphine, cocaine, or ecgonine contained in or producible from crude opium or coca leaves received or produced and the proportion of resin contained in or producible from the dried flowering or fruiting tops of the pistillate plant *cannabis sativa* L., from which the resin has not been extracted, received or produced.

Form of records of drugs sold, etc.

The record of all narcotic drugs sold, administered, compounded, dispensed or otherwise disposed of shall show the date of selling, administering, compounding or dispensing, the name and address of the person to whom, or for whose use, or the owner and species of animal for which, sold,

administered, compounded or dispensed, and the kind and quantity of drugs. Every such record shall be kept for a period of two years from the date of the transaction recorded. The keeping of a record required by or under the Federal narcotic laws, containing substantially the same information as is specified above, shall constitute compliance with this section, except that every such record shall contain a detailed list of narcotic drugs, lost, destroyed, or stolen, if any, the kind and quantity of such drugs, and the date of the discovery of such loss, destruction or theft.

8. Whenever a manufacturer sells or dispenses a narcotic drug and whenever a wholesaler sells and dispenses a narcotic drug in a package prepared by him, he shall securely affix to each package in which that drug is contained a label showing in legible English the name and address of the vendor and the quantity, kind and form of narcotic drug contained therein. No person except a pharmacist for the purpose of filling a prescription under this act, shall alter, deface or remove any label so affixed.

Containers of manufacturer to show quantity, etc.

Whenever a pharmacist sells or dispenses any narcotic drug or prescription issued by a physician, dentist or veterinarian, he shall affix to the container in which such drug is sold or dispensed, a label showing his own name, address, and registry number, or the name, address, and registry number of the pharmacist or pharmacy owner for whom he is lawfully acting; the name and address of the patient or, if the patient is an animal, the name and address of the owner of the animal and the species of the animal; the name, address and registry number of the physician, dentist, or veterinarian, by whom the prescription was written; and such directions as may be stated on the prescription. No person shall alter, deface, or remove any label so affixed as long as any of the original contents remain.

Form of label to be used by pharmacists.

9. A person to whom or for whose use any narcotic drug has been prescribed, sold or dispensed,

Drug kept in original container.

by a physician, dentist, pharmacist or other person authorized under the provisions of this act; the owner of any animal for which any such drug has been prescribed, sold, or dispensed by a veterinarian may lawfully possess it only in the container in which it was delivered to him by the person selling or dispensing the same.

ARTICLE IV

MISCELLANEOUS PROVISIONS

Act not
applicable.

1. The provisions of this act restricting the possessing and having control of narcotic drugs shall not apply to common carriers or to warehousemen while engaged in lawfully transporting or storing such drugs, or to any employee of the same acting within the scope of his employment; or to public officers or employees in the performance of their official duties requiring possession or control of narcotic drugs; or to temporary incidental possession by employees or agents of persons lawfully entitled to possession, or by persons whose possession is for the purpose of aiding public officers in performing their official duties.

Common
nuisance.

2. Any store, shop, warehouse, dwelling house, building, vehicle, boat, aircraft, or any place whatever, which is resorted to by narcotic drug addicts for the purpose of using narcotic drugs or which is used for the illegal keeping or selling of the same, shall be deemed a common nuisance. No person shall keep or maintain such common nuisance.

Forfeiture
for unlawful
possession.

3. All narcotic drugs the lawful possession of which is not established or the title to which cannot be ascertained, which have come into the custody of a peace officer, shall be forfeited, and disposed of as follows:

Department
of Health
notified;

(a) The court or magistrate having jurisdiction shall immediately notify the Department of Health of the State of New Jersey and unless otherwise requested within fifteen days by the Department of Health of the State of New Jersey in accordance with subsection (b) of this section shall order such

Drug de-
stroyed;

narcotic drugs forfeited and destroyed. A record of the place where said drugs were seized, of the kinds and quantities of drugs so destroyed, and of the time, place and manner of destruction, shall be kept, and a return under oath, reporting said destruction, shall be made to the court or magistrate and to the United States Commissioner of Narcotics, by the officer who destroys them. Record kept;

(b) Upon written application by the Department of Health of the State of New Jersey, the court or magistrate by whom the forfeiture of narcotic drugs has been decreed may order the delivery of them except heroin and its salts and derivatives, to said Department of Health of the State of New Jersey for distribution or destruction, as hereinafter provided. Delivered to Department;

(c) Upon application by any hospital within this State, not operated for private gain, the Department of Health of the State of New Jersey may in its discretion deliver any narcotic drugs that have come into its custody by authority of this section to the applicant for medicinal use. The Department of Health of the State of New Jersey may from time to time deliver excess stocks of such narcotic drugs to the United States Commissioner of Narcotics, or shall destroy the same. Given to hospitals;

(d) The Department of Health of the State of New Jersey shall keep a full and complete record of all drugs received and of all drugs disposed of, showing the exact kinds, quantities, and forms of such drugs; the persons from whom received and to whom delivered; by whose authority received, delivered and destroyed; and the dates of the receipt, disposal, or destruction, which record shall be open to inspection by all Federal and State officers charged with the enforcement of Federal and State narcotic laws. Record kept by department;

3A. On the conviction of any person of the violation of any provision of this act, a copy of the judgment and sentence, and of the opinion of the court or magistrate, if any opinion be filed, shall be sent by the clerk of the court, or by the magis- Copy of judgment, etc., sent to licensing authority.

- trate, to the board or officer, if any, by whom the convicted defendant has been licensed or registered to practice his profession or to carry on his business. A duplicate copy of the judgment and sentence and opinion, if any opinion be filed, shall be sent to the Department of Health of the State of New Jersey.
- Duplicate copy sent to department.
- Right of inspection.
- Divulging source of information.
- Obtaining drug by:
- False pretense; Forgery;
- Concealment; Falsifying.
- Certain information not privileged.
- False statement.
- False representation.
- Forged prescriptions.
4. Prescriptions, orders and records, required by this act, and stocks of narcotic drugs, shall be open for inspection only to Federal, State, county and municipal officers, whose duty it is to enforce the laws of this State or of the United States relating to narcotic drugs. No officer having knowledge by virtue of his office of any such prescription, order or record shall divulge such knowledge, except in connection with a prosecution or proceeding in court or before a licensing board or officer to which prosecution or proceeding the person to whom such prescriptions, orders, or records relate is a party.
5. No person shall obtain or attempt to obtain a narcotic drug, or procure or attempt to procure the administration of a narcotic drug, (a) by fraud, deceit, misrepresentation, or subterfuge; or (b) by the forgery or alteration of a prescription or of any written order; or (c) by the concealment of a material fact; or (d) by the use of a false name or the giving of a false address.
6. Information communicated to a physician in an effort unlawfully to procure a narcotic drug, or unlawfully to procure the administration of any such drug, shall not be deemed a privileged communication.
7. No person shall wilfully make a false statement in any prescription, order report, or record, required by this act.
8. No person shall, for the purpose of obtaining a narcotic drug, falsely assume the title of, or represent himself to be, a manufacturer, wholesaler, pharmacist, pharmacy owner, physician, dentist, veterinarian, or other authorized person.
- 8A. No person shall make or utter any false or forged prescription or written order.

9. No person shall affix any false or forged label to a package or receptacle containing narcotic drugs.

Forged labels.

10. The provisions of sections (5), (6), (7), (8) and (9) of article IV of this act shall apply to all transactions relating to narcotic drugs under the provisions of section 4, article III of this act in the same way as they apply to transactions under all other sections.

Application of act.

11. In any complaint, information, or indictment, and in any action or proceeding brought for the enforcement of any provision of this act, it shall not be necessary to negative any exception, excuse, proviso, or exemption, contained in this act, and the burden of proof of any such exception, excuse, proviso, or exemption, shall be upon the defendant.

Burden of proof, etc., upon defendant.

11A. It is hereby made the duty of the Department of Health of the State of New Jersey, its officers, agents, inspectors and representatives, and of all peace officers within the State, and of all county prosecutors, to enforce all provisions of this act, except those specifically delegated, and to cooperate with all agencies charged with the enforcement of the laws of the United States, of this State, and of all other States, relating to narcotic drugs.

Enforcement of act.

12. Any person as in this act defined violating any of the provisions hereof shall be guilty of a high misdemeanor.

Violation a high misdemeanor.

13. No person shall be prosecuted for a violation of any provision of this act if such person has been acquitted or convicted under the Federal narcotic laws of the same act or omission which, it is alleged, constitutes a violation of this act.

Not prosecuted.

14. If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications 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.

Validity of act.

Interpretation of act.	15. This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the laws of those States which enact it.
Repealer.	16. All acts or parts of acts which are inconsistent with the provisions of this act are hereby repealed.
Title.	17. This act may be cited as the uniform narcotic drug act.
	18. This act shall take effect immediately.
	Approved June 5, 1933.

CHAPTER 187

AN ACT to amend an act entitled "A supplement to an act entitled 'An act concerning the charitable, correctional, reformatory and penal institutions, boards and commissions located and conducted in this State, which are supported in whole or in part from county, municipal or State funds, which title was amended as here stated by act approved April eleven, one thousand nine hundred and nineteen,'" which act was approved April sixteenth, one thousand nine hundred and twenty-nine.

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

Section 2
amended.

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

Age of com-
mitment to
reformatory.

2. Any male person between the ages of sixteen and twenty-six years, who has been convicted of a crime punishable by imprisonment in the State prison, who has not previously been sentenced to a State prison, reformatory, or a penitentiary in this or any other State, may be committed to the said reformatory.

2. Section six of the act of which this act is amendatory be and the same is hereby amended so that the same shall read as follows: Section 6 amended.

6. The provisions of the act to which this act is a supplement relative to the New Jersey reformatory shall remain in full force and effect, and the courts, in imposing sentence, may sentence to the New Jersey reformatory, or to the institution created by this act; *provided*, that any person who has been previously convicted of a crime punishable by imprisonment in the State prison, and sentenced to a prison, reformatory or penitentiary, may not be sentenced to the New Jersey reformatory at Annandale. Provisions continue in effect.
Proviso.

3. This act shall take effect immediately.
Approved June 5, 1933.

CHAPTER 188

SUPPLEMENT to an act entitled "An act to provide for the legitimation of bastard children," approved April sixth, one thousand nine hundred and fifteen.

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

1. Any birth certificate of any child legitimated under the act to which this act is a supplement shall be so issued as not to reveal the birth of such child out of wedlock and before the marriage of the parents. Issuing birth certificate.

2. This act shall take effect immediately.
Approved June 5, 1933.

CHAPTER 189

AN ACT vesting the title to real estate of which Elizabeth Gladen died seized, and which is alleged to have escheated to the State of New Jersey in the year one thousand nine hundred and thirty-one, in Frank D. Gladen and William J. Gladen.

Preamble. WHEREAS, Elizabeth Gladen, late of the city of Trenton, county of Mercer and State of New Jersey, departed this life on the twelfth day of April, one thousand nine hundred and thirty-one, seized of all that certain lot, tract or parcel of land and premises situate in the city of Trenton, county of Mercer and State of New Jersey, described as follows:

Description of property. Beginning at the northeast corner of Chestnut avenue and Hewitt street and running thence (1) northerly, along the easterly line of Chestnut avenue, 25 feet to a point; thence (2) easterly, parallel with Hewitt avenue, 90 feet to a point in range with the centre line of the partition wall dividing the garage on the herein described property from the garage adjoining on the east; thence (3) southerly, parallel with the first course and passing through the centre of said partition wall and continuing the same course beyond, 25 feet to a point in the northerly line of Hewitt street; thence (4) westerly, along the said line of Hewitt street, 90 feet to the point and place of beginning; and

Preamble. WHEREAS, The said Elizabeth Gladen 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:*

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 Gladen, more particularly described in the first preamble to this act, are hereby vested in Frank D. Gladen and William J. Gladen; such title so as aforesaid vested under the provisions of this act is validated and confirmed. Vestment of property.

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

Approved June 5, 1933.

CHAPTER 190

AN ACT vesting the title to real estate of which Elizabeth Gladen died seized, and which is alleged to have escheated to the State of New Jersey in the year one thousand nine hundred and thirty-one, in Frank D. Gladen and William J. Gladen.

WHEREAS, Elizabeth Gladen, late of the city of Trenton, county of Mercer and State of New Jersey, departed this life on the twelfth day of April, one thousand nine hundred and thirty-one, seized of all those certain lots, tracts or parcels of land and premises situate in the township of Lacey, county of Ocean and State of New Jersey, described as follows: Map No. 24 of property belonging to the Barnegat Pines Realty Co., Block 2218, Lots Nos. 27 and 28; and Preamble

Location of property.

WHEREAS, The said Elizabeth Gladen left no person or persons capable of inheriting the said lands and premises; 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:*

Vestment of property. 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 Gladen, more particularly described in the first preamble to this act, are hereby vested in Frank D. Gladen and William J. Gladen; such title so as aforesaid vested under the provisions of this act is validated and confirmed.

Act private. 2. This act shall be deemed a private act and shall take effect immediately.
Approved June 5, 1933.

CHAPTER 191

AN ACT vesting the title to real estate of which Elizabeth Gladen died seized, and which is alleged to have escheated to the State of New Jersey in the year one thousand nine hundred and thirty-one, in Frank D. Gladen and William J. Gladen.

Preamble. WHEREAS, Elizabeth Gladen, late of the city of Trenton, county of Mercer and State of New Jersey, departed this life on the twelfth day of April, one thousand nine hundred and thirty-one, seized of all those certain lots, tracts or parcels of land and premises situate in the township of Lacey, county of Ocean and State of New Jersey, described as follows: Map No. 24 of property belonging to the Barnegat Pines Realty Co., Block 2218, Lots Nos. 29 and 30; and

Location of property.

WHEREAS, The said Elizabeth Gladen 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 Gladen, more particularly described in the first preamble to this act, are hereby vested in Frank D. Gladen and William J. Gladen; such title so as aforesaid vested under the provisions of this act is validated and confirmed. Vestment of property.

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

Approved June 5, 1933.

CHAPTER 192

A SUPPLEMENT to an act entitled "An act to authorize banks and trust companies to establish branch offices or agencies for the transaction of their business," approved March third, one thousand nine hundred and twenty-five.

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

1. Whenever application shall be made by any bank or trust company to establish or maintain a branch office or agency at a location in the same county, then occupied by any bank, savings bank, trust company or national banking association in liquidation or in contemplation of liquidation, the Continuance of branch bank under another bank.

entire assets of which have been or shall be purchased or otherwise acquired by the bank or trust company making such application, and it shall appear to the commissioner that the establishment and maintenance of such branch office or agency will be of public service and will tend to continue an established banking business at said location and the bank or trust company making such application shall have the capital required by the act to which this is a supplement, said commissioner may approve such application immediately and without notice and effective upon or after the discontinuance of such established banking business by the corporation theretofore occupying such location.

Capital
required.

2. This act shall take effect immediately.

Approved June 5, 1933.

CHAPTER 193

AN ACT to amend an act entitled "An act to provide for a State Budgeting System and its operation," approved April twentieth, one thousand nine hundred and thirty-one.

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

Section 18
amended.

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

Report by
highway
commission.

18. (a) The State Highway Commission shall, on or before the fifteenth day of October in each year, submit to the Governor a report of the work and operations and financial condition of the department for the year (projecting same to December thirty-first), including itemized report of county and township allotments and commitments, in such form and in such detail as the Governor shall require.

(b) On or before the fifteenth day of October in such year the State Highway Commission shall submit to the Governor, in connection with its report for the then current year, a schedule of the estimated anticipated revenues available for highway purposes during the ensuing calendar year. The several revenue items committed to the State Highway fund which are dedicated to a specific purpose before being made a part of the State Highway fund together with the funds to be made available through the sale of bonds and all unappropriated balances shall be tabulated and shown as the total resources for the support of the Highway Department schedule and program for the ensuing calendar year.

Estimated revenues for roads next year.

Itemized.

(c) On or before the fifteenth day of October in each year the State Highway Commission shall submit to the Governor the schedule and program for which they propose to expend or use such funds for the ensuing calendar year, stating the dedicated fund items and the general fund items separately, according to purposes, routes and sections of routes. Such program may include projects that may be substituted for other projects included in the program should it be found impossible or impractical to construct or carry on any one or more of the projects in the program.

Program for roads for ensuing year.

(d) The Governor shall review the schedule of anticipated revenues and program submitted by the State Highway Commission, as provided in subsections (b) and (c) hereof, and shall formulate his budget recommendations thereon and shall submit such recommendations to the Legislature at the same time that he submits to the Legislature the budget message provided in section eight of the act to which this act is an amendment. Such recommendations, which shall be for the calendar year in which such budget message is submitted, shall be submitted to the Legislature in substantially the following form, and shall include the items designated hereafter as mandatory dedications, (d-1), (d-2) and (d-3) for the purpose of statistical in-

Governor to review schedule.

Recommendations.

Form to be followed.

formation only and not for the purpose of their being included in the appropriation act provided for in this act:

Revenues:

Schedule of revenues.

A detailed schedule of the anticipated revenues to be available for the State Highway Fund, as hereinafter defined, for the calendar year beginning on the first day of January next ensuing the date provided for the submitting of such report.

Mandatory Dedications:

Debts.

(d-1) Debt Service: interest, sinking fund and principal payments of any State bonds heretofore or hereafter issued, payable from revenues derived from motor fuel tax.

Projects:

(d-2) State-aid projects which shall include the following items:

General road building and care:

First: Six million dollars (\$6,000,000.00) for the construction, reconstruction, maintenance and repair, operation, policing and lighting of county roads and bridges, and for the payment of principal or interest of obligations heretofore incurred for any of such purposes, and for the extension of the county highway system under the following formula:

By population;

Percentage of population of each county to the total population of the State, according to the last Federal census;

By mileage;

Percentage of each county road mileage as against total county road mileage in the State;

By area.

Percentage of each county in area as against total area in the State.

Roads in certain municipalities.

Second: Two million one hundred thousand dollars (\$2,100,000.00) to be expended pursuant to "An act to provide for the proper construction, grading, drainage, maintenance and repair of unimproved town, township, village and borough roads of the State," approved March twenty, one thousand nine hundred and sixteen, as amended or supplemented.

Third: Seven hundred and thirty-five thousand dollars (\$735,000.00) to be expended pursuant to the provisions of chapter one hundred and seventy-eight of the laws of one thousand nine hundred and thirty, as amended or supplemented. County roads.

Fourth: Two hundred and ten thousand dollars (\$210,000.00) to be expended pursuant to chapter two hundred and fifty-five of the laws of one thousand nine hundred and twenty-nine, as amended or supplemented. Unimproved roads.

Fifth: Ninety thousand dollars (\$90,000.00) to the Board of Commerce and Navigation for the construction, reconstruction and maintenance and improvement of the inland waterway, as provided by chapter three hundred and thirty-four of the laws of one thousand nine hundred and twenty-seven, as amended or supplemented. Inland waterways.

Sixth: The amount required for the State Highway Sinking Fund as provided by chapter two hundred and sixty-two, laws of one thousand nine hundred and twenty-two, and chapter one hundred and eighty-one of the laws of one thousand nine hundred and twenty-seven, for the year to which the budget shall apply. Sinking fund.

Seventh: One hundred and seventy-five thousand dollars (\$175,000.00) to be paid to the Free Bridge Commission, when such amount is included in any appropriation law of the State. For bridges.

(d-3) For reimbursement to municipalities or counties due in the budget period for which such budget shall apply, which obligations have been contracted for prior to the passage of this act. Reimbursements.

Appropriations:

(d-4) For administration and operation of the Department of Motor Vehicles; Motor vehicle department.

(d-5) For the administration, engineering, inspection and administration costs of right of way for the State Highway system; Highway department.

(d-6) For construction of the State Highway system; Construction.

- Highway plant. (d-7) For purchase of plant and equipment of the State Highway Department;
- Right of way. (d-8) For purchase of rights of way for the State Highway system;
- Maintenance. (d-9) For maintenance of the State Highway system;
- Quarterly report on road work. (e) The State Highway Commission shall make a report to the Governor quarterly, and at such other times as the Governor may direct, as to the progress of its work in connection with the program as adopted and upon any project carried over from the preceding year, together with the condition of its revenues and finances all in such detail as the Governor may direct;
- Aid for roads. (f) On or before December tenth of each year the State Highway Commission shall notify the clerk of the board of chosen freeholders of each county as to the amount of county and township and borough aid which has been set up for the county and each municipality within the county applicable to the ensuing calendar year, and it shall be lawful for the several counties and municipalities to include such amount in their respective budgets whether such budget be adopted before or after the Legislature has enacted the State Highway Fund appropriation act as provided in this act;
- Governor's recommendations. (g) The Governor shall submit his recommendations to the Legislature as to the appropriations to be made under subdivisions (d-5), (d-6), (d-7), (d-8), and (d-9) of this act, in lump sum for each item, and who shall submit to the Legislature a detailed budget request as provided in section eight of this act for the recommendations relating to subdivision (d-4), above designated, and the Legislature shall, by separate appropriation act which shall take effect on the first day of January preceding its enactment in each year, and which shall be known as the State Highway Fund appropriation act, appropriate such items for the several purposes in lump sums as enumerated in subdivision
- Lump sum.
- Detailed budget.

(d) of this section which are required to be appropriated by this act. Prior to the enactment of such appropriation act, it shall be lawful for the State Highway Commission to expend from such moneys in the State Highway Fund, as hereinafter defined, as shall be necessary for the maintenance of the State Highway system and the administration of the State Highway Department, amounts which may be equal to but not in excess of such amounts as were expended for similar purposes during the same period in the preceding calendar year, and the State Treasurer is hereby authorized to pay on warrant of the Comptroller moneys for such purposes when not in excess of expenditures for similar purposes during the same period in the preceding calendar years; *provided, however*, that during such period as the appropriation act is not in effect no contracts for new construction shall be entered into by the State Highway Commission;

(h) The necessary expenses for the administration and operation of the Department of Motor Vehicles shall be included in the appropriations act provided by this act, as provided in subdivision (e) hereof. There shall be included in the annual appropriations act for the fiscal year 1933-34 the amount of appropriations necessary for the period from July first, one thousand nine hundred and thirty-three, to December thirty-first, one thousand nine hundred and thirty-three, and annually thereafter the Commissioner of Motor Vehicles shall submit to the Governor his budget request for the calendar year beginning January first next ensuing, as provided in section four of the act to which this act is an amendment, it being the intent of this subdivision to authorize the appropriations to the Department of Motor Vehicles on a calendar year basis commencing with the calendar year of one thousand nine hundred and thirty-four. Prior to the enactment of the State Highway Fund appropriation act provided by this act, it shall be lawful for the Commissioner of Motor Vehicles to expend from such moneys in the State Highway Fund, as

Necessary
maintenance.

Limitation.

Proviso.

Motor vehicle
department.

Past year.

Fiscal year.

Necessary
outlay.

hereinafter defined, as shall be necessary for the expenses of administration and operation of the Department of Motor Vehicles, amounts which may be equal but not in excess of such amounts as were expended for similar purposes during the same period in the preceding calendar year, and the State Treasurer is hereby authorized to pay on warrant of the Comptroller moneys for such purposes when not in excess of expenditures for similar purposes during the same period in the preceding calendar year;

Limitation.

Provision for payment.

Highway fund kept separate. (i) All moneys now in the treasury of the State or which hereafter shall be received into such treasury from any and every source which are dedicated to highway purposes, which shall include all revenues from the motor fuel taxes and the motor vehicle license fees and fines shall be set up by the State Treasurer in a separate fund to be known as the State Highway Fund, and no money shall be withdrawn from such fund except as shall be included in the State highway appropriation fund act except for the purposes enumerated in subdivisions (d-1), (d-2), and (d-3) of this section, or for further grants of moneys to counties or municipalities for road purposes or for the payment of interest or principal on reimbursement obligations heretofore incurred for road purposes, and provided for in subsections (g) and (h) of this section, and none other, excepting as hereinafter provided for in this subdivision, and any unexpended or uncommitted balances of such appropriations shall revert back to the State Highway Fund. Nothing in this section contained shall be construed to prohibit the withdrawal of any money as received for the payment of the principal or interest of any bonded indebtedness of this State or for sinking fund purposes on any bonds heretofore or hereafter issued by the State, or for the amount of money appropriated by the Legislature for the collection of the tax on motor fuels, which moneys shall be withdrawn for such purposes upon certification of the State Treasurer;

Withdrawals.

Provision for principal and interest.

Sinking fund.

(j) The program for the calendar year one thousand nine hundred and thirty-three heretofore submitted by the State Highway Commission to the Governor shall be the basis for the State highway program for the year one thousand nine hundred and thirty-three, and none of the provisions of this amendment shall be construed as affecting the procedure heretofore existing for adopting and carrying such program into effect;

Basis of program.

(k) For the year one thousand nine hundred and thirty-four and subsequent years the Governor shall send to the Legislature his recommendations as provided in subdivision (d) of this section, and after the enactment of the appropriations act provided for in this act such appropriations shall control the program of the State Highway Commission for the calendar year; *provided, however,* that the Governor shall have the same power over the appropriations to the State Highway Commission as is provided in section sixteen of the act to which this act is an amendment;

Subsequent recommendations.

Proviso.

(l) In order to maintain a reasonable degree of flexibility, the State Highway Commission may, with the approval of the State House Commission, transfer funds from one item to another where such action seems to be in the best interests of the State and will tend to the economical operation of the State Highway Department; *provided, however,* that no item appropriated for any permanent construction improvement shall be transferred to any administrative item.

Transfer of funds.

Proviso.

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

Repealer.

Approved June 5, 1933.

CHAPTER 194

AN ACT authorizing municipalities, counties and the boards of education of any school district in this State to extend the maturity of any of its bonds, or other obligations, either temporary or permanent, by agreement with the holders thereof.

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

Definitions.

1. In this act the term "municipality" shall mean any city, town, township, borough, village or any municipality governed by an improvement commission in the State, and the term "county" shall mean counties of all classes, and the term "governing body" shall mean the board or body having charge and control of the finances of a municipality or county. The term "school district" shall mean the board of education of school districts of all classes in this State.

Extending maturity of bonds.

2. Any municipality, county or board of education of any school district of this State shall have the power to enter into an agreement with the holder or holders of any obligations of said municipality, county or school district maturing in the years 1933, 1934 and 1935, extending the time for the payment of the principal of said obligations for a period not exceeding three years from the date of the original maturity.

Provision for interest.

Said agreement may provide for the payment of any interest on said obligation not exceeding six per centum (6%) per annum, notwithstanding the rate of interest provided on said bonds.

Action by resolution.

3. Such agreement shall be authorized by resolution of any such municipality, county or school district.

4. Said bonds or other obligations, so extended, may have stamped across the face thereof a statement setting forth the extended maturity date and the rate of interest to be paid thereon until said date. Said bonds or obligations may be registered in the name of the person executing said agreement; *provided, however*, nothing herein contained shall be construed to prevent said person from selling or transferring said bonds or obligations.

Surcharging.

Proviso.

5. In all other respects said bonds or obligations shall continue as legal obligations of said municipality, county or school district.

Legality.

6. Nothing in this act shall be construed to relieve a municipality from placing in its annual budget the amount necessary to be set aside for the payment of bonds or other obligations as they severally mature.

Municipal responsibility.

7. This act shall be considered as emergency legislation, the purpose of which is to save municipalities, counties and school districts the expense of issuing new bonds and in turn exchanging them for maturing obligations.

Object of act.

8. This act shall take effect immediately.

Approved June 5, 1933.

CHAPTER 195

AN ACT to amend an act entitled "An act concerning banks, trust companies and savings banks having shares of capital stock," approved April twelfth, one thousand nine hundred and thirty-three.

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

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

Section 6 amended.

Authorized
payments for
subscriptions.

6. Subscriptions to such preferred stock may be paid for either in cash or by an off-set in the same amount against any deposit, balance or balances on the books of such bank, trust company or savings bank, or partly by cash and partly by such off-set against deposit balance or balances, or may, with the approval of the Commissioner of Banking and Insurance, be paid for by assets in which such bank, trust company or savings bank may lawfully invest.

2. This act shall take effect immediately.

Approved June 5, 1933.

CHAPTER 196

AN ACT amending an act entitled "An act concerning deposits of money by the State or any county, municipality or school district in any national bank transacting business in this State or in any bank, trust company or savings bank organized under the laws of this State," approved March twenty-ninth, one thousand nine hundred and thirty-three.

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

Section 1
amended.

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

Consent to
opening closed
bank.

1. Whenever the State, or any county, municipality or school district has or shall have on deposit moneys in any national bank transacting business in this State, or in any bank, trust company or savings bank organized under the laws of this State, and any such bank, trust company or savings bank has been or shall be placed in the hands of a receiver or has been or shall be taken over by the

Comptroller of the Treasury of the United States or any other officer of the United States government empowered so to do, or by the Commissioner of Banking and Insurance of this State, pursuant to the statute, in any such event if a plan for the reorganization, reopening or consolidation of any such bank, trust company or savings bank shall be approved by the Comptroller of the Treasury of the United States or any other officer of the United States government empowered so to do, or by the Commissioner of Banking and Insurance of this State, as the case may be, consent to such reopening, reorganization or consolidation of any such bank, trust company or savings bank, according to the plan so approved, may be given by the treasurer of this State or other custodian of State funds, on behalf of the State, or by the governing body of any county, municipality or school district by resolution of the government body thereof.

2. This act shall take effect immediately.

Approved June 2, 1933.

CHAPTER 197

AN ACT to amend an act entitled "An act providing for the appointment of weighmasters and defining their powers and duties."

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

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

6. All certificates of weights and measures, as provided by this act, shall contain the accurate and correct weight of any and all commodities weighed when issued by the public weighmaster. Correct weight.

False
certificate.

Penalty.

Any weighmaster who shall issue a certificate of weight or measurement giving a false weight or measure of any article or commodity weighed or measured by him to any person, firm or corporation, or who shall delegate his authority to any person not certified as a weighmaster, or who shall preseat a certificate of weight or measure with his official seal before first having performed the work of weighing or measuring, or who shall conduct the affairs of his office as weighmaster in any manner at variance with this act, shall, upon being found guilty of such offense, pay a fine of not less than one hundred dollars, nor more than five hundred dollars, and, in addition, shall forfeit his certificate as weighmaster, which certificate, when so forfeited, shall be turned over to the State Superintendent of Weights and Measures.

2. This act shall take effect immediately.

Approved June 5, 1933.

CHAPTER 198

AN ACT regulating the appointment of members of the Board of Medical Examiners, pursuant to an act entitled "An act to regulate the practice of medicine and surgery, to license physicians and surgeons, and to punish persons violating the provisions thereof," approved May twenty-second, one thousand eight hundred and ninety-four; members of the Board of Architects, pursuant to an act entitled "An act to regulate the practice of architecture," approved March twenty-fourth, one thousand nine hundred and two; members of the Board of Embalmers and Funeral Directors of the State of New Jersey, pursuant to an act entitled "An act to regulate the

business of dealing with dead human bodies, including their preparation, preservation and disposal and the business of funeral directing, embalming and undertaking and to license those engaged in the business of funeral directing, undertaking, embalming and the preparation and preservation and disposal of dead human bodies and to punish persons violating the provisions thereof," approved March twenty-eighth, one thousand nine hundred and twenty-seven; members of the State Board of Veterinary Medical Examiners, pursuant to an act entitled "An act to regulate the practice of veterinary medicine, surgery and dentistry in the State of New Jersey, to license veterinarians, and to punish persons violating the provisions thereof," approved March seventeenth, one thousand nine hundred and two; members of the New Jersey State Board of Optometrists, pursuant to an act entitled "An act to regulate the practice of optometry, to license optometrists, and to punish persons violating the provisions thereof," approved April seventeenth, one thousand nine hundred and fourteen; members of the State Board of Registration and Examination in Dentistry, pursuant to an act entitled "An act to regulate the practice of dentistry in the State of New Jersey, and to repeal certain acts now relating to the same," approved March thirty-first, one thousand nine hundred and fifteen; members of the State Board of Examiners of Nurses, pursuant to an act entitled "An act to regulate the practice of nursing in the State of New Jersey, to register nurses with the privilege of using the abbreviation 'R. N.', and to punish persons violat-

ing the provisions thereof," approved April first, one thousand nine hundred and twelve, and the various acts supplementary and amendatory of the acts hereinabove recited, and to fix the compensation and allowances to members of said board.

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

Members of various boards appointed by Governor.

Lists furnished.

Submission of names.

Expenses met.

Registration fee.

Uses of fees.

1. All the members of the Board of Medical Examiners, Board of Architects, the Board of Embalmers and Funeral Directors of the State of New Jersey, State Board of Veterinary Medical Examiners, New Jersey State Board of Optometrists, State Board of Registration and Examination in Dentistry and State Board of Examiners of Nurses shall be appointed by the Governor from a list to be furnished by the society or organization of whom the persons nominated are members, if there be such a society or organization, or if such society or organization has a membership in good standing of not less than one hundred, and for every membership to be filled in any of said boards at least three names shall be submitted to the Governor, and from the names thus submitted the Governor may select one person to be a member of said board.

2. Every member of any of the above-named boards shall be entitled to his actual traveling and other expenses incurred in the performance of his duties, which sum shall be paid from the license fees and other sources of income of the respective boards. Each of said boards shall also be entitled to expend from its income such sums as shall be necessary to defray all proper expenses incurred by it in the performance of its duties. Each of said boards which is or hereafter shall be authorized to collect an annual registration or annual license fee from persons licensed by it may retain in its treasury the sums heretofore or hereafter collected for annual registration or annual license fees and use the same for the purpose of defraying

the expenses of securing evidence against and prosecuting persons violating the provisions of the acts of the Legislature with the enforcement of which it is charged, or in case the revenue of said board from other sources shall be insufficient to pay the salary of its secretary and its other expenses such fees may be expended for such purposes. Each of said boards shall be entitled to retain, in addition to the above, at least one hundred dollars (\$100.00) in its treasury for the purpose of preparing and holding examinations for applicants for license to practice any of said professions. On or before the thirty-first day of October in each year each of said boards shall pay to the Treasurer of this State all moneys remaining in the treasury of said board, except as above stated, which said sum, when paid into the treasury of this State, shall form a part of the State fund. Each of said boards shall keep accurate accounts of its receipts and expenditures, which said accounts shall be subject to audit by the State Comptroller.

3. The secretary of each of the above-named boards, whether a member of such board or not, shall be entitled to receive such reasonable salary or compensation for his services as secretary as shall be fixed by such board, which salary or compensation shall be paid by said board from its receipts; *provided, however*, that in case an appropriation is made for the expenses of said board, such salary or other compensation shall not, in that case, be paid from the receipts of said board but from such appropriation.

4. This act shall take effect immediately.

Approved June 5, 1933.

Retention.

Balance paid
into State
treasury.

Accounts.

Secretary's
salary.

Proviso.

CHAPTER 199

AN ACT validating certain proceedings had under an act entitled 'An act concerning unpaid taxes, assessments and other municipal charges on real property, and providing for the collection thereof by the creation and enforcement of liens thereon' (Revision of 1918), approved March fourth, one thousand nine hundred and eighteen, as amended by the act approved April twenty-second, one thousand nine hundred and twenty-nine.

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

Validating
proceedings.

1. All final decrees heretofore entered, based on proceedings under section forty-nine of an act entitled "An act concerning unpaid taxes, assessments and other municipal charges on real property, and providing for the collection thereof by the creation and enforcement of liens thereon" (Revision of 1918), approved March fourth, one thousand nine hundred and eighteen, as amended by the act approved April twenty-second, one thousand nine hundred and twenty-nine, being chapter one hundred thirty-nine of the laws of one thousand nine hundred and twenty-nine, shall be valid and effectual, *provided* there has been a substantial compliance with said act and that no suit is pending to attack the validity of such decree.

Proviso.

Validating
proceedings.

2. All final decrees hereafter entered, based on proceedings heretofore instituted under section forty-nine of an act entitled "An act concerning unpaid taxes, assessments and other municipal charges on real property, and providing for the collection thereof by the creation and enforcement of liens thereon" (Revision of 1918), approved March fourth, one thousand nine hundred and eighteen, as amended by the act approved April

twenty-second, one thousand nine hundred and twenty-nine, being chapter one hundred thirty-nine of the laws of one thousand nine hundred and twenty-nine, shall be valid and effectual, *provided* there has been a substantial compliance with said act. Proviso.

3. All final decrees heretofore entered, based on proceedings under section forty-nine of an act entitled "An act concerning unpaid taxes, assessments and other municipal charges on real property, and providing for the collection thereof by the creation and enforcement of liens thereon" (Revision of 1918), approved March fourth, one thousand nine hundred and eighteen, as amended by the act approved April twenty-second, one thousand nine hundred and twenty-nine, being chapter one hundred thirty-nine of the laws of one thousand nine hundred and twenty-nine, in which unknown owners were joined as defendants with named defendants, shall be valid and effectual, *provided* there has been a substantial compliance with said act and that no suit is pending to attack the validity of such decree. Proceedings validated.
Proviso.

4. All final decrees hereafter entered, based on proceedings heretofore instituted under section forty-nine of an act entitled "An act concerning unpaid taxes, assessments and other municipal charges on real property, and providing for the collection thereof by the creation and enforcement of liens thereon" (Revision of 1918), approved March fourth, one thousand nine hundred and eighteen, as amended by the act approved April twenty-second, one thousand nine hundred and twenty-nine, being chapter one hundred thirty-nine of the laws of one thousand nine hundred and twenty-nine, in which unknown owners were joined as defendants with named defendants, shall be valid and effectual, *provided* there has been a substantial compliance with said act. Proceedings validated.
Proviso.

Approved June 5, 1933.

CHAPTER 200

AN ACT to amend an act entitled "An act concerning unpaid taxes, assessments and other municipal charges on real property, and providing for the collection thereof by the creation and enforcement of liens thereon" (Revision of 1918), approved March fourth, one thousand nine hundred and eighteen.

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

Section 49
amended.

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

Bill to
foreclose right
of redemption.

49. The purchaser, or his heirs or assigns, in addition to the foregoing remedy, and at any time after the expiration of the term of two years, whether notice to redeem has been given or not, may file a bill in equity to foreclose the right of redemption, but on filing such bill the right to redeem shall exist and continue until barred by the decree of the Court of Chancery; and the Court of Chancery upon the filing of a bill to foreclose as aforesaid is hereby empowered to give full and complete relief under this act, in accordance with other statutory authority and with the practice of said court, to bar the right of redemption and to foreclose all prior or subsequent alienations and descents of said lands and encumbrances thereon, excepting subsequent municipal liens, and to decree an absolute and indefeasible estate of inheritance in fee simple, to be vested in the purchaser, which decree shall be final upon the defendants, their heirs, devisees and personal representatives, and their or any of their heirs, devisees, executors, administrators, grantees, assigns or successors in right, title or interest, and no application shall be entertained to reopen the same after three

Foreclosure
to provide
relief.

Decree final.

Reopening.

months from the date thereof and then only upon the grounds of lack of jurisdiction or fraud in the conduct of the suit. In any case where the owner or owners of said lands or some of them are unknown to, or cannot, after due inquiry, be ascertained by the holder of said tax certificate, and said lands at the time of the sale have been assessed against an unknown owner, or against a named person, and a careful and diligent search of the indices in the office of the surrogate and in the office of the clerk of the court of common pleas of the county or in the office of the register of deeds and mortgages of a county where such office exists or may hereafter be established, in which the lands so conveyed are situate, and in the office of the Secretary of State, does not disclose the name of an owner having a record chain of title to the lands described in the certificate of sale, extending back at least sixty years next preceding the date of the sale, the suit may proceed in the same manner as if all the owners of said lands were known, making such unknown owner or owners a party or parties thereto by the name "Unknown owner, his heirs, devisees and personal representatives, and their or any of their heirs, devisees, executors, administrators, grantees, assigns or successors in right, title or interest," and he or they shall be so designated throughout the cause, and the suit shall proceed against him or them by publication of notice under order, according to the law and practice of the Court of Chancery, which publication shall describe said lands in detail in such manner and terms as will identify the same, in addition to the description in the certificate of sale; which notice shall be published in a newspaper in which ordinances of the municipality in which said lands are situate may be published and at the expiration of the time limited in said order the Chancellor shall make such decree against said unknown owner or owners, by the designation aforesaid, as if they had been named in the proceedings and personally served with process, and

If owner
unknown.

Careful search
required.

Proceedings by
publication.

Notice.

Decree by
Chancellor.

upon failure of said unknown owner or owners to redeem said lands their equity of redemption shall be foreclosed and barred without further publication, but notice of the date limited for redemption, the place to redeem and the amount necessary to redeem shall be posted upon the lands affected by the suit at least twenty days before the date so fixed. It shall not be necessary to cause notice of said publication to be mailed when, in the discretion of the court, it would appear to be useless or unreasonable. Any person or corporation whose interest in the said lands cannot be ascertained from the search of the title of the premises described in the certificate of sale, made in the county and State records as aforesaid, shall be deemed to be included in the classification "Unknown owner, his heirs, devisees and personal representatives, and their or any of their heirs, devisees, executors, administrators, grantees, assigns or successors in right, title or interest." In any case where an examination of the aforementioned records discloses a record of ownership of said lands, or a part thereof, in some person or persons by purchase or descent it shall be lawful and proper to join such persons as defendants with unknown owners in the same suit. Every bill to foreclose such tax certificate filed against "Unknown owner, his heirs, devisees and personal representatives, and their or any of their heirs, devisees, executors, administrators, grantees, assigns or successors in right, title or interest", shall have attached thereto an affidavit that the owner or owners of said lands or a part thereof are unknown to complainant, and the names and addresses of either all or some of said owners cannot be ascertained by complainant despite diligent and careful inquiry therefor, and an affidavit of the person who made the search and examination of the indexes of the office of the surrogate, and the office of the clerk of the court of common pleas, or the office of the register of deeds and mortgages, as the case may be, of the county in which the lands are situate, and in the office of the

Unknown
owner listed.

Ownership
joined with
unknown
owner.

What bill of
foreclosure
to show.

As to search.

Secretary of State, which affidavit shall contain a sufficient statement on the part of the deponent to show that he has made a complete search of all indexes containing the names of persons leaving wills or on whose estate letters of administration have been issued, as shown by the records of said county and in the office of the Secretary of State, for the purpose of ascertaining the name of the owner or owners of said lands, and also a complete search of all indexes of grantors and grantees, mortgagors and mortgagees, in said county, against the name of any person or persons, if any, against whom the lands were assessed, as shown by the assessment books in the municipality where said lands are situate, for a period of forty years immediately prior to the commencement of suit, if there be such records for that period of time, and if for a lesser period of time, then from such time as the records are available, and which affidavit shall state that as a result of said examinations deponent verily believes that the allegations of the bill of complaint are true, in so far as they relate to the subject matter of said examinations and the results thereof. Where such search or examination is made by a title company then the affidavit may be made by an officer of the company, but in any event, the search and affidavit must both be made by some person or corporation disclosed by the affidavit or by supplemental affidavit or affidavits to be competent to examine titles. Said affidavit or affidavits shall be considered procedural, and a substantial compliance with this section shall be deemed sufficient. Where the lands shall be located in more than one county then and in such case the examination and search aforesaid shall be made in the offices above indicated, in each of the counties in which the lands are located or situate. After the bill in equity has been filed, redemption shall be made in said cause only; *provided*, notice of the suit has been filed in the office of the collector of taxes; and the court shall, upon application at any time after bill filed, allow costs, which shall include

Period of search.

Affidavit as to result.

When title company acts.

If land in different counties.

After bill in equity filed.

Proviso.

Costs and fees.

New Jersey State Library

reasonable fees for an examination of the title to the lands described in the bill filed, disbursements incurred by the purchaser and his counsel, and counsel fees commensurate with the services rendered, in addition to the other fees and expenses in this act provided; but no foreclosure decree, except in cases where a municipality is the party complainant, shall be entered unless evidence is produced in the foreclosure suit that all subsequent municipal liens have been paid to the time of the commencement of the suit; *provided, however*, that if any delinquent owner or lienor shall be, at the time of the expiration of the time limited for the redemption of the real estate in which such delinquent is interested, an infant under the age of twenty-one years, or an idiot, or then shall have been judicially decided a person of unsound mind, then the right to redeem shall not be barred by service of notice as hereinbefore provided so long as such impediment shall continue, but shall be barred only by bill in equity to foreclose and decree thereon after proceedings have been taken according to the rules and practice of that court for the protection of the rights of such person; *provided, however*, no search fee in excess of ten dollars (\$10.00) and no counsel fee shall be allowed a complainant other than a municipality, in the foreclosure of a tax lien unless, prior to the filing of the bill of complaint, the complainant shall have given ninety (90) days' written notice to the interested owners and mortgagees whose interest appears of record by registered mail with postage prepaid thereon, addressed to the last known address of the said owners and mortgagees of intention to file such bill of complaint, which notice shall also contain the amount due on said tax lien as of the date of such notice.

Proviso.

Proviso.

Notice of intention to file bill of complaint.

Section liberally construed.

This section shall be liberally construed as remedial legislation to encourage the barring of the right of redemption by suits in the Court of Chancery, and for the decreeing of marketable titles therein.

2. All acts and parts of acts inconsistent with this act are hereby repealed; *provided, nevertheless*, that it is not intended hereby to repeal any of the provisions of public laws of one thousand nine hundred and twenty-five, page four hundred and eighty, entitled "An act requiring any defendant, in an action in the Court of Chancery, for the foreclosure of a certificate of sale, issued by any political subdivision, for the nonpayment of taxes or other municipal lien, to plead any defense that may exist against the validity of such lien," approved March eighteenth, one thousand nine hundred and twenty-five, nor any amendment or supplement thereto.

Repealer.
Proviso.

3. This act shall take effect immediately.
Approved June 5, 1933.

CHAPTER 201

AN ACT to amend an act entitled "An act to provide a uniform procedure for the enforcement of all laws relating to fish, game and birds, and for the recovery of penalties for violations thereof," approved March twenty-ninth, one thousand eight hundred and ninety-seven.

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

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

Section 9
amended.

9. Any party to any proceeding instituted under this act may appeal from the judgment or sentence of the justice, district court, recorder or police magistrate, to the court of common pleas of the county in which the said proceedings take place; *provided*, that the party appealing shall, within ten

Appeal.

Proviso.

Bond.

Surety.

days after the date of the said judgment, serve a written notice of appeal upon the opposite party, the opposite party to mean the complainant in the case, pay the costs of such proceedings, and deliver to the justice, district court, recorder, or police magistrate a bond to the opposite party in double the amount of the judgment appealed from with at least one sufficient surety, conditioned to prosecute the said appeal and to stand to and abide by such further order or judgment as may hereafter be made against said party.

2. This act shall take effect immediately.

Approved June 5, 1933.

CHAPTER 202

AN ACT to prevent fraud and deception in the sale and offering for sale of rebuilt electric storage batteries and prescribing penalties for violation thereof.

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

Rebuilt
storage
battery.

Penalty.

1. Whoever assembles or rebuilds an electric storage battery for use on automobiles, in whole or in part, out of second-hand or used material such as containers, separators, plates, groups or other battery parts and sells same or offers same for sale in the State of New Jersey without the word "rebuilt" moulded into the side of the container in letters which are at least one inch high and five-eighths of an inch wide shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding two hundred and fifty dollars (\$250.00) or be imprisoned for a term not exceeding six months or both.

Approved June 5, 1933.

CHAPTER 203

AN ACT to amend an act entitled "An act concerning district courts" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight.

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

1. Section forty-four of the act of which this act is amendatory be and the same is hereby amended so that the same shall read as follows: Section 44
amended.

44. The first process to compel an appearance, except as in this act otherwise specially provided, shall be a summons, or a warrant in the nature of a *capias* and *respondendum*; *provided*, that no warrant shall issue against the body of any female; the summons may be used in any case whatsoever; the warrant shall only be used in the cases hereinafter provided. *Provided, further*, that all process issued pursuant to the provisions of this act, and the acts amendatory thereof and supplemental thereto, shall be served only by the sergeant-at-arms of such district court or such constable or constables as shall be especially designated by the judge of said court. First process.
Proviso.
Proviso

All parts of an act entitled "An act concerning district courts" inconsistent with the provisions hereof are hereby specifically repealed. Repealer.

2. This act shall take effect immediately.

Approved June 6, 1933.

CHAPTER 204

AN ACT relative to investment by executors, administrators, trustees and other persons acting in a fiduciary capacity, in mortgages, shares or parts of bonds and mortgages, participation certificates in bonds and mortgages, and other interests in bonds and mortgages.

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

Fiduciary
defined.

1. The word "fiduciary" as used in this act shall include all persons or corporations acting as executors, administrators, guardians, trustees or in any other fiduciary capacity.

Authorized
investments.

2. It shall be lawful for any fiduciary now or hereafter authorized to invest in bonds and mortgages, or shares or parts of mortgages, or mortgage participation certificates, or shares or parts of bonds secured by mortgage, or bonds secured by trust mortgage, or participation certificates or coupon bonds entitling the holder to a proportionate share in a series or number of mortgages and bonds, or extensions or renewals thereof (hereinafter called "mortgages or interests in mortgages"), to make such investment in a primary or senior part or portion of any such mortgages or interests in mortgages if such primary or senior parts or portions do not exceed that proportion of the estimated worth or appraised value of the mortgaged real estate which is applicable to mortgage investments authorized to be made by such fiduciary, notwithstanding that the mortgage or trust mortgage also secures a secondary or junior part or portion thereof exceeding the authorized proportion of the estimated worth or appraised value of the mortgaged real estate applicable to mortgage investments by such fiduciary, or to enter into an agreement with other holders of interests

in mortgages which makes the interest in the mortgage lien held by such fiduciary a primary or senior part or portion thereof, as aforesaid, and to hold the same.

3. Any fiduciary holding a mortgage or interests in a mortgage or mortgages shall have power upon the maturity of the mortgage debt, or of a portion thereof, in the exercise of good faith and reasonable discretion, to continue to hold, or to enter into agreement for the extension or renewal of, such mortgage or interests in the mortgage or mortgages, notwithstanding that the estimated worth or appraised value of the mortgaged real estate shall have depreciated so that the mortgage lien then exceeds the proportion to the estimated worth or appraised value of the mortgaged real estate applicable to mortgage investments by such fiduciary, or that the mortgaged real estate may then have become subject to unpaid taxes, assessments or other municipal liens.

Renewal of mortgage.

4. It shall be lawful for any fiduciary to invest in a mortgage or interests in a mortgage or mortgages notwithstanding that the mortgaged real estate may be subject in whole or in part to taxes or assessments that are not delinquent, or to the effect of instruments creating or reserving mineral, oil or timber rights, rights of way, joint driveways, sewer rights, rights in walls, building restrictions or other restrictive covenants or a lease whereby rents or profits are reserved to the owner; *provided*, that the mortgaged real estate is not subject to some condition or right of re-entry of forfeiture under which the first mortgage lien can be cut off, subordinated or otherwise disturbed.

Mortgage investments.

Proviso.

5. Any action or agreement or investment heretofore taken or made by any fiduciary by this act authorized to be taken or made, in the exercise of good faith and reasonable discretion, is hereby validated and confirmed for all purposes.

Certain actions validated.

6. If any portion of this act shall be declared unconstitutional, the validity of the remainder of the act shall not be thereby affected. This act shall be

Validity of act.

liberally construed for the effectuation of its purposes.

7. This act shall take effect immediately.

Approved June 6, 1933.

CHAPTER 205

AN ACT providing for the consolidation into the city of Wildwood, of the city of North Wildwood, the boroughs of West Wildwood and Wildwood Crest, thereafter to be known as the city of Wildwood, and providing for the government of the consolidated municipalities and for the submission of this act at an election.

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

Consolidation
of certain
municipalities.

1. From and after the passage of this act there shall be consolidated into the city of Wildwood, the city of North Wildwood, and the boroughs of West Wildwood and Wildwood Crest, to be thereafter known as the city of Wildwood, and the consolidated municipality shall be a body corporate and politic in fact and in law as a city of this State and shall be governed by the general laws of this State relating to cities and the provisions of any act for the government of cities which the voters of the said consolidated municipality shall adopt.

Referendum.

2. This act shall take effect immediately, but its provisions shall remain inoperative until it shall have been submitted to the voters of the city of Wildwood, the city of North Wildwood, the boroughs of West Wildwood and Wildwood Crest at a special election to be held on the second Tuesday in July in the year one thousand nine hundred and thirty-three in the following manner:

Special
election.

Fifteen days before the time of such election the clerks of the respective municipalities shall give public notice of the holding of an election. Such election shall be held within the said municipalities and there shall be submitted thereat the following question:

“Shall the city of North Wildwood, the boroughs of West Wildwood and Wildwood Crest be consolidated into the city of Wildwood, such city thereafter to be known as the city of Wildwood?”

Said election shall be conducted by the respective district boards of registry and election in the same manner and pursuant to the provisions of an act entitled “An act to regulate elections” (Revision of 1930), approved April eighteenth, one thousand nine hundred and thirty, and the acts amendatory thereof and supplemental thereto.

The ballot shall be so arranged that all persons voting thereat may vote for or against such proposition and all persons whose names appear upon the poll books as having registered or voted at the preceding general election shall be entitled to vote at the election held hereunder.

The vote taken in the respective municipalities shall be totaled. If the city of Wildwood shall vote in favor of the adoption of this act any of the remaining municipalities voting in favor thereof shall be consolidated into and shall become a part of the city of Wildwood. Any municipality voting against the adoption of this act shall continue as such municipality, and be governed as heretofore. The several district boards of registry and election shall make returns to the respective municipal clerks who shall transmit the result thereof to the county clerk of Cape May county, who shall file the same in his office.

The governing bodies of the respective municipalities shall continue and shall perform the duties imposed upon their respective officers until such time as the voters of the consolidated municipality, at an election to be called for that purpose, which said election shall be held on the second Tuesday

Notice.

Question.

Conduction of election.

Ballots.

Canvass.

Returns.

Continuation of present municipalities.

Special election for adopting law.

in September following the adoption of this act, which said election shall be called by the respective municipal clerks, by notice given at least thirty days prior to the holding of such election, and shall adopt the provisions of any general law of this State for the government of cities and upon the adoption by the voters of the consolidated municipality of any such general law the consolidated municipality shall thereafter be governed by the provisions of any law so adopted.

Approved June 6, 1933.

CHAPTER 206

AN ACT to amend an act entitled "An act concerning counties," approved March fourth, one thousand nine hundred and eighteen.

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

Section 1127
amended.

1. That an act entitled "An act concerning counties," approved March fourth, one thousand nine hundred and eighteen, known as chapter one hundred eighty-five of the laws of one thousand nine hundred and eighteen, and particularly section one thousand one hundred twenty-seven thereof, be and the same is hereby amended to read as follows:

Abandonment of
county roads:

1127. Any road or portion thereof owned by any county or under the control of any board of chosen freeholders may be (a) discontinued as a county road and returned to the jurisdiction and control of the municipality wherein the same is situated; or (b) vacated and abandoned as a public highway; in manner following:

Resolution
passed;

(a) Any road or portion thereof owned by any county or under the control of any board of chosen freeholders may be discontinued as a county road

by a resolution passed by the affirmative vote of a majority of all of the members of the board of chosen freeholders, which resolution shall describe said road or portion thereof so sought to be discontinued as a county road sufficiently to clearly identify the same, and shall declare that the said road or portion of road therein described shall be discontinued as a county road, and that the county shall and does relinquish all jurisdiction over and responsibility for the construction, reconstruction, repair and maintenance thereof. The clerk of the board of chosen freeholders, upon the passage of such a resolution in manner aforesaid, shall prepare a certified copy thereof, and shall cause such certified copy to be served upon the clerk of the township committee, borough clerk or the clerk of any governing body of each municipality in which said road or portion thereof sought to be discontinued as a county road shall lie. Such certified copy shall be served as aforesaid within ten days from the date of the passage of such resolution. And at the expiration of the said period of ten days from the passage of such resolution the road or portion of road therein described shall cease to be a county road, and from thenceforward jurisdiction over the said road or portion of road shall vest in and the responsibility for the construction, reconstruction, repair and maintenance of said road, or portion of road, shall devolve upon the township committee, borough council or other governing body, as the case may be, of the municipality wherein said road or portion of road shall lie. The clerk of said board shall forthwith file a certified copy of said resolution in the office of the county clerk and the latter shall record and index the same in the road records of his office.

Form of
resolution.

Certified
copy served
upon municip-
al clerk.

Resolution
effective.

Filed in
county
clerk's
office.

(b) Any road or portion thereof owned by any county or under the control of any board of chosen freeholders may be vacated and abandoned as a public highway by any board of chosen freeholders, in manner following: The board of chosen freeholders of any county, by the affirmative vote of

Resolution
passed
describing
road.

the majority of all the members thereof, may pass a resolution describing said road or portion thereof, intended to be vacated and abandoned, sufficiently to clearly identify and locate the same, and declaring it to be the intention of said board to vacate and abandon said road or portion thereof as a public highway, and fixing the time and place not less than three weeks or more than six weeks thereafter, when and where the said board shall meet for final consideration and action upon the resolution, and when and where all persons interested therein may appear and be given an opportunity to be heard. Within three days of the passage of said resolution, the clerk of the board of freeholders shall cause said resolution to be advertised verbatim in a newspaper published and circulating within the limits of said county, which publication shall be inserted once in each week for three weeks consecutively before the day of said meeting. And if, after the public hearing held at the time and place specified in said resolution, the board of chosen freeholders, by a vote of the majority of all of the members thereof, shall again adopt such resolution, the said road or portion thereof as described in the said resolution shall from thenceforth be deemed to be vacated and abandoned, and shall cease to be a public road or highway, and title to the land which theretofore was lying within the area of the side lines or legal right of way of said road, shall revert to and vest in the respective owners of the legal title thereto, free and clear of any easement or right of way thereover or thereupon in favor of the public. The clerk of said board shall forthwith file a certified copy of said resolution in the office of the county clerk and the latter shall record and index the same in the road records of his office.

Hearing.

Resolution
advertised.Resolution
repassed.

Effective.

Filed in
county clerk's
office.

2. This act shall take effect immediately.

Approved June 7, 1933.

CHAPTER 207

AN Act to repeal an act entitled "A supplement to an act entitled 'An act concerning counties,' approved March fourth, one thousand nine hundred and eighteen," which supplement was approved April third, one thousand nine hundred and twenty-eight.

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

1. An act entitled "A supplement to an act entitled 'An act concerning counties,' approved March fourth, one thousand nine hundred and eighteen," which supplement was approved April third, one thousand nine hundred and twenty-eight, and which supplement was known as chapter one hundred ninety-five of the laws of one thousand nine hundred and twenty-eight, be and the same is hereby repealed.

Chap. 195,
P. L. 1928,
repealed.

2. This act shall take effect immediately.
Approved June 7, 1933.

CHAPTER 208

A SUPPLEMENT to an act entitled "An act concerning the charitable, correctional, reformatory and penal institutions, boards and commissions located and conducted in this State which are supported in whole or in part from county, municipal or State funds," approved February twenty-eighth, nineteen hundred and eighteen.

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

Legal residence of persons in outside institutions.

1. No person now or hereafter confined in any public institution outside of the State of New Jersey shall acquire a legal settlement in this State or in any county in this State by virtue of the establishment of a residence in this State of the husband, wife or parent or parents of the wife, husband or the minor child, as the case may be, of any person now or hereafter confined in any public institution outside of the State of New Jersey.

Inmates of outside institutions not admissible to State.

2. It shall be unlawful for any person, public official, corporation, association or institution to bring or send or cause to be brought or sent into the State of New Jersey an inmate of any public institution outside of the State of New Jersey for the purpose of placing such inmate in any public institution in the State of New Jersey, without first obtaining the written consent of the Department of Institutions and Agencies of this State.

Penalty for violation.

3. Any person, public official, corporation, association or institution or any officer or agent thereof who shall violate the provisions of this act shall be guilty of a misdemeanor and punished accordingly.

Repealer.

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

Approved June 7, 1933.

CHAPTER 209

A FURTHER SUPPLEMENT to an act entitled "An act relating to the court of common pleas" (Revision of 1900), approved April twenty-third, one thousand nine hundred.

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

1. In all counties of this State in which there now are or hereafter may be two or more judges of the court of common pleas, all appointments thereto shall hereafter be made in such manner that the appointees thereof shall be, so nearly as possible in equal numbers, members of different political parties, so as to constitute such court of a bipartisan character, and the said officials so appointed shall hold their said offices for the terms now provided by law. The words "political party" as herein used shall be taken to mean such political party as shall have cast the largest or next to the largest number of votes respectively in this State for members of the General Assembly, elected at the last preceding general election, held prior to the making of such appointment.

Bipartisan
common
pleas court.

Party de-
fined.

2. This act shall take effect immediately.

Approved June 7, 1933.

CHAPTER 210

A FURTHER SUPPLEMENT to an act entitled "An act relating to county detectives in counties of the first class," approved April twenty-seventh, nineteen hundred and five, as amended.

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

Appointment
of veterans
as first class
county de-
tectives.

1. Any honorably discharged soldier, sailor or marine of the United States, who shall have been employed in the service of this State, or of any department of a first class county thereof, for a period or periods totaling seven years or upwards, of which at least four years shall have been served as county investigator in such county, under the terms and provisions of chapter one hundred sixty-four of the laws of one thousand nine hundred and thirty-one, or of any other act or part of act heretofore passed relating to the appointment of county investigators in counties of the first class, shall be eligible for appointment by the prosecutor of the pleas of the county wherein such total period of service has been rendered to any vacancy existing in the office of county detective in such county.

Appointment
how made.

2. The prosecutor of the pleas in any county of the first class is hereby empowered to appoint under the provisions of this act, and any appointment so made shall be complete and effective, upon his certifying over his signature, the name and qualifications of the appointee to the board of chosen freeholders of such county.

Privileges.

3. Any person appointed pursuant to the provisions hereof shall thereupon be and become entitled as county detective to all the benefits of an act of the Legislature of the State of New Jersey entitled "An act regulating the employment, tenure and discharge of certain officers and employees of

this State, and of the various counties and municipalities thereof, and providing for a Civil Service Commission, and defining its powers and duties," approved April tenth, nineteen hundred and eight, and its supplements and amendments; and shall be paid the same salary and have all the rights, powers and duties of county detectives in the county where-
Salary,
etc.

4. This act shall take effect immediately.

Approved June 7, 1933.

CHAPTER 211

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

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

1. Section six of the act of which this act is amendatory be and the same is hereby amended so that it shall read as follows:
Section 6
amended.

6. The board may refuse to grant or may revoke a license, or the registration of a certificate or diploma to practice medicine and surgery filed in the office of any county clerk of this State under any act of the Legislature, for the following causes: Chronic and persistent inebriety; the practice of criminal abortion; the conviction of the crime of criminal abortion, or the conviction of crime involving moral turpitude, or for publicly advertising special ability to treat or cure chronic or incurable diseases; or where any person shall present or
Causes for
refusing or
revoking
license.

Hearing
permitted.

shall have presented to this board any diploma, license or certificate that shall have been illegally obtained, or shall have been signed or issued unlawfully or under fraudulent representations or where a license to practice in this State has been obtained or shall have been obtained through fraud of any kind. Before any license shall be revoked, except in the case of convictions of criminal abortion, the accused person shall be furnished with a copy of the complaint and given a hearing before said board in person or by attorney, and any person, after such refusal or revocation of license or of the registration of a certificate or diploma to practice medicine and surgery, who shall attempt or continue the practice of medicine, shall be subject to the penalties hereinafter prescribed.

2. This act shall take effect immediately.

Approved June 7, 1933.

CHAPTER 212

AN ACT to amend an act entitled "An act concerning the State, counties, cities, towns, townships, boroughs, villages and other municipalities of this State and regulating public employment therein," approved June fifteenth, nineteen hundred and thirty-two.

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

Section 1
amended.

1. Section one of an act entitled "An act concerning the State, counties, cities, towns, townships, boroughs, villages and other municipalities of this State and regulating public employment therein," be and the same is hereby amended to read as follows:

1. Any person who at the time of the passage of this act is receiving or who shall hereafter be entitled to receive any pension or subsidy from this or any other State or from any county, city, town, township, borough, village, or other municipality, including school districts of this or any other State, shall from and after the passage hereof be ineligible to hold any public position or employment other than elective in the State or in any county, city, town, township, borough, village or other municipality or school district, unless he shall have previously notified and authorized the proper authorities of said State or of the county, city, town, township, borough, village or other municipality or school district from which he is receiving or entitled to receive such pension that, for the duration of the term of office of such public position or employment his pension shall remain unpaid. Nothing in this act shall be construed to affect any pension status or the renewal of payments of such pension after the expiration of the aforesaid term of office, except that such person must not accept any pension or subsidy for the time he held such position or employment.

Certain pensioners ineligible to hold public employment.

Pension ceases.

Construing act.

2. This act shall take effect immediately.
Approved June 15, 1933.

CHAPTER 213

AN ACT to amend an act entitled "A supplement to an act entitled 'An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations, approved April eighth, one thousand nine hundred and twenty-one, approved March fifteenth, one thousand nine hundred and twenty-three,'" approved March eleventh, one thousand nine hundred and twenty-four.

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

Section 1
amended.

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

Overload
on interstate
bridges.

1. No vehicle shall be driven over any interstate bridge owned or maintained by the State, or partly owned or maintained by the State upon which bridge is posted in a conspicuous place a sign stating the gross weight which said bridge will carry, if the gross weight of said vehicle and the load is greater than the gross weights stated on said sign. In case this section is violated, the owner of the vehicle used in violation of this section, shall in addition to the penalty in this act prescribed, be responsible to the Joint Commission for Elimination of Toll Bridges over the Delaware River, for damage which may be done to such bridge by reason of such violation.

Responsibility
for damage.

2. This act shall take effect immediately.

Approved June 15. 1933.

CHAPTER 214

AN ACT to amend an act entitled "An act defining the measurement of paper bags in which charcoal is sold."

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

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

1. Hereafter it shall be unlawful for any person, firm, copartnership or corporation to sell any charcoal by the bag, where said bags contain less than four pounds net weight. All charcoal sold or offered for sale in paper bags, when sold in quantities of less than one hundred pounds must have the contents by weight plainly marked on the outside thereof in solid Roman capital letters at least one-half inch in height, and in no instance shall a paper bag or sack used or intended to be used in the sale of charcoal be less than twenty-two inches in height, nor less than eleven inches in width, and the bottom shall not be less than four inches in width, and when said paper bag is filled, it shall contain not less than four pounds. Minimum weight.
Weight indicated.
Dimension of container.

2. This act shall take effect immediately.

Approved June 15, 1933.

CHAPTER 215

AN ACT to amend an act entitled "An act to amend an act entitled 'An act to establish a uniform standard of weights and measures in this State, to establish a Department of Weights and Measures, and to provide penalties for the use of other than standard or legal weights and measures,' approved April twenty-fourth, one thousand nine hundred and eleven, approved March twenty-ninth, one thousand nine hundred and twenty-six," approved April twenty-eighth, one thousand nine hundred and thirty-one, approved April eleventh, one thousand nine hundred and thirty-two.

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

Section 8
amended.

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

Grain, coal,
etc., sold by
weight.

Weighing and
delivery
ticket.

8. All grain, coal, coke, charcoal, coal briquets or other patent fuel, regardless of quantity, shall be sold by weight. No person, firm or corporation shall deliver or cause to be delivered any coal, coke, charcoal, coal briquets or other patent fuel, in amounts exceeding one hundred pounds, without same first being weighed by a certified weighmaster appointed by the State Superintendent of Weights and Measures, and such sale or delivery being accompanied by a delivery ticket and duplicate thereof; *provided, however,* that there shall be a delivery ticket and duplicate thereof delivered with each load or part of load of grain, coal, coke, charcoal, coal briquets or other patent fuel sold and delivered, including loads or parts of loads weighing less than one hundred pounds. On both tickets

Proviso:
ticket in
duplicate.

What ticket
to show.

there shall be distinctly and indelibly expressed, in ink or otherwise, the quantity or quantities in pounds of grain, coal, coke, charcoal, coal briquets or other patent fuel, together with the number of bags or sacks of any commodity specified in this act, when bags or sacks are representative of the quantity, contained in the cart, wagon or other vehicle or container used in such delivery, the name of the purchaser thereof, the name of the dealer from whom purchased, and, when the amount exceeds one hundred pounds, except in the case of grain, the name and official number of the weighmaster who performed the weighing, together with an impress of the official seal of the said weighmaster. One of such tickets shall be delivered to the person receiving such grain, coal, coke, charcoal, coal briquets or other patent fuel, and the other ticket shall be retained by the seller of the grain, coal, coke, charcoal, coal briquets or other patent fuel; *provided, however,* that the provisions of this section shall not apply to grain, coal, coke, charcoal, coal briquets or other patent fuel, sold to be delivered by the entire car or cargo direct from the vessels, boats or cars containing the same to one destination, and accepted by the purchaser on the original bill of lading or invoice as proof of weight; *provided, further,* that grain, coal, coke, charcoal, coal briquets or other patent fuel, sold or offered for sale in this State in quantities of thirty pounds or less, in paper bags, sacks, or similar containers, where the name of the dealer and the net contents in terms of avoirdupois weight are distinctly marked on such paper bags, sacks or similar containers, in Gothic type not less than one-half inch in height, shall be exempt from the provisions of this section requiring delivery tickets and duplicates thereof.

Disposition
of tickets.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved June 15, 1933.

CHAPTER 216

AN ACT to amend an act entitled "An act to amend an act entitled 'An act to establish a uniform standard of weights and measures in this State, to establish a department of weights and measures, and to provide penalties for the use of other than standard or legal weights and measures,' approved April twenty-fourth, one thousand nine hundred and eleven," approved May second, one thousand nine hundred and thirty-two.

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

Section 25
amended.

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

Instruments
tested.

25. After one year from the passage of this act it shall be unlawful for any person to buy or sell goods or service based on weight or measurement by the use of any weight or measure which has not been tested and sealed according to the provisions of this act under penalty of twenty-five dollars; *provided*, that no contract shall be declared void unless one of the contracting parties has been injured by the use of the weight or measure not tested and sealed.

Penalty.

Proviso.

2. This act shall take effect immediately.

Approved June 15, 1933.

CHAPTER 217

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

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

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

Section 2
amended.

2. No company shall be formed for the purpose of engaging in any other kind of insurance than that specified in some one of the subdivisions of the preceding section, or more kinds of insurance than are specified in a single subdivision, except that a company may be formed (1) for the purposes specified in subdivisions first, second, twelfth and fifteenth; or (2) for the purposes specified in subdivisions third and fourth; or (3) for any or all of the purposes specified in subdivisions fourth to fifteenth, both inclusive. No policy for more than one of the kinds of insurance specified in the subdivisions of the preceding section shall be issued except as hereinafter provided. Risks specified in subdivisions fourth and fifth may be embraced in one contract; companies electing to issue policies on residence and private apartments may embrace in one contract risks specified in subdivisions fourth, fifth, sixth, tenth, eleventh, twelfth, thirteenth, and fifteenth, or any one or more of them; a policy of automobile insurance as authorized by subdivision second may include the risks specified in subdivision fifth to the extent of loss or damage resulting from the use or operation of au-

Purposes
for which
insurance
companies
may engage.

Risks.

Proviso. automobiles described in the policy; *provided*, that such policy shall be in distinct and separable contracts of companies authorized to issue policies insuring the risks assumed; and a life insurance company, whether incorporated under this or under a special act, may provide in its policies of insurance, or in separate policies supplementary thereto, for the payment of a larger amount of insurance if death is caused by accident, and may incorporate therein, or in its annuity contracts, or in separate policies or contracts supplementary thereto, provisions for the waiver of premiums, and/or for the granting of other benefits, in the event that the insured becomes disabled from any cause.

Modification of terms. 2. This act shall take effect immediately.
Approved June 15, 1933.

CHAPTER 218

AN ACT to amend an act entitled "An act to amend and supplement an act entitled 'An act to impose a tax on the sale of motor vehicle fuels as herein defined; regulating the sale of such fuels; providing for the collection of said tax, for reports of sales of such motor fuels, and for the disposition of the revenue derived from such tax, and fixing penalties for the violation of the terms thereof,' approved April first, one thousand nine hundred and twenty-seven," approved April twenty-first, one thousand nine hundred and thirty.

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

Section 8-a amended.

1. Section two of the act to which this act is an amendment, which adds a new section, 8-a, to the act entitled "An act to impose a tax on the sale of

motor vehicle fuels as herein defined; regulating the sale of such fuels; providing for the collection of said tax, for reports of sales of such motor fuels, and for the disposition of the revenue derived from such tax, and fixing penalties for the violation of the terms thereof," approved April first, one thousand nine hundred and twenty-seven, be and the same is hereby amended to read as follows:

8-a. From the remainder of the moneys received in accordance with the act to which this act is an amendment and forwarded by the Commissioner of Motor Vehicles to the treasurer of the State of New Jersey there shall beginning with the calendar year nineteen hundred thirty-three be annually set aside and deducted before such moneys are turned over to the State Highway Commission as directed in section eight hereof a sum equal to the sum required for State Highway Sinking Fund purposes as directed by Chapter 262, P. L. 1922 and Chapter 181, P. L. 1927 (known as the State Road Tax). The sum as certified by the State Comptroller for the year nineteen hundred thirty-three shall be taken as the sum appropriated to the several counties for distribution to the several municipalities for nineteen hundred thirty-three; five million thereof shall be distributed to the several municipalities of the State in accordance with the provisions of the act to which this act is an amendment; the remainder over the five million dollars shall be considered as an offset, to the amount thereof for the State Road Tax assessed and levied in the several counties and municipalities of the State as directed by Chapter 262, P. L. 1922 and Chapter 181, P. L. 1927. Such offset shall be proportionately distributed as a credit against the amount certified by the Comptroller to be raised in the several counties as the State Road Tax. The State Treasurer is hereby authorized and instructed to turn over the sum remaining after deducting the five million dollars as aforesaid for the year nineteen hundred thirty-three to the State

Amount set
aside to
sinking fund.

Distribution
to counties.

Amount dis-
tributed to
municipalities.

Disposition
of remainder.

Treasurer to
turn over re-
maining sum to
sinking fund.

Highway Sinking Fund as a proportionate credit to the several counties against the State Road Tax as assessed and levied in such counties. The County Treasurer shall credit each taxing district with a like proportionate amount as a credit against such State Road Tax as assessed and levied in the several taxing districts in such counties. The municipality and the county treasurer shall deduct such proportionate credit in the payment of their State Road Tax and remit only the remainder of such tax as assessed and levied after the proportionate credits as herein directed. In lieu of the State Road Tax provided to be assessed and levied in the several counties of the State for the year nineteen hundred thirty-four and subsequent years under Chapter 262, P. L. 1922 and Chapter 181, P. L. 1927, which State Road Tax is provided to meet the interest and amortization charges for the bonds issued under the above mentioned acts, the State Treasurer shall turn over the amount hereby appropriated from the revenues received from the tax upon motor vehicle fuel as provided by Chapter 334, P. L. 1927 and Chapter 239, P. L. 1930 to the State Highway Sinking Fund. The State Comptroller is hereby relieved of the obligation of certifying the State Road Tax in such years to the several counties so long as the revenues derived from the tax on motor vehicle fuels hereby appropriated shall be sufficient to support the requirements of the State Highway Sinking Fund. The Sinking Fund Commission for the State Highway bonds shall hereafter certify the annual requirements for Sinking Fund purposes to the State Treasurer. Such certification shall be taken to be the amount herein appropriated in this section (8-a).

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

3. This act shall take effect immediately.

Approved June 15, 1933.

Taxing district credited.

Proportionate credit deducted.

In lieu of State road tax.

Comptroller relieved of certification.

To certify requirements for sinking fund purposes.

Repealer.

CHAPTER 219

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

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

1. The board of education of each school district and of each consolidated school district is hereby authorized and empowered to designate and shall designate the depository or depositories wherein school moneys and other funds of such school district shall be kept, which said depository or depositories shall be located within this State. Such designation shall be by resolution, and thereafter all such moneys shall be deposited only in the depository or depositories so named, and upon so depositing in good faith such fund or funds the official custodian of such moneys shall be relieved of liability for any loss of such fund or funds, which may be caused by the insolvency or closing of such depository or depositories.

2. This act shall take effect immediately.

Approved June 15, 1933.

Designation
of depositories.

Resolution.

Liability.

CHAPTER 220

AN ACT concerning bottles, barrels, half-barrels, quarter-barrels, boxes, kegs, siphons, tins, or other receptacles and containers used in the sale of soda waters, mineral or aerated waters, porter, ale, beer, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, white beer, near beer, or other beverages or medicines, medical preparations, perfumery, oils, compounds or mixtures.

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

Title.

1. This act shall be known and designated as "The New Jersey Bottle Act", and may be so cited and referred to in all process and proceedings taken under it, and in all courts and places.

May register name, mark, as device.

2. Any person or corporation engaged in manufacturing soda waters, mineral or aerated waters, porter, ale, beer, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, white beer, near beer, or other beverages, or medicines, medical preparations, perfumery, oils, compounds, or mixtures; or any person or corporation engaged in bottling or selling soda waters, mineral or aerated waters, porter, ale, beer, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, white beer, near beer, or other beverages, or medicines, medical preparations, perfumery, oils, compounds, or mixtures in bottles, barrels, half-barrels, quarter-barrels, boxes, kegs, siphons, tins or other receptacles or containers upon which his or its name, or other marks or devices used by him or it, are branded, stamped, engraved, etched, blown, embossed, impressed or otherwise produced, may register his or its name, mark or device as hereinafter pro-

vided, and upon completing the registration and publication of any such name, mark or device, shall thereupon be deemed the proprietor of such name, mark, or device and of every bottle, barrel, half-barrel, quarter-barrel, box, keg, siphon, tin, or other receptacle or container upon which such name, mark or device may be branded, stamped, engraved, etched, blown, embossed, impressed or otherwise produced.

3. Any such names, marks or devices may be registered by filing in the office of the clerk of the county in which the principal office of the person or corporation seeking registration is situate, and in the office of the Secretary of State, a description of such names, marks, or devices; *provided*, that if any such person or corporation has no principal office in this State, then such person or corporation may register such name, mark or device by filing descriptions thereof in the office of the clerk of any county in which such person or corporation does business, and in the office of the Secretary of State.

Places of filing.

Proviso.

4. Any person or corporation seeking to register such names, marks or devices, shall first cause such description to be printed once in each week, for two weeks successively, in a newspaper published in the county in which said description may be filed as aforesaid.

Intention published.

5. A copy of such description, duly certified by the clerk of the county where such description has been filed; and a copy of such description, duly certified by the Secretary of State; shall be received as evidence of such filing and also of the matters therein stated in all courts and places.

Certified copy as evidence.

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

Affidavit by publisher as evidence.

Use by party
of record.

7. No person or corporation other than the owner or proprietor of such name, mark, or device, shall fill or cause to be filled with soda waters, mineral or aerated waters, porter, ale, beer, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, white beer, near beer, or other beverages, or medicines, medical preparations, perfumery, oils, compounds or mixtures, or shall sell, buy, give, take, possess, use, dispose of, or traffic in, any bottle, barrel, half-barrel, quarter-barrel, box, keg, siphon, tin, or other receptacle or container which is so marked or distinguished with or by any name, mark, or device, a description of which shall have been filed as provided in section three of this act; or shall deface, obliterate, destroy, cover up, or otherwise remove or conceal any such name, mark or device thereon, without the written consent of, or unless the same shall have been purchased from, the owner or proprietor thereof; *provided, however,* that no person or corporation to whom such soda waters, mineral or aerated waters, porter, ale, beer, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, white beer, near beer, or other beverages, or medicines, medical preparations, perfumery, oils, compounds or mixtures shall have been delivered in bottles, barrels, half-barrels, quarter-barrels, boxes, kegs, siphons, tins or other receptacles or containers by the owners or proprietors thereof, shall be deemed to have violated the provisions of this act by having in his possession any such marked receptacles, unless such person or corporation retains such receptacles for a period longer than is reasonably necessary after the contents placed therein by the owner or proprietor thereof have been removed therefrom.

Proviso.

Penalties.

8. Any person, acting for himself or as the agent of any person, firm or corporation, who shall violate the provisions of this act, shall be punished for the first offense by imprisonment for not less than ten (10) days nor more than one (1) year, or by a fine of five dollars (\$5.00) for each and every

such bottle, barrel, half-barrel, quarter-barrel, box, keg, siphon, tin, or other receptacle or container so filled, sold, bought, given, taken, used, disposed of, trafficked in or possessed, or by both fine and imprisonment; and for each subsequent offense by imprisonment for not less than twenty (20) days nor more than one (1) year, or by a fine of ten dollars (\$10.00), for each and every such bottle, barrel, half-barrel, quarter-barrel, box, keg, siphon, tin or other receptacle or container so filled, sold, bought, given, taken, possessed, used, disposed of, or trafficked in, or by both such fine and imprisonment, in the discretion of the court or magistrate before whom the offense shall be tried.

9. The owner or proprietor or his or its agents may take possession of any such bottles, barrels, half-barrels, quarter-barrels, boxes, kegs, siphons, tins or other receptacles and containers used in violation of this act, whether such receptacles or containers be full or partly full of any liquid, beverage, or other substance, or empty, and shall not be liable in damages therefor, or for any trespass arising out of such taking possession. And if the party or parties having possession of such receptacles or containers refuses to empty the same of the contents contained therein immediately upon notice and demand by the owner or proprietor thereof, or his or its agent, then such owner, proprietor, or agent may empty such receptacle or container and shall not be liable therefor.

Owner may
repossess.

Contents
emptied.

10. Whenever any person shall complain, on oath or affirmation, to any criminal court or police justice in any city of the first class, or to any recorder or other police magistrate or justice of the peace, in any other city, town, or in any borough or township or other municipality, that any person or corporation has violated any of the provisions of this act, the court or magistrate to whom such complaint is presented shall issue process at the suit of the State, which process may be either a summons or a warrant against the person or corpora-

Process issued
upon complaint.

Processes
returnable.

Form of
complaint.
Trial.

Record of
evidence
not kept.
Service of
summons.

Search
warrant
issued.

Possessor
brought
into court.

tion so charged, which process, when in the nature of a warrant, shall be returnable forthwith, and when in the nature of a summons shall be returnable in not less than two nor more than ten days, and shall be served at least one day before its return. Such complaint and such process shall state in general terms a violation of this act. On the return of such process, or at any time to which the trial of the case shall be adjourned, the court or magistrate issuing the same shall proceed in a summary manner to hear testimony and determine and give judgment in the case without the filing of any pleadings, and if the defendant or defendants be convicted, shall impose the penalty or penalties by this act provided. It shall not be necessary to take or keep any record of the evidence or testimony taken on such trial. Service of summons upon a person, other than a corporation, may be made either personally or by leaving a copy at his dwelling-house or usual place of abode; service upon a corporation may be made by delivering a copy of the summons to any officer or employee of such corporation who may be found in this State.

11. Whenever any person shall make oath before any criminal court or police justice in any city of the first class, or any recorder, or other police magistrate or justice of the peace in any other city, town, or in any borough or township, or other municipality, that he has reason to believe and does believe that any bottles, barrels, half-barrels, quarter-barrels, boxes, kegs, siphons, tins, or other receptacles or containers, the property of any person or corporation who has complied with the provisions of sections three and four of this act, are being filled, sold, bought, given, taken, possessed, used, disposed of, or trafficked in, by any person or corporation in violation of this act, such court or magistrate shall issue a search warrant to discover and obtain such receptacles or containers, and to bring before such court or magistrate the person or persons in whose possession such bottles,

barrels, half-barrels, quarter-barrels, boxes, kegs, siphons, tins, or other receptacles or containers, may be found, and if any such receptacles or containers are found in the possession of any such person or persons in violation of the provisions of this act, the court or magistrate who issued the process shall proceed to trial and judgment in the manner provided for in section ten of this act, and upon judgment, shall also award possession of the receptacles or containers so taken under such warrant to the owners or proprietors thereof.

Trial.

12. The presence upon any bottle, barrel, half-barrel, quarter-barrel, box, keg, siphon, tin, or other receptacle or container, of any name, mark, or device which has been registered and published as provided for in sections three and four of this act, shall be presumptive evidence in any proceeding or trial, that the owner or proprietor of such mark or device is the owner or proprietor of such bottle, barrel, half-barrel, quarter-barrel, box, keg, siphon, tin or other receptacle or container.

Evidence of ownership.

12. All fines and costs imposed and collected upon any convictions under this act in any city of the first class shall be paid into the treasury of such city and be disposed of as fines and costs in indictable cases are now disposed of, and all fines and costs imposed in any other city, town, borough or township shall be disposed of as now provided by law.

Disposition of fines collected.

14. The requiring, taking or accepting of any deposit upon delivery of any bottle, barrel, half-barrel, quarter-barrel, box, keg, siphon, tin, or other receptacle or container, bearing a name, mark or device which has been registered and published as provided for by sections three and four of this act, shall not be deemed a sale thereof, either optional or otherwise.

Deposit not deemed a sale.

15. Any person or corporation which violates the provisions of this act, or of any of the amendments hereof or supplements hereto, shall be liable to a penalty of five dollars (\$5.00) for the first offense,

Penalties for violation.

for each bottle, barrel, half-barrel, quarter-barrel, box, keg, siphon, tin or other receptacle or container so filled, sold, bought, given, taken, used, disposed of, trafficked in or possessed in violation of the provisions of this act; and a penalty of double that amount for the second and each subsequent offense; which penalty may be recovered by an action for the recovery of a debt, by the owner or proprietor of any such bottle, barrel, half-barrel, quarter-barrel, box, keg, siphon, tin or other receptacle or container, or his agent in any court of this State having cognizance thereof. The pleadings shall conform in all respects to the practice prevailing in the court in which any such action shall be instituted, but no pleading or process shall be set aside or invalidated by reason of any formal or technical defects therein if the same contain a statement of the nature of the alleged violation and of the section of this act alleged to have been violated, and upon the attention of the court being called to any such formal or technical defect the same shall be immediately corrected and the said pleading or process amended as a matter of course, and as to all other defects in pleadings or process the same may be amended in the discretion of the court, as in any other action or proceeding in said court.

16. When judgment shall be rendered against any defendant other than a body corporate, execution shall be issued against his goods and chattels and body without any order of the court for that purpose first had and obtained. If the officer executing any such writ shall be unable to find sufficient goods and chattels of said defendant in his bailiwick to make the amount of judgment, he shall take the body of said defendant and deliver him to the keeper of the common jail of said county, there to be detained until discharged by the court in which such judgment was obtained, or by one of the justices of the Supreme Court, when such court or justice shall be satisfied that further confinement will not result in payment of the judgment and

Increased penalties.

Form of pleading.

Issuing execution.

Arrest of defendant.

As to discharge.

costs. In case judgment shall be rendered against a body corporate, execution shall be issued against the goods and chattels of such body corporate as in other actions of debt.

17. Any person or corporation having heretofore filed in any of the offices mentioned in section three of this act a description of the names, marks, or devices, upon his or its property therein mentioned, and having caused the same to be published, according to the law existing at the time of such filing and publication, shall not be required to again file and publish such description in order to be entitled to the benefits of this act, but may avail himself or itself of any or all of the provisions, modes of procedure and methods of protection provided for herein, as fully as if it had registered such names, marks or devices under and according to the provisions of this act. Protection afforded under this act.

18. Any decision of any court affecting the constitutionality of any one section of this act should not invalidate any other section or the act as a whole. Legality of act.

19. All acts or parts of acts insofar as they are inconsistent with the provisions of this act are hereby repealed; *provided*, that any proceeding now pending under any other act, which this act may repeal, shall not abate, but may be proceeded into final judgment as if this act had not been passed; *and provided, further*, that nothing in this act contained shall be construed to repeal or modify or affect any existing act or acts for the protection of producers or shippers of milk or concerning milk cans. Repealer. Proviso. Proviso.

Approved June 15, 1933.

CHAPTER 221

AN Act to amend an act entitled "A supplement to an act entitled 'An act concerning district courts' (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight," approved March twenty-ninth, one thousand nine hundred and twenty-six.

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

Section 2
amended.

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

Jurisdiction.

2. Jurisdiction of small claims division of said district court shall be coextensive with the district court as now constituted where the debt, balance, penalty or other contractual matter in dispute does not exceed, exclusive of costs, the sum of fifty dollars (\$50.00). The small claims division of said district court shall have jurisdiction of actions in contract only.

\$50 Limit.
Limited to
contracts.

Repealer.

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

3. This act shall take effect immediately.

Approved June 15, 1933.

CHAPTER 222

A SUPPLEMENT to an act entitled "An act to provide for and regulate appeals from any district court of the State to the Supreme Court," approved April third, one thousand nine hundred and two.

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

1. In all appeals from the determination or direction of a district court to the Supreme Court, all copies of the record below, the states of case, the briefs of both parties, and all other documents, papers or records which are now or may be required by the rules of the Supreme Court to be furnished to or filed with that court on any said appeal may be typewritten and need not be printed, and three copies of the state of the case and the briefs of both sides shall be furnished to the said Supreme Court at the times required by the rules of the said court. Typewritten copies of record used in cases of appeal.
2. All acts and parts of acts inconsistent with this act are hereby repealed. Repealer.
3. This act shall take effect immediately.

Approved June 15, 1933.

CHAPTER 223

AN ACT to amend an act entitled "An act to provide for and regulate appeals from any district court of the State to the Supreme Court," approved April third, one thousand nine hundred and two.

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

Section 4
amended.

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

Hearing by
single justice.

4. Such case shall be heard by any single justice of the said Supreme Court who shall be designated by the Chief Justice to sit solely for said purpose, and said single justice so designated shall constitute an additional and separate part or division of the said Supreme Court, and such case shall be heard on appeal at the next term after such determination or direction, unless said court shall, on good cause shown, postpone the hearing thereof to some subsequent term; *provided*, that there shall be twenty days between such determination or direction and said next term.

Proviso.

Repealer.

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

3. This act shall take effect immediately.

Approved June 15, 1933.

CHAPTER 224

AN ACT to amend an act entitled "A supplement to an act entitled 'An act to impose a tax on the sale of motor vehicle fuels as herein defined to be paid by distributors as herein defined; regulating the sale of such fuels; providing for the collection of said tax, for reports of sales of such motor fuels, and for the disposition of the revenue derived from such tax, and fixing penalties for the violation of the terms thereof,' passed April first, one thousand nine hundred and twenty-seven," approved June fourteenth, one thousand nine hundred and thirty-two.

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

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

Section 1
amended.

1. In addition to the exemptions provided by the provisions of the act to which this act is a supplement, all motor boats or motor vessels used exclusively for and/or in the propagation, planting, preservation, and gathering of clams and oysters in the tidal waters of this State, and all motor boats, and/or motor vessels used exclusively for commercial fishing, and/or for hire for fishing parties, shall be exempted from the payment of the tax, assessed, levied, and collected pursuant to the provisions of the act to which this act is a supplement, when used for said purposes.

Exemptions
granted
commercial
motor boats.

2. This act shall take effect immediately.

Approved June 15, 1933.

CHAPTER 225

AN ACT to amend an act entitled "A supplement to an act entitled 'An act to incorporate fire districts heretofore established or which may hereafter be established in townships under the provisions of the act entitled "An act to provide means for protection against fires in townships," approved March tenth, one thousand eight hundred and seventy-nine,' which said act to incorporate was approved February twenty-third, one thousand eight hundred and eighty-five."

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

Borrowing
to meet neces-
sary expenses.

1. The commissioners of any fire districts in this State shall have the power by resolution to borrow, after the first day of March and before the thirty-first day of the following December, a sum or sums not to exceed the amount appropriated at the election held in said district for the current year, for current expenses and for necessary repairs to fire apparatus and the fire houses within the fire district under the control of said commissioners, less any sums received from the collector of taxes on account of such appropriation, and to execute and deliver promissory notes therefor, and to pay the amount so borrowed, together with interest thereon, at a rate not exceeding five per centum (5%) per annum; *provided, however,* that this shall not apply to counties bordering on the Atlantic ocean; *and provided, further,* that this shall not apply to fire districts in townships having a population of less than twenty-five thousand inhabitants.

Repayment.

Proviso.

Proviso.

Approved June 15, 1933.

CHAPTER 226

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

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

1. Section eighty-one of the act of which this act is amendatory be and the same is hereby amended to read as follows: Section 81 amended.

81. The Commissioner of Banking and Insurance may, upon application in such form as he may prescribe, license any suitable person as a broker to negotiate contracts of insurance or reinsurance or place risks or effect insurance or reinsurance for others than himself for a compensation, with any qualified domestic insurance company or its agents, or with the authorized agent in this State of any insurance company of another State or foreign country duly admitted to do business in this State; for such license a fee of twenty-five dollars shall be paid, authorizing the licensee thus to act until the thirty-first day of December then next, and on payment of a similar fee the license may be renewed from year to year. Brokers licensed. The Commissioner of Banking and Insurance may revoke any such license at any time for cause shown after hearing given to the licensee. Fee. Where an application is made by a corporation organized under the laws of a foreign State or jurisdiction to act as a broker, and it shall appear in such application by affidavit of the president or other officer of any such foreign corporation that the sole business sought to be transacted by such foreign corporation is that of a broker in the negotiation of contracts of insurance or re- Revocation. Licensing corporations.

insurance, or the placing of risks, or the effecting of insurance or reinsurance for others than for the corporation so applying, the commissioner may grant a license to act as broker, notwithstanding such corporation has not complied with the provisions of the general corporation act and obtained a license to transact business in this State; *provided*, that with the first application for such license after the passage of this act such corporation shall, by a duly executed instrument filed in the Department of Banking and Insurance, constitute the Commissioner of Banking and Insurance and his successor in office its true and lawful attorney, upon whom all original process in any action or legal proceeding against it may be served, and therein shall agree that any original process against it which may be served upon said commissioner shall be of the same force and validity as if served on the corporation, and that the authority thereof shall continue in force irrevocable so long as any liability of the corporation remains outstanding in this State; the serving of such process shall be made by leaving a copy of the same in the office of the Commissioner of Banking and Insurance with a service fee of two dollars to be taxed in the plaintiff's cost of suit, such service upon said commissioner shall be deemed sufficient service upon the corporation. When any original process is served upon the Commissioner of Banking and Insurance as attorney for any such corporation of another State or foreign country, as herein above provided, and a service fee of two dollars paid to said officer, he shall forthwith notify the corporation of such service by letter directed to its secretary, or in the case of a corporation of a foreign country to its resident manager, if any, in the United States; and shall within two days after such service forward in the same manner a copy of the process served on him to such secretary or manager, or to such other person as may have been previously designated by the corporation by written notice filed in the Department of Banking and Insurance; said

Proviso.

Serving
process on
foreign
corporations.

commissioner shall keep a record of all such process, which shall show the day and hour of service; *provided, further*, the laws or regulations of such foreign State or jurisdiction permit New Jersey corporations to act as such broker in such foreign State or jurisdiction under like circumstances as herein described.

Record of process kept.

Proviso.

2. This act shall take effect immediately.
Approved June 15, 1933.

CHAPTER 227

AN ACT to amend an act entitled "An act to secure the payment of laborers, mechanics, merchants, traders and persons employed upon or furnishing materials towards the performing of any work in cities, towns, townships and other municipalities of this State" (Revision of 1918), approved March fifth, one thousand nine hundred and eighteen.

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

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

Section 1 amended.

1. Any person who as laborer, mechanic, merchant or trader or subcontractor, shall hereafter, in pursuance of or conformity with the terms of any contract for any public improvement made between any person or corporation and any county, city, town, township, public commission, public board or other municipality in this State authorized by law to make contracts for the making of any public improvements, perform any labor or furnish any materials, including the furnishing of oil, gasoline or lubricants and vehicle use toward the performance or completion of any such contract shall,

Labor or materials furnished for public improvements a lien.

Proviso.

on complying with the provision of the second section of this act, have a lien for the value of such labor or materials, or both, upon the moneys in the control of said municipality due or to grow due under said contract to the full value of such claim or demand, and these liens may be filed, and to the extent of the amount due to grow due under said contract, become absolute liens to the full or par value of all such work and materials in favor of every person and his representatives and assigns who shall be employed by or furnish materials to the contractor or to any subcontractor under him; *provided*, that no such municipality shall be required to pay a greater amount than the contract price of the work and materials furnished or the value thereof when no specific contract is made with respect to the same by the contractor or subcontractor, respectively.

2. This act shall take effect immediately.

Approved June 15, 1933.

CHAPTER 228

AN ACT to amend an act entitled "An act to amend an act entitled 'An act to regulate elections' (Revision of 1930), approved April eighteenth, one thousand nine hundred and thirty," approved February sixteenth, one thousand nine hundred and thirty-three.

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

Paragraph 557
amended.

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

1. Paragraph five hundred and fifty-seven, section six, article XXXVIII, of the act of which this act is amendatory be and the same is hereby amended so that the same shall read as follows:

Compensation of Members of the District Boards:

Par. 557, Sec. 6. The compensation of each member of the district boards for all services performed by them under the provisions of this act shall be paid within thirty days after each election and shall be as follows:

For each registry day other than the primary registry day, including the services in making and completing the house-to-house canvass in municipalities not having permanent registration, ten dollars; for the primary registry day, including all services rendered in holding the primary election, except services in mailing the ballots, fifteen dollars; for mailing the primary election sample ballots, two dollars; for mailing the general election sample ballots, three dollars; for all services on general election day, including the counting of votes and delivery of returns and ballot boxes with contents to the municipal clerk, fifteen dollars; for all services at any special election, fifteen dollars. The same shall be in lieu of all other fees and payments whatsoever.

2. This act shall take effect immediately.

Approved June 15, 1933.

 CHAPTER 229

A SUPPLEMENT to an act entitled "An act to amend an act entitled 'An act to regulate elections' (Revision of 1930), approved April eighteenth, one thousand nine hundred and thirty," approved May twenty-fourth, one thousand nine hundred and thirty-three.

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

1. The provisions of Article XXVIII, paragraph three hundred seventy-nine, section one, as amended by the act to which this act is a supplement, being

Compensation of election boards.

Duties.

When Chap. 174, P. L. 1933, in effect.

Proviso;
extra regis-
tration day.

chapter one hundred seventy-four, Pamphlet Laws one thousand nine hundred and thirty-three, shall remain inoperative until November eighth, one thousand nine hundred and thirty-three in any municipality affected by the provisions of the act to which this act is a supplement having a population of less than twenty thousand, as determined by the federal census of nineteen hundred thirty. *Provided, however,* that an extra registration day for the registration of voters in such municipalities shall be provided on the day of the general election in the year nineteen hundred and thirty-three in the polling places in the several election districts in a manner to be prescribed by the commissioner of registration having the supervision of permanent registration in such municipalities.

2. This act shall take effect immediately.

Approved June 15, 1933.

CHAPTER 230

A FURTHER SUPPLEMENT to an act entitled "An act to regulate elections" (Revision of 1930), approved April eighteenth, one thousand nine hundred and thirty.

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

Appropriation
for expenses
of special
election.

1. For the purpose of paying the costs incurred in the printing of the ballots and other expenses in connection with the holding of the special election on May sixteenth, one thousand nine hundred and thirty-three, there is hereby appropriated the sum of fifty-eight thousand dollars (\$58,000.00). All bills in connection with the holding of such election shall be first approved by the Secretary of State, and the money expended by the State Treasurer on warrant of the State Comptroller.

2. This act shall take effect immediately.

Approved June 20, 1933.

CHAPTER 231

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 thirty-four, and regulating the disbursement thereof.

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

1. The following sums or so much thereof as may be necessary, be and they are hereby appropriated out of the State fund for the respective public officers and for the several purposes herein specified, for the fiscal year ending on the thirtieth day of June, in the year one thousand nine hundred and thirty-four, and shall be available for expenditure during said fiscal year, and for a period of three months thereafter to pay obligations incurred during said fiscal year only. At the expiration of said three months' period all unexpended balances, unless specifically held by contracts on file with the Comptroller of the Treasury, shall lapse into the State treasury, or in case of appropriations from special funds shall lapse to the credit of such special funds.

Annual appropriations.

Unexpended balances to lapse into treasury.

A. EXECUTIVE AND ADMINISTRATIVE

A 1. ATTORNEY-GENERAL'S DEPARTMENT

Salaries:

Attorney-General ...	\$7,000 00
Assistant Attorney-General	7,500 00
Assistant Attorney-General	6,000 00

Attorney-General's Department.

Assistant Attorney- General	6,000 00	
Assistant Attorney- General	6,000 00	
Assistant Attorney- General	6,000 00	
Second Assistant At- torney-General ...	9,000 00	
Senior legal assistant	6,500 00	
Senior legal assistant	6,000 00	
Legal assistant	5,500 00	
Principal law clerk ..	3,000 00	
Senior law clerk- stenographer	2,400 00	
Compensation for other assistants ...	13,440 00	
	<hr/>	\$84,340 00
Materials and Supplies:		
Stationery and office supplies	\$1,000 00	
Law books	250 00	
Vehicular transporta- tion supplies	350 00	
Office equipment	200 00	
	<hr/>	1,800 00
Miscellaneous Expenses:		
Traveling expenses ..	\$1,000 00	
Other miscellaneous expenses	600 00	
Expenses in connec- tion with escheat cases	300 00	
	<hr/>	1,900 00
Extraordinary Expenditures:		
Preparation and trial Delaware river boundary suit	\$5,000 00	
Preparation and trial Lighterage Case ..	10,000 00	

Preparation and trial Dorrance Estate Tax Case	10,000 00	
Preparation and trial Railroad Tax Cases	5,000 00	
Contingent Fund for Unanticipated Liti- gation	1,000 00	
	<hr/>	31,000 00

Division of Securities

Salaries:		Division of securities.
Assistant Attorney- General	\$7,500 00	
Member of legal staff	4,000 00	
Investigator	1,980 00	
Compensation for clerks and stenog- raphers	5,160 00	
	<hr/>	18,640 00
Materials and Supplies:		
Stationery and office supplies	\$500 00	
Office equipment	100 00	
	<hr/>	600 00
Miscellaneous Expenses:		
Office rent	\$3,200 00	
Expenses of investiga- tions	4,000 00	
Telephone, telegraph and postage	900 00	
	<hr/>	8,100 00
		<hr/>
		<u>\$146,380 00</u>

CHAPTER 231, LAWS OF 1933

A 2. BUDGET COMMISSION

Budget
Commission.

Salaries:

Budget officer	\$7,000 00	
Accountant	5,200 00	
Compensation for as- sistants	3,370 00	
	<u> </u>	\$15,570 00

Materials and Supplies:

Stationery and office supplies	200 00	
Vehicular transporta- tion supplies	200 00	
	<u> </u>	400 00

Miscellaneous:

Printing	\$5,000 00	
Other miscellaneous expenses	750 00	
	<u> </u>	5,750 00
		<u> </u>
		<u>\$21,720 00</u>

A 3. CIVIL SERVICE COMMISSION

Civil Service
Commission.

Salaries:

Commissioners	\$18,000 00	
Chief examiner and secretary	10,000 00	
Assistant chief exam- iner	5,700 00	
Assistant secretary ..	3,180 00	
Medical examiner ...	3,000 00	
Examiners	23,460 00	
Official stenographer .	2,400 00	
Institutional examiner	2,400 00	
Special examiners ..	500 00	
Monitors	1,500 00	
Compensation for as- sistants	75,000 00	
Janitors	100 00	
	<u> </u>	\$145,240 00

Materials and Supplies:

Stationery and office supplies	\$6,000 00	
Office equipment	800 00	
Vehicular transportation supplies	500 00	
	<u> </u>	7,300 00

Miscellaneous:

Traveling expenses .	1,500 00	
Advertising	1,500 00	
Printing	800 00	
Rent	300 00	
Other miscellaneous expenses	300 00	
	<u> </u>	4,400 00
		<u> </u>
		<u>\$156,940 00</u>

A 4. COMPTROLLER'S DEPARTMENT

Salaries:

Comptroller	\$6,000 00		Comptroller's Department.
Chief clerk and deputy comptroller	7,000 00		
Head clerk book- keeper	3,000 00		
Clerical services	19,500 00		
	<u> </u>	\$35,500 00	

Materials and Supplies:

Stationery and office supplies		4,000 00
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Miscellaneous:

Premium on surety bonds	\$300 00	
Other miscellaneous expenses	1,000 00	
	<u> </u>	1,300 00

Audit Department

Audit Department.	Salaries:		
	Chief auditor	\$6,000 00	
	Auditors and assist- ants	27,000 00	
		<hr/>	33,000 00
	Miscellaneous:		
	Traveling expenses		200 00
			<hr/>
			\$74,000 00
			<hr/> <hr/>

A 5. STATE ACCOUNTING AND AUDITING DEPARTMENT

Accounting
and Auditing
Department.Salaries and expenses incurred in
carrying out the provisions of chap-
ter 269, Laws of 1930.

	Salaries:		
	Chief accountant	\$6,000 00	
	Assistant chief ac- countant	3,600 00	
	Assistant chief auditor	3,600 00	
	Auditors (6)	13,500 00	
	Calculating machine operator-typists (4)	6,000 00	
	Clerks (2), (confiden- tial and senior) ...	4,000 00	
		<hr/>	\$36,700 00
	Materials and Supplies:		
	Stationery and office supplies		1,200 00
	Miscellaneous:		
	Traveling expenses— auditors	\$2,200 00	
	Printing and binding	500 00	
		<hr/>	2,700 00
			<hr/>
			\$40,600 00
			<hr/> <hr/>

A 6. EMERGENCY FUND

For the Governor, to enable him to meet any emergency requiring the expenditure of money not otherwise appropriated, and to cover any incidental personal expense or the expenses of commissioners appointed by him under statute, or in his discretion	\$10,000 00	Emergency Fund.
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A 7. EXECUTIVE DEPARTMENT

Salaries:		Executive Department.
Governor	\$20,000 00	
Secretary to the Governor	5,000 00	
Executive clerk	3,600 00	
Assistant secretary to Governor	3,000 00	
Compensation for assistants, \$9,000.00, extra services, \$500.00	9,500 00	
	\$41,100 00	
Materials and Supplies:		
Stationery and office supplies	2,000 00	
Miscellaneous:		
Maintenance, cottage at Sea Girt and entertainment therein	\$15,000 00	
Maintenance of Secretary to the Governor during encampment	1,000 00	
Other miscellaneous expenses	1,300 00	
	17,300 00	
	\$60,400 00	

A 8. SECRETARY OF STATE

Secretary
of State.

Salaries:

Secretary of State ..	\$6,000 00	
Assistant Secretary of State	3,000 00	
Chief clerk	7,000 00	
Head clerk	4,500 00	
Election clerk	4,500 00	
Compensation for as- sistants	30,240 00	
	<hr/>	\$55,240 00

Materials and Supplies:

Stationery and office supplies		8,000 00
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Miscellaneous:

Election expenses ...	\$25,000 00	
Printing copies of "An act concerning corporations"	3,000 00	
Photostating copies of certificates of incor- poration	3,000 00	
Traveling expenses ..	75 00	
O t h e r miscellaneous expenses	900 00	
	<hr/>	31,975 00

Additions and Improvements:

Vault equipment		1,500 00
		<hr/>
		\$96,715 00
		<hr/> <hr/>

A 9. DEPARTMENT OF MOTOR VEHICLES

Motor Vehicle
Department.

Salaries:

Commissioner	\$5,000 00
Deputy Commissioner	2,750 00
Chief clerk	2,550 00

Chief inspector	1,800 00	
Deputy chief inspectors (6)	9,900 00	
Compensation for inspectors, clerks and other employees, present \$130,200.00, new \$5,510.00	135,710 00	
	<hr/>	\$157,710 00
Materials and Supplies:		
Stationery and office supplies	\$32,000 00	
Metal and materials for markers	70,000 00	
Office equipment	2,750 00	
Motor vehicle transportation supplies .	18,000 00	
	<hr/>	122,750 00
Miscellaneous:		
Postage	\$10,000 00	
Other miscellaneous expenses	1,500 00	
Liability insurance ..	1,125 00	
Traveling expenses ..	2,500 00	
Subscriptions	750 00	
Telephone and telegraph	4,000 00	
Printing laws	3,000 00	
Bonds of commissioner, deputy commissioner and agents .	1,625 00	
Freight and express .	1,500 00	
	<hr/>	26,000 00
Additions and Improvements:		
Purchase of automobiles	\$6,000 00	
Purchase and repair of typewriters	1,500 00	
	<hr/>	7,500 00

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Extraordinary Expenditures:

Safety educational campaign.....	10,000 00
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Financial Responsibility Division

Salaries:

Compensation for assistants	18,510 00
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Materials and Supplies:

Stationery and office supplies	\$1,000 00	
Office equipment	200 00	
	<hr/>	1,200 00

Miscellaneous Expenses:

Postage and expressage	900 00
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Bill of Sale Division

Salaries:

Compensation for assistants	22,200 00
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Materials and Supplies:

Stationery, office supplies and printing forms, safety paper	\$8,000 00	
Office equipment, steel files	1,000 00	
Typewriters	200 00	
	<hr/>	9,200 00

Miscellaneous Expenses:

Postage	\$3,750 00	
Other miscellaneous expenses	400 00	
Telephone and telegraph	1,000 00	
	<hr/>	5,150 00

Bureau of Traffic Control

Salaries:

Compensation for assistants	10,410 00
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Materials and Supplies:

Stationery and office supplies	200 00
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Miscellaneous Expenses:

Postage	\$150 00	
Rental of machines and other miscel- laneous expenses ..	600 00	
Telephone and tele- graph	150 00	
	<u>900 00</u>	900 00

The above items in this account are appropriated for the period from July 1 to December 31, 1933.

Payments of above items in this account to be made from the receipts of the Department of Motor Vehicle Regulation and Registration, pursuant to Chapter 235, Laws of 1909.

<u>\$392,630 00</u>

A 10. STATE HOUSE COMMISSION

Salaries and Wages:

Custodian, State House	\$4,500 00	
Chief engineer	4,000 00	
Superintendent of State House Annex and State office building	3,600 00	
Compensation for as- sistants and helpers	189,910 00	
	<u>\$202,010 00</u>	\$202,010 00

State House
Commission.

Materials and Supplies:

Heat, light, power and electricity	\$50,000 00	
Stationery and office supplies, furniture and carpets	2,000 00	
Other materials and supplies	10,000 00	
	<hr/>	62,000 00
Current repairs		20,000 00

Miscellaneous:

Insurance	\$4,200 00	
Capitol post office, postage	100,000 00	
Telephone and tele- graph, State De- partments in Tren- ton	30,000 00	
Freight and express and cost of moving	1,800 00	
Maintenance of Stacy Park and Capitol and annex grounds	4,000 00	
Other miscellaneous expenses	500 00	
	<hr/>	140,500 00

Sundry
rentals.

Rentals for State Departments in Newark:

Court of Chancery ..	\$15,715 00
Board of Public Util- ity Commissioners .	21,000 00
Department of Bank- ing and Insurance .	6,650 00
Department of Labor	29,445 00
State Board of Tene- ment House Super- vision	11,662 00
Commission for the Blind	10,000 00
Attorney-General's De- partment	3,700 00

Rentals for State Departments in Trenton:

Budget Commission .	\$1,995 00
Department of Weights and Meas- ures	2,400 00
Department of Agri- culture	15,500 00
Department of Police	8,400 00
State Employees' Re- tirement System ..	2,500 00
Department of Labor	15,000 00
State Board of Chil- dren's Guardians .	8,000 00
Commission on Re- vision and Con- solidation of Public Statutes	5,216 40
Rental for building for State exhibits at Trenton Fair	5,000 00

Rentals in Other Cities:

Associate Justices' of- fices	6,240 00
Chancery Courts, At- lantic City, Jersey City and Camden .	33,500 00
Vice-Chancellor's quarters, Jersey City, Hoboken, Eliz- abeth and Toms River	6,870 00
	<hr/> \$208,793 40
	<hr/> <hr/> \$633,303 40

A 11. TREASURER'S DEPARTMENT

Treasurer's Department.	Salaries:		
	Treasurer	\$6,000 00	
	Cashier and deputy treasurer	6,000 00	
	Head clerk	3,000 00	
	Compensation for other assistants ...	24,160 00	
		<hr/>	\$39,160 00
	Materials and Supplies:		
	Stationery and office supplies		2,500 00
	Miscellaneous:		
	Premiums on surety bonds for Treasurer and Deputy Treas- urer	\$750 00	
	Other miscellaneous expenses	400 00	
		<hr/>	1,150 00

Department of Municipal Accounts

Municipal Accounts.	Salaries:		
	Commissioner	\$7,500 00	
	Head auditor	4,500 00	
	Principal auditors (3)	12,000 00	
	Senior auditors (2) .	5,640 00	
	Examiner	4,200 00	
	Compensation for au- ditors and other as- sistants	35,520 00	
	Expenditures for spe- cial investigations, chapter 266, Laws of 1918	10,000 00	
		<hr/>	79,360 00

Materials and Supplies:		
Stationery and office supplies	\$2,000 00	
Office equipment	500 00	
	<u> </u>	2,500 00
Miscellaneous:		
Traveling expenses .	\$16,000 00	
Printing, binding, etc.	1,000 00	
Other miscellaneous expenses	300 00	
	<u> </u>	17,300 00
		<u> </u>
		<u>\$141,970 00</u>

A 12. STATE PURCHASING DEPARTMENT

Salaries and Wages:		Purchasing Department
State Purchasing Commissioner	\$7,000 00	
Chief clerk and buyer	4,250 00	
Supervisors of purchases (5)	13,560 00	
Compensation for assistants and clerical services	11,970 00	
	<u> </u>	\$36,780 00
Materials and Supplies:		
Stationery and office supplies	\$2,400 00	
Vehicular transportation supplies	750 00	
Office equipment	300 00	
	<u> </u>	3,450 00

Miscellaneous		
Traveling expenses ..	\$700 00	
Advertising, pursuant to chapter 70, Laws of 1930	3,250 00	
	<hr/>	3,950 00

State Purchase Fund

Purchase
Fund.

The unexpended balance of the "Purchase Fund" created in accordance with the provisions of chapter 277, Pamphlet Laws of one thousand nine hundred and seventeen, item one hundred, together with such sums as may be returned to the State treasury for the reimbursement of the appropriation provided by said item so that a "Purchase Fund" not exceeding \$250,000.00 will be established and maintained for the purpose of making payments for purchases in the operation of chapter 179, Pamphlet Laws of one thousand nine hundred and thirty-one, and the expenses of handling, storing and transporting purchases so made, the cost of said purchases to be apportioned among the various using agencies and the appropriations current for their use so as to reimburse the said "Purchase Fund" for said purchases when so made; said amounts so appropriated to be credited to said fund when deposited in the State treasury for disbursement in accordance with the provisions of said chapter 179, Pamphlet Laws of one thousand nine hundred and thirty-one, so as

to constitute it a revolving fund for purchases is hereby appropriated; *provided, however*, that any sum or sums in excess of the amount hereby appropriated received by the purchasing agent from any source shall by him be paid to the State Treasurer and deposited in the general fund of the State.

Proviso.

Printing

Miscellaneous:

Printing.

Legislative printing .	\$75,000 00	
Printing and binding public documents .	20,000 00	
Printing and circulat- ing laws	7,500 00	
	<u>102,500 00</u>	
		<u>\$146,680 00</u>

A 13. STATE ATHLETIC COMMISSIONER

Salaries:

Athletic
Commissioner.

Commissioner	\$5,000 00	
Compensation for other assistants ...	19,160 00	
	<u>\$24,160 00</u>	

Materials and Supplies:

Stationery, office supplies and equipment	500 00
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Miscellaneous:

Traveling and incidental expenses	5,700 00
	<u>\$30,360 00</u>

B. LEGISLATIVE

B 1. LEGISLATURE

Legislature.	Salaries:		
	Senators and members of General Assem- bly	\$40,833 32	
	Compensation for of- ficers and employees	30,000 00	
		<hr/>	\$70,833 32
	Materials and Supplies:		
	Manuals of the Legis- lature	\$5,000 00	
	Toilet and other neces- sary articles to be furnished by the State House Com- mission	200 00	
		<hr/>	5,200 00
	Miscellaneous:		
	Indexing Journal and Minutes and other incidental and contingent expenses	25,000 00	
		<hr/>	\$101,033 32
		<hr/> <hr/>	

C. JUDICIAL

C. 1. CLERK IN CHANCERY

Clerk in chancery.	Salaries:		
	Clerk in Chancery ..	\$6,000 00	
	Chief clerk	5,500 00	
	Law clerks (2)	7,100 00	
	Compensation for as- sistants	76,100 00	
		<hr/>	\$94,700 00

Materials and Supplies:	
Stationery, office supplies and other materials	10,000 00
Miscellaneous:	
Premium on surety bonds	475 00
	<u>\$105,175 00</u>

C 2. CLERK OF THE SUPREME COURT

Salaries:		Clerk of Supreme Court.
Clerk of the Supreme Court	\$6,000 00	
Chief clerk	5,500 00	
Compensation for as- sistants	39,680 00	
	<u>51,180 00</u>	
Materials and Supplies:		
Stationery and office supplies	\$4,000 00	
Other materials and supplies	400 00	
	<u>4,400 00</u>	
Miscellaneous:		
Other miscellaneous expenses	900 00	
	<u>\$56,480 00</u>	

C 3. COURT OF CHANCERY

Salaries:		Court of chancery
Chancellor	\$19,000 00	
Vice-Chancellors	180,000 00	
Secretaries to Vice- Chancellors	20,000 00	
Chancellor's secretary	2,000 00	

Compensation and traveling expenses of Sergeants-at-arms	32,000 00	
Compensation and allowance of advisory masters and their official stenographers	38,500 00	
Compensation of stenographers, and for services pursuant to section 103, chapter 158, Laws of 1902	45,000 00	
	<u> </u>	\$336,500 00
Materials and Supplies:		
Stationery and office supplies		4,000 00
Miscellaneous:		
Expenses in connection with leased Chancery Chambers	\$1,500 00	
Telephone service in connection with Chambers	1,000 00	
	<u> </u>	2,500 00
		<u> </u>
		<u> </u>
		\$343,000 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	\$45,000 00	
Compensation of officers	3,500 00	
	<u> </u>	\$48,500 00

Miscellaneous:

Printed or type-written copies of draft of opinions under the direction of the presiding judge	\$2,000 00	
Binding State cases, briefs, et cetera, and printing lists of causes, et cetera ..	2,000 00	
	<u>4,000 00</u>	
		<u>\$52,500 00</u>

C 5. COURT OF PARDONS

Salaries:

Compensation of judges of the Court of Pardons, at \$20.00 per diem ...	\$2,500 00	
Compensation of clerk and stenographer	1,350 00	
	<u>\$3,850 00</u>	

Court of
Pardons

Materials and Supplies:

Stationery and office supplies	300 00
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Miscellaneous:

Other miscellaneous expenses	75 00
	<u>\$4,225 00</u>

C 6. COURT EXPENSES

Court expenses.	Payments to counties for services of judges of court of common pleas at the rate of \$40.00 per diem holding Circuit Court, pursuant to chapter 316, Laws of 1931	\$10,000 00
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C 7. LAW AND EQUITY REPORTS

Legal reports.	Salaries:		
	Chancery reporter ...	\$500 00	
	Supreme Court re- porter	500 00	
		1,000 00	\$1,000 00
	Miscellaneous:		
	Publication of Chan- cery reports	\$6,500 00	
	Publication of law re- ports	6,500 00	
	Binding Chancery and law reports	2,500 00	
		15,500 00	
			\$16,500 00

Court
reporters.

C 8. 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 chapter 81, of the Laws of 1901	\$56,000 00
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C 9. SUPREME COURT

Salaries:		Supreme Court.
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 chapter 249, Laws of 1928	18,000 00	
Compensation for assistants	2,000 00	
Board of bar examiners, salary of members, secretary, assistant secretary and messenger	16,150 00	
	<u> </u>	\$423,150 00
Materials and Supplies:		
Stationery and office supplies		200 00
Miscellaneous:		
There is hereby appropriated the undisbursed balance on the 30th day of June, 1933, of the following appropriations:		
Other expenses incurred by court order.		
Expenses of Board of Bar Examiners incurred by court order, including disbarment proceedings.		
		<u> </u>
		<u> </u>
		\$423,350 00

C 10. COMMISSION ON REVISION AND CONSOLIDATION
OF PUBLIC STATUTES

Revision
of laws.

Salaries:	
Compensation for employees	\$56,220 00
Materials and Supplies:	
Stationery and office supplies.....	1,000 00
Miscellaneous:	
Traveling expenses ..	\$150 00
Postage, express and other miscellaneous expenses	100 00
	250 00
	\$57,470 00

C 11. JUDICIAL COUNCIL

Judicial
Council.

Salaries:	
Secretary	\$1,800 00
Materials and Supplies:	
Stationery and office supplies	500 00
Miscellaneous:	
Printing	\$1,200 00
Telephone and tele- graph	200 00
Postage	200 00
Traveling expenses ..	750 00
Expenses of investiga- tions	750 00
	3,100 00
	\$5,400 00

D. REGULATIVE

D 1. BOARD OF COMMERCE AND NAVIGATION

Salaries:		Commerce and Navigation.
Director	\$9,000 00	
Assistant chief en- gineer	1,200 00	
Consulting engineer ..	1,200 00	
Assistant secretary ..	3,600 00	
Office engineer	3,900 00	
Other assistants, pub- lic hearings, searches, surveys, witnesses on tres- passes, et cetera ...	25,310 00	
	<hr/>	\$44,210 00
Materials and Supplies:		
Stationery and office supplies	\$1,000 00	
Office equipment	100 00	
	<hr/>	1,100 00
Miscellaneous:		
Traveling expenses ..	\$2,500 00	
Postage	750 00	
Telephone and tele- graph	400 00	
Rents	7,345 00	
Insurance on boats ...	500 00	
Expenses in connec- tion with study and plans for beach pro- tection measures and extension ripa- rian surveys	1,000 00	
Operation chief in- spectors' boats	600 00	

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Operation cars and boats	300 00	
Other miscellaneous expenses	800 00	
Insurance on autos ..	100 00	
	<hr/>	14,295 00
Expenditures for Inland Waterways:		
Construction, reconstruction and maintenance and improvement of inland waterway, including \$1,- 200.00 for dredging of Manas- quan River		45,000 00
The Board is hereby authorized to charge administrative salaries to the extent of \$10,000.00 against the sum of \$45,000.00 appro- priated from the Gas Tax.		
	<hr/>	
Appropriation including esti- mated receipts		\$104,605 00
Appropriation for ad- ministration expenses deducted, pursuant to chapter 223, Laws of 1922, estimated as 40 per centum of the total appropriations		
	\$23,842 00	
Less proceeds of the tax on sale of motor ve- hicle fuels, pursuant to chapter 334, Laws of 1927	45,000 00	
	<hr/>	68,842 00
Net amount appropriated		<hr/> <hr/> \$35,763 00

D. 2. BOARD OF FISH AND GAME COMMISSIONERS

For salaries and wages, and for the expenses of maintenance and operation of the New Jersey Board of Fish and Game Commissioners to include the expenses of administration and of the fish hatchery and game farms.

Fish and
Game
Commission.

All receipts from hunters' and anglers' licenses pursuant to the provisions of chapter 152 of the Laws of 1914; chapter 120, Laws of 1915, and chapter 125 of the Laws of 1922.

All receipts, licenses and sales pursuant to the provisions of chapter 153 of the Laws of 1918.

All fines pursuant to the provisions of chapter 247 of the Laws of 1911.

All such receipts as are above set forth, and any balance of receipts that may not have been disbursed on or before the end of the fiscal year ending June thirtieth, one thousand nine hundred and thirty-three, are hereby appropriated to the Board of Fish and Game Commissioners, but there may only be expended of said receipts and balance the amounts as itemized below, and for bills incurred during the fiscal year ending June thirtieth, one thousand nine hundred and thirty-three, and no portion of any receipts shall lapse into the general funds of the State; *provided, however*, that an excess may be expended and is hereby appropriated above the amounts herein below indicated when expressly approved

Use of
receipts.

Proviso.

by the State House Commission, but limited to the amount of the receipts of the board for the fiscal year.

Salaries and Wages:		
Executive secretary..	\$5,000 00	
Assistant secretary ..	2,880 00	
Assistant protectors, wardens, superin- tendents and other officers and em- ployees	137,280 00	
	<hr/>	\$145,160 00
Materials and Supplies:		
Food	\$33,000 00	
Fuel, light, power and water	4,800 00	
Stationery and office supplies	1,600 00	
Vehicular transporta- tion supplies	20,000 00	
Purchase of live game and fish	30,000 00	
Farm and stable sup- plies	8,800 00	
Other materials and supplies	1,500 00	
	<hr/>	99,700 00
Current repairs		3,000 00
Miscellaneous:		
Printing	\$2,500 00	
Hunting and fishing li- censes and buttons..	6,000 00	
Traveling expenses ..	5,000 00	
Telephone and tele- graph	1,500 00	
Postage	1,200 00	

Insurance	1,000 00	
Freight and express..	500 00	
Rentals	1,000 00	
Other miscellaneous expenses	3,500 00	
	<hr/>	22,200-00

Additions and Improvements:

Motor vehicles and equipment	\$2,000 00	
Office equipment	350 00	
Building coops and pens	1,000 00	
	<hr/>	3,350 00
		<hr/>
		<u>\$273,410 00</u>

D 3. BOARD OF PUBLIC UTILITY COMMISSIONERS

Salaries:

Members of the board	\$36,000 00	
Counsel (2)	14,500 00	
Assistant counsel	3,500 00	
Secretary	7,000 00	
Chief engineer, Bu- reau of Utilities ...	9,000 00	
Chief engineer, bridges and grade crossings	7,500 00	
Chief engineer, Bu- reau of Railroads ..	6,500 00	
Assistant chief en- gineer	7,000 00	
Engineers, inspectors, clerks, stenogra- phers and other em- ployees	126,441 50	
Reporting hearings ..	10,000 00	
	<hr/>	\$227,441 50

Public Utility
Commission.

Materials and Supplies:		
Stationery and office supplies	\$2,500 00	
Office equipment	500 00	
	<u> </u>	3,000 00
Miscellaneous:		
Traveling expenses ..	\$8,500 00	
Telephone and telegraph	1,800 00	
Other miscellaneous expenses	500 00	
Printing	2,000 00	
Special investigations in reference to rate making	10,000 00	
Regulation of Public Housing Corporations, pursuant to chapter 78, Laws of 1933	5,000 00	
	<u> </u>	27,800 00
		<u> </u>
		<u>\$258,241 50</u>

D 4. BOARD OF SHELL FISHERIES

Shell Fisheries.

Salaries:		
Director	\$3,000 00	
Chiefs of bureaus	3,240 00	
Captains of boats, crews, guards, clerks, et cetera ...	36,600 00	
	<u> </u>	\$42,840 00
Materials and Supplies:		
Fuel and power	\$2,500 00	
Stationery and office supplies	150 00	
	<u> </u>	2,650 00
Current repairs		2,500 00

Miscellaneous:		
Traveling expenses ..	\$800 00	
Insurance	700 00	
Surveying and map- ping	300 00	
Rent of offices	456 00	
Telephone and tele- graph	150 00	
Other miscellaneous expenses	1,000 00	
	<hr/>	3,406 00

Additions and Improvements:		
Purchase of oyster shells, in order to restore depleted natural oyster beds, and further for the purpose of shelling beds		10,000 00
		<hr/>
		\$61,396 00
		<hr/> <hr/>

D 5. COUNTY BOARDS OF TAXATION

For salaries of members of the coun- ty boards of taxation	\$131,400 00	County Tax Boards.
	<hr/> <hr/>	

D 6. DEPARTMENT OF BANKING AND INSURANCE

Salaries:		Department of Banking and Insurance.
Commissioner	\$6,000 00	
Deputy Commissioner, Bureau of Banking.	7,500 00	
Assistant Deputy Commissioner, Bu- reau of Banking ...	4,200 00	
Deputy Commissioner, Bureau of Insurance	7,500 00	

Deputy Commissioner, Bureau of Building and Loan Associa- tions	7,500 00	
Chief, Compensation Rating and Inspec- tion Bureau	5,000 00	
Assistant Deputy, Bu- reau of Insurance..	4,800 00	
Assistant Deputy, Bu- reau of Building and Loan Associations .	4,140 00	
Department Investi- gator	3,480 00	
Statistician	3,600 00	
Bank Examiners	114,220 00	
Small Loan, et cetera Examiners	6,900 00	
Chief Insurance Ex- aminer	7,500 00	
Assistant Chief Insur- ance Examiners ...	16,650 00	
Insurance Examiners	50,220 00	
Special Insurance Ex- aminers	18,000 00	
Building and Loan As- sociation Examiners	206,340 00	
Actuary	7,500 00	
Chief Assistant Actu- ary	4,500 00	
Assistant Actuary ..	4,000 00	
Chief, License Di- vision	3,300 00	
Cashier	3,300 00	
Chief, Division Per- sonal Loan Agen- cies	4,200 00	
Auditor, Bureau of Insurance	2,520 00	
Clerks, stenographers and other em- ployees	92,340 00	
		<u>\$595,210 00</u>

Materials and Supplies:		
Stationery and office supplies		1,500 00
Miscellaneous:		
Traveling expenses .	\$50,000 00	
Appraisals of real estate	500 00	
Freight, express and cartage	400 00	
Subscriptions	100 00	
Compiling and printing valuations	450 00	
Rents	3,360 00	
Telephone and telegraph	1,000 00	
Printing	10,000 00	
Other miscellaneous expenses	600 00	
	<hr/>	66,410 00
		<hr/> <hr/>
		\$663,120 00

D 7. DEPARTMENT OF CONSERVATION AND DEVELOPMENT

Administration

Salaries:		Conservation and Development.
State Geologist and Director	\$7,500 00	
Administrative assistant	3,000 00	
Other employees	9,600 00	
	<hr/>	\$20,100 00
Materials and supplies	1,350 00	
Current repairs and replacements ..	100 00	
Miscellaneous	500 00	
Additions and improvements	100 00	

Geologic and Topographic Surveys

Surveys.	Salaries:		
	Assistant Geologist .	\$4,200 00	
	Topographic engineer	3,600 00	
		<hr/>	7,800 00
	Materials and supplies		75 00
	Current repairs and replacements ..		75 00
	Miscellaneous expenses		3,500 00

Museum.	<i>State Museum</i>
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	Salaries:		
	Curator	\$3,600 00	
	Other employees	20,080 00	
		<hr/>	23,680 00
	Materials and supplies		1,000 00
	Current repairs and replacements ..		2,500 00
	Miscellaneous expenses		1,050 00
	Additions and improvements		600 00

Forestry.	<i>Forestry Supervision, Investigation and Co-operation</i>
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	Salaries:		
	State Forester	\$5,800 00	
	Land agent	4,500 00	
	Other employees	9,600 00	
		<hr/>	19,900 00
	Materials and supplies		475 00
	Current repairs and replacements ..		325 00
	Miscellaneous expenses		4,800 00
	Additions and improvements		150 00
	The amount received as income from State forests is hereby appro- priated for Silviculture improve- ments of State forests.		

State Forests

Salaries:		State Forests.
Senior assistant for-		
ester	\$2,880 00	
Other employees	24,425 00	
Labor (per diem) ...	10,000 00	
	<hr/>	
		37,305 00
Materials and supplies		1,500 00
Current repairs and replacements ..		3,200 00
Miscellaneous expenses		7,000 00
Additions and improvements		75 00

State Forest Nursery

Salaries:		Forest Nursery.
Senior Assistant For-		
ester	\$3,000 00	
Other employees	9,330 00	
Labor (per diem) ...	4,000 00	
	<hr/>	
		16,330 00
Materials and supplies		3,000 00
Current repairs and replacements ..		500 00
Miscellaneous expenses		2,000 00
Additions and improvements		500 00

State Parks

Salaries:		Parks.
Supervisors, guards		
and other employees	20,655 00	
Labor (per diem) ...	3,000 00	
	<hr/>	
		23,655 00
Materials and supplies		4,000 00
Current repairs and replacements ..		5,000 00
Miscellaneous expenses		2,000 00

Preventing and Extinguishing Forest Fires

Forest Fires.	Salaries:		
	State fire warden	\$4,200 00	
	Other employes	63,460 00	
	Labor (per diem) on fire lines	5,000 00	
			72,660 00
	Materials and supplies		800 00
	Current repairs and replacements ..		3,000 00
	Miscellaneous expenses		29,900 00

Morris Canal and Banking Company

Morris Canal. For all expenses in connection with the administration of the property of the Morris Canal and Banking Company:

- (a) All unexpended balance on June 30, 1933, of the money heretofore appropriated for this purpose in any annual or supplemental appropriation bill, and
- (b) All rents, tolls and other income including sales received from said property.

Proviso. *Provided, however,* the amount to be expended under this authorization shall not exceed \$13,195.00.

Proviso. *Provided, further,* that 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 1934.

\$300,505 00

D 8. DEPARTMENT OF HEALTH

Salaries:		Department of Health.
Director	\$6,500 00	
Chief, Bureau of Ad- ministration	5,400 00	
Registrar, Bureau of Vital Statistics ...	4,800 00	
Chief, Bureau of Local Health Administra- tion	4,500 00	
Chief, Bureau of Food and Drugs	4,800 00	
Chief, Bureau of Pub- lic Health Educa- tion	4,500 00	
Chief, Bureau of Sani- tary Engineering .	5,500 00	
Chief Bureau of Chemistry	4,800 00	
Chief, Bureau of Bac- teriology	4,800 00	
Senior Sanitary En- gineer, Bureau of Engineering	3,600 00	
Veterinarian	3,900 00	
District Health Offi- cers	17,680 00	
Special Inspector — Food and Drugs...	3,600 00	
Assistant Epidemiolo- gists, Local Health Administration (2).	7,800 00	
Engineers, inspectors, investigators, lab- oratory and other employees	141,420 00	
	<hr/>	\$223,600 00

Materials and Supplies:

Stationery and office supplies	\$1,750 00	
Office equipment	500 00	
Engineering supplies.	850 00	
Vehicular transportation supplies (auto)	4,500 00	
Vehicular transportation supplies (boats)	2,000 00	
Laboratory supplies .	15,000 00	
	<hr/>	24,600 00

Miscellaneous:

Printing	\$9,000 00	
Traveling expenses .	20,000 00	
Other miscellaneous expenses	3,000 00	
	<hr/>	32,000 00

Additions and Improvements:

Laboratory equipment	1,900 00	
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*Bureau of Child Hygiene*Child
Hygiene.

Salaries	\$78,372 52	
Materials and supplies..	1,500 00	
Other miscellaneous expenses	24,000 00	
	<hr/>	103,872 52

*Bureau of Venereal Disease Control*Venereal
Disease
Control.

Salaries	\$16,320 00	
Materials and supplies.	5,600 00	
Miscellaneous expenses.	3,500 00	
	<hr/>	25,420 00

All receipts pursuant to Senate Bill No. 309 are hereby appropriated for use of the Board, provided said bill becomes a law.

\$411,392 52

D 9. DEPARTMENT OF LABOR

Salaries:

Department
of Labor.

Commissioner of Labor	\$6,000 00	
Deputy Commissioners Workmen's Compensation (4) .	28,000 00	
Deputy Commissioners of Labor (2) ...	13,400 00	
Referee	3,600 00	
Supervisor, informal hearings	5,000 00	
Chief, Bureau of Industrial Statistics .	4,200 00	
Employment Service..	34,620 00	
Employees in Museum of Safety	7,200 00	
Examiners, inspectors, clerks and other employees	181,894 00	
Bureau for Women and Children	17,909 00	
	<hr/>	\$301,823 00

Materials and Supplies:

Stationery and supplies	\$7,000 00	
Office equipment	2,750 00	
Coal, Jersey City, Trenton, and Paterson	2,000 00	
Photographing, blue-printing and drafting supplies	50 00	
Vehicular transportation supplies	1,500 00	
Lighting, power service and water.....	2,250 00	
	<hr/>	15,550 00
Current repairs		150 00

Miscellaneous:		
Traveling expenses ..	\$20,000 00	
Telephone and telegraph	3,500 00	
Rent, Jersey City, Paterson or other cities	10,100 00	
Other miscellaneous expenses	3,500 00	
Printing	5,000 00	
Expenses for Industrial Museum of Safety Campaign ..	800 00	
Preparation and distribution of industrial directories and bulletins	1,000 00	
	<hr/>	43,900 00
		<hr/> <hr/>
		\$361,423 00

D 10. DEPARTMENT OF WEIGHTS AND MEASURES

Department
of Weights
and Measures.

Salaries:		
Superintendent	\$5,000 00	
Compensation for assistants	15,840 00	
	<hr/>	\$20,840 00
Materials and Supplies:		
Metal seals	\$500 00	
Stationery and office supplies	500 00	
Vehicular transportation supplies	1,000 00	
Other materials and supplies	100 00	
	<hr/>	2,100 00
Current repairs		50 00

Miscellaneous:

Traveling expenses, including samples purchased	\$4,000 00	
Insurance, premiums.	300 00	
Other miscellaneous expenses, including garage rent	400 00	
Printing and binding.	500 00	
	<hr/>	5,200 00
		<hr/>
		\$28,190 00
		<hr/> <hr/>

D 11. HEALTH OFFICERS, PORT OF PERTH AMBOY

Health officer of the Port of Perth Amboy, for salary, pursuant to chapter 328, Laws of 1906	\$1,000 00	Perth Amboy Health Officer.
Deputy health officer	250 00	
	<hr/>	
		\$1,250 00
		<hr/> <hr/>

D 12. STATE BOARD OF TAX APPEALS

Salaries:		Board of Tax Appeals.
President	\$6,500 00	
Members of board ...	18,000 00	
Secretary	6,000 00	
Compensation for oth- er assistants	20,760 00	
	<hr/>	\$51,260 00
Materials and Supplies:		
Stationery and office supplies	4,000 00	

Miscellaneous:

Traveling expenses ..	\$2,500 00	
Other miscellaneous expenses	250 00	
Printing and compilation of tax laws	400 00	
		<u>3,150 00</u>
		<u>\$58,410 00</u>

D 13. STATE BOARD OF TENEMENT HOUSE
SUPERVISIONBoard of
Tenement
House
Supervision.

Salaries:

Secretary and executive officer	\$7,000 00	
Compensation for assistants and other employees	76,820 00	
		<u>\$83,820 00</u>

Materials and Supplies:

Stationery and office supplies	\$400 00	
Office equipment	50 00	
Other materials and supplies	50 00	
Vehicular transportation supplies	1,000 00	
		<u>1,500 00</u>

Miscellaneous:

Traveling expenses .	\$5,000 00	
Other miscellaneous expenses	300 00	
Postage	600 00	
Telephone and telegraph	400 00	
Garage rent	216 00	
Printing	200 00	
		<u>6,716 00</u>
		<u>\$92,036 00</u>

D 14. REAL ESTATE COMMISSION

Salaries and Wages:		Real Estate Commission.
Commissioners	\$12,000 00	
Secretary	5,000 00	
Chief examiner and investigator	4,500 00	
Other employees	21,400 00	
	<hr/>	\$42,900 00
Materials and Supplies:		
Stationery and office supplies	\$1,500 00	
Office equipment	50 00	
	<hr/>	1,550 00
Miscellaneous:		
Traveling expenses ..	\$2,500 00	
Rent	5,000 00	
Postage	1,700 00	
Telephone and tele- graph	800 00	
Printing	2,000 00	
Other miscellaneous expenses	400 00	
	<hr/>	12,400 00
		<hr/>
		\$56,850 00
		<hr/> <hr/>

D 15. DEPARTMENT OF STATE POLICE

Salaries:		Department of State Police.
Colonel and superin- tendent	\$9,000 00	
Major and deputy superintendent	5,000 00	
Captains (3)	10,800 00	
Lieutenants (5)	15,000 00	
Captain, headquarters	3,600 00	

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Noncommissioned of- ficers, troopers, et cetera	479,572 42	
Medical and surgical services	9,000 00	
	<hr/>	\$531,972 42
Material and Supplies:		
Food	\$20,000 00	
Clothing	20,000 00	
Heat, light, power, water and elec- tricity	8,000 00	
Vehicular transporta- tion supplies, in- cluding replace- ments	80,000 00	
Stable supplies and forage	1,800 00	
Household and organ- ization supplies ...	5,000 00	
Medical, surgical and laboratory supplies	2,000 00	
Stationery and office supplies	5,000 00	
	<hr/>	141,800 00
Current repairs		3,000 00
Miscellaneous:		
Traveling expenses ..	\$4,000 00	
Rents	6,184 00	
Telephone and tele- graph	13,000 00	
Insurance	12,000 00	
Freight, express and cartage	100 00	
Emergency fund, all bills to be approved by the State House Commission	1,000 00	
Food and lodging ...	100,000 00	
	<hr/>	136,284 00

Additions and Improvements:
 Office equipment 1,000 00

Teletype Communication

Salaries:		Teletype.
Supervisors (2)	\$6,000 00	
Assistant supervisors (10)	23,338 00	
Operators (12)	7,200 00	
	36,538 00	

Materials and Supplies:
 Stationery and office supplies 1,000 00

Miscellaneous:
 Rental of teletype instruments and
 power 45,000 00

Bureau of Identification

Salaries:		
Supervisor	\$3,000 00	
Other officers and em- ployees	12,480 00	
	15,480 00	

Materials and Supplies:		
Stationery and office supplies	\$2,000 00	
Photographic, blue- printing and draft- ing supplies	1,500 00	
	3,500 00	

Additions and Improvements:
 Office equipment 1,000 00

\$916,574 42

D 16. STATE WATER POLICY COMMISSION AND/OR
DEPARTMENT OF CONSERVATION AND DEVELOPMENT

Division of Applications

Water Policy
Commission.

Salaries:

Division engineer ...	\$5,700 00	
Assistant division en- gineer	4,500 00	
Assistant engineers (2)	6,600 00	
District engineer (½ salary)	2,400 00	
Associate engineer (½ salary)	1,700 00	
Other employees	9,240 00	
	<hr/>	\$30,140 00

Materials and Supplies:

Stationery and office supplies	\$500 00	
Engineering supplies	300 00	
Vehicular transporta- tion supplies	800 00	
	<hr/>	1,600 00

Miscellaneous Expenses:

Traveling expenses ..	\$2,500 00	
Telephone and tele- graph	300 00	
Postage	300 00	
Printing	300 00	
Rent	2,400 00	
Other miscellaneous expenses	100 00	
	<hr/>	5,900 00

Additions and Improvements:

Three new gauging stations	\$1,000 00	
Office equipment	100 00	
Engineering equip- ment	500 00	
	<hr/>	1,600 00
		<hr/>

Materials and Supplies:		
Stationery and office supplies	\$750 00	
Office equipment	200 00	
Retail dealer's license plates	1,100 00	
Vehicular transportation supplies	1,000 00	
	<hr/>	3,050 00

Miscellaneous:		
Postage and express.	\$2,000 00	
Other miscellaneous expenses	250 00	
Traveling expenses (inspectors and auditors)	1,000 00	
Printing, binding, etc.	875 00	
	<hr/>	4,125 00

The above items in this Division are appropriated for the period from July 1st to December 31st, 1933.

Payments of above items in Motor Vehicle Fuels Division to be made from the receipts of said Division, pursuant to chapter 334, Laws of 1927, and chapter 41, Laws of 1930.

Inheritance Tax Division

Inheritance
Tax
Division.

Salaries:		
State Supervisor	\$9,000 00	
Two district supervisors	8,800 00	
Two head inheritance tax clerks	9,000 00	
Other officers and employees	144,080 00	
	<hr/>	170,880 00

Materials and Supplies:		
Office equipment	\$500 00	
Stationery and office supplies	3,000 00	
Briefs and law books.	1,250 00	
Other materials and supplies	500 00	
	<hr/>	5,250 00

Miscellaneous:		
Traveling expenses and appraisers' fees	\$1,000 00	
Binding, repairs and maintenance of equipment	250 00	
Other miscellaneous expenses	50 00	
	<hr/>	1,300 00

Upon approval of the State Tax Commissioner, the Comptroller of the Treasury is hereby authorized and it shall be his duty to withdraw from the State fund such amounts as shall be required to carry out the provisions of chapter 238, Laws of 1909, and to refund and pay such claims as may be necessary and the State Treasurer shall pay same upon the warrants of said Comptroller, and there is hereby appropriated the amount necessary therefor.

Appropriation, including esti- mated receipts	\$311,735 00
Less receipts for maintenance of Mo- tor Fuels Division	25,625 00
Net amount appropriated	<hr/> <hr/> \$286,110 00

D 18. DEPARTMENT OF AVIATION

Department of Aviation.	Expenses incurred by the Department of Aviation, established pursuant to chapter 190, Laws of 1931.	
	Salaries	\$6,680 00
	Materials and supplies and miscellaneous ex- penses	2,500 00
		\$9,180 00

E. EDUCATIONAL

E 1. STATE BOARD OF REGENTS (STATE
AGRICULTURAL COLLEGE)

Board of Regents, Rutgers University.	Rutgers University (State Agricul- tural College)	\$428,000 00
	College for Women	242,160 00
	Newark Technical School and New- ark College of Engineering	34,560 00

Administrative

Board of Regents:

Salaries	\$11,320 00	
Materials and supplies	200 00	
Miscellaneous expenses	3,500 00	
	15,020 00	
		\$719,740 00

Payments under this account to be
made pursuant to chapter 65, Laws
of 1909.

E 2. COMMISSIONER OF EDUCATION

Salaries:

Commissioner	\$15,000 00	Department of Education.
Five assistant commis- sioners	35,000 00	
Chief, bureau of ex- aminers	6,000 00	
D i r e c t o r physical training and health	6,500 00	
Physical training as- sistant superintend- ent	3,340 00	
Physical training in- structor	3,400 00	
Inspector of buildings	4,500 00	
Superintendent of in- dustrial education .	4,050 00	
Inspectors of accounts (2)	5,800 00	
Statistician	3,800 00	
Inspector of school ac- counts	3,800 00	
Assistant for high school work	5,000 00	
Clerical services	38,261 00	
	<hr/>	\$134,451 00

Materials and Supplies:

Stationery and office supplies	\$10,000 00	
Office equipment	300 00	
	<hr/>	10,300 00

Miscellaneous:

Traveling expenses ..	\$5,000 00
Expenses, physical training work	2,000 00
Postage	3,000 00

Telephone and tele- graph	1,500 00	
Other miscellaneous expenses	900 00	
Rent of office space ..	2,500 00	
Printing special bulle- tins	200 00	
	<hr/>	15,100 00

The moneys in this item appropriated shall be deducted in the same manner as the moneys heretofore appropriated to the Superintendent of Public Instruction are required to be deducted pursuant to chapter 65, Laws of 1909.

\$159,851 00

E 3. COUNTY SUPERINTENDENTS

County School Superin- tendents.	For county superintendents, for sal- aries, payments to be made pursu- ant to chapter 65, Laws of 1909....	\$105,000 00
		<hr/> <hr/>

E 4. EVENING SCHOOLS FOR FOREIGN-BORN
RESIDENTS

Evening Schools for Foreign-born.	For the purpose of carrying out the provisions of an act entitled "An act providing for the establishment of evening schools for foreign-born residents in the State of New Jer- sey," approved April eleventh, one thousand nine hundred and seven, payment to be made pursuant to chapter 65, Laws of 1909.....	\$35,000 00
		<hr/> <hr/>

E 5. INDUSTRIAL EDUCATION

For payments to schools established for industrial education, pursuant to chapter 78, Laws of 1909; chapter 32, Laws of 1921, and chapter 282, Laws of 1926	\$69,000 00	Industrial Schools.
Payments to schools for manual training, pursuant to Article 22, section 230, School Laws of 1903 ...	500,000 00	
Expenses incurred by Commissioner of Education in carrying into effect the provisions of chapter 152, Laws of 1919, salary	5,000 00	
Traveling expenses	500 00	
Payments under this account to be made pursuant to chapter 2, Laws of 1920.		
	<u>\$574,500 00</u>	

E 6. MANUAL TRAINING AND INDUSTRIAL SCHOOL FOR
COLORED YOUTH

For salaries and wages, and for maintenance of the Manual Training and Industrial School for Colored Youth, on the basis of four hundred and twenty-five students.

Salaries and Wages:		Bordentown Training School.
Principal	\$6,000 00	
Preceptress	2,000 00	
Teachers	63,800 00	
Other officers and employees	27,194 00	
Student labor	3,000 00	
	<u>\$101,994 00</u>	

Materials and Supplies:		
Food	\$20,000 00	
Fuel, light and power	21,000 00	
Household supplies .	4,000 00	
Farm, stable and grounds supplies ..	7,500 00	
Industrial and voca- tional supplies	3,500 00	
Educational supplies	3,000 00	
Medical and surgical supplies	800 00	
Office supplies	250 00	
Vehicular transporta- tion supplies	800 00	
Other materials and supplies	250 00	
	<hr/>	61,100 00
Current repairs		7,500 00
Miscellaneous:		
Traveling expenses, including extension work	\$800 00	
Postage	750 00	
Telephone and tele- graph	1,100 00	
Entertainment ex- penses	300 00	
Freight and express .	150 00	
Printing	300 00	
Religious services ...	200 00	
	<hr/>	3,600 00
Additions and Improvements:		
Materials for permanent improve- ments		1,000 00
	<hr/>	
Appropriation, including estimated receipts		\$175,194 00

The receipts of the institution are hereby appropriated for maintenance expenditures, pursuant to chapter 153, Laws of 1918, estimated as amounting to	63,000 00
Payments under this account to be made pursuant to chapter 65, Laws of 1909.	
Net amount appropriated	<u>\$112,194 00</u>

E 7. SCHOOL FOR THE DEAF

For salaries and wages and for maintenance of the New Jersey School for the Deaf, on a basis of four hundred pupils.

School for
the Deaf.

Salaries and Wages:		
Superintendent	\$5,000 00	
Principal, teachers and instructors ...	121,330 00	
Other officers and em- ployees	54,512 47	
	<u> </u>	\$180,842 47
Materials and Supplies:		
Food	\$35,000 00	
Clothing	1,500 00	
Fuel, light and power	24,000 00	
Household supplies ..	4,250 00	
Farm, stable and grounds	850 00	
Industrial and voca- tional supplies	2,700 00	
Medical and surgical supplies	600 00	
Educational, recrea- tional and library supplies	3,500 00	

Stationery and office supplies	500 00	
Vehicular transportation supplies	1,250 00	
Other materials and supplies	400 00	
	<hr/>	74,550 00
Current repairs		5,000 00
Miscellaneous:		
Entertainment	\$500 00	
Freight, express and cartage	250 00	
Religious instruction	500 00	
Traveling expenses ..	875 00	
Postage	600 00	
Telephone and telegraph	1,000 00	
	<hr/>	3,725 00
Additions and Improvements:		
Labor, materials and supplies		3,000 00
		<hr/>
Appropriation, including estimated receipts		\$267,117 47
The receipts of the institution are hereby appropriated for maintenance expenditures, pursuant to chapter 153, laws of 1918, estimated as amounting to		2,000 00
Payments under this account to be made pursuant to chapter 65, laws of 1909.		
		<hr/>
Net amount appropriated		<u>\$265,117 47</u>

E 8. STATE BOARD OF EDUCATION

For salaries and expenses incurred by the Board of Education	\$1,400 00	State Board of Education.
Fire insurance premiums on build- ings under control of State Board of Education	19,000 00	
Payments under this account to be made pursuant to chapter 2, Laws of 1920.		
	<u>\$20,400 00</u>	

E 9. STATE BOARD OF EXAMINERS

Salaries:		State Board of Examiners.
Head clerk	\$2,600 00	
Clerical services	2,280 00	
	<u>\$4,880 00</u>	
Materials and Supplies:		
Stationery and office supplies	400 00	
Miscellaneous:		
Traveling expenses ..	\$200 00	
Other miscellaneous expenses	100 00	
	<u>300 00</u>	
Payments under this account to made pursuant to chapter 2, Laws of 1920.		
	<u>\$5,580 00</u>	

E 10. STATE NORMAL SCHOOL, GLASSBORO

Glassboro
Normal School.

For salaries and wages and for the maintenance of the State Normal School, Glassboro, on the basis of three hundred and fifty students.

Salaries and Wages:

Principal	\$7,500 00	
Teachers and other employees	95,000 00	
		<u>\$102,500 00</u>

Materials and Supplies:

Fuel, light and power, gas and water	\$9,000 00	
Farm, stable and grounds supplies ..	600 00	
Vehicular transportation supplies	500 00	
Educational, recreational and library supplies	2,000 00	
Stationery and office supplies	675 00	
Laboratory and janitors' supplies	800 00	
		<u>13,575 00</u>
Current repairs		1,800 00

Miscellaneous:

Traveling expenses ..	\$500 00
Postage	400 00
Telephone and telegraph	450 00
Other miscellaneous expenses	250 00
Printing	550 00
Excess sewer rental .	150 00
Freight, express and cartage	100 00

Traveling expenses, supervisor of stu- dent teaching	1,850 00	
		4,250 00

Additions and Improvements:		
Spraying trees		800 00

All receipts from extension courses are hereby reappropriated for use of the said courses.

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 chapter 65, Laws of 1909.

\$122,925 00

A tuition fee of \$100.00 per year shall be paid by every Normal School student beginning with the academic year commencing September, 1933, estimated as amounting to	35,000 00
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Net amount appropriated	<u>\$87,925 00</u>
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E 11. STATE NORMAL SCHOOL, JERSEY CITY

For salaries and wages and for the maintenance of the State Normal School, Jersey City, on the basis of three hundred and eighty-five students.

Jersey City
Normal School.

Salaries and Wages:		
Principal	\$7,500 00	
Teachers	93,854 00	
Other employees	19,850 00	
		\$121,204 00

Materials and Supplies:		
Fuel, light and power	\$5,000 00	
Educational, recrea- tional and library supplies	2,000 00	
Stationery and office supplies	750 00	
Other materials and supplies	100 00	
Janitors' supplies ...	1,000 00	
Ground supplies	50 00	
	<hr/>	8,900 00
Current repairs		1,000 00
Miscellaneous:		
Traveling expenses ..	\$500 00	
Postage	400 00	
Telephone and tele- graph	500 00	
Freight, express and cartage	150 00	
Other miscellaneous expenses	550 00	
Printing	650 00	
Traveling Expenses— Supervision of stu- dent teaching	800 00	
	<hr/>	3,550 00

All receipts from extension courses are hereby reappropriated for the use of said courses.

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 chapter 65, Laws of 1909.

\$134,654 00

A tuition fee of \$100.00 per year shall be paid by every Normal School student beginning with the academic year commencing September, 1933, estimated as amounting to	38,500 00
Net amount appropriated	<u>\$96,154 00</u>

E 12. STATE NORMAL SCHOOL, NEWARK

For salaries and wages, and for maintenance of the State Normal School, Newark, on the basis of five hundred students.

Newark
Normal School.

Salaries and Wages:	
Principal	\$7,500 00
Teachers	130,368 00
Other employees	20,000 00
	<u>\$157,868 00</u>
Materials and Supplies:	
Fuel, light and power.	\$4,000 00
Educational, recreational and library supplies	2,575 00
Stationery and office supplies	900 00
Janitors' supplies ...	700 00
Ground supplies	400 00
	<u>8,575 00</u>
Current repairs	2,300 00
Miscellaneous:	
Traveling expenses ..	\$500 00
Postage	500 00
Telephone and telegraph	400 00
Printing	700 00

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Freight, express and cartage	100 00	
Other miscellaneous expenses	300 00	
Traveling Expenses— Supervisors of student teaching	1,200 00	
		3,700 00
All receipts from extension courses are hereby reappropriated for the use of said courses.		
Payments under this account to be made pursuant to chapter 2, Laws of 1920.		
		<u>\$172,443 00</u>
A tuition fee of \$100.00 per year shall be paid by every Normal School student beginning with the academic year commencing September, 1933, estimated as amounting to	50,000 00	
Net amount appropriated		<u><u>\$122,443 00</u></u>

E 13. STATE NORMAL SCHOOL, PATERSON

Paterson
Normal School.

For salaries and wages, and for maintenance of the State Normal School, Paterson, on the basis of three hundred and twenty-five students, pursuant to the provisions of chapter 125, Laws of 1921, and chapter 52, Laws of 1923.

Salaries and Wages:

Principal	\$7,500 00	
Teachers	60,459 00	
Other employees	5,670 00	
		<u>\$73,629 00</u>

Materials and Supplies:

Educational, recreational and library supplies	2,000 00	
Stationery and office supplies	500 00	
Janitors' supplies ...	300 00	
	<hr/>	2,800 00

Miscellaneous:

Traveling expenses ..	\$500 00	
Postage	300 00	
Telephone and telegraph	200 00	
Freight, express and cartage	60 00	
Other miscellaneous expenses	175 00	
Printing	500 00	
Student teaching, traveling expenses.	500 00	
	<hr/>	2,235 00

All receipts from extension courses are hereby reappropriated for the use of said courses.

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 chapter 65, Laws of 1909.

\$78,664 00

A tuition fee of \$100.00 per year shall be paid by every Normal School student beginning with the academic year commencing September, 1933, estimated as amounting to ..

32,500 00

Net amount appropriated \$46,164 00

E 14. STATE TEACHERS COLLEGE, MONTCLAIR

Montclair
Teachers
College.

For salaries and wages and for maintenance of the State Teachers College, Montclair, on the basis of five hundred and fifty students.

Salaries and Wages:

Principal	\$7,500 00	
Teachers	172,804 00	
Other employees	23,840 00	
	<hr/>	\$204,144 00

Materials and Supplies:

Fuel, light and power	\$8,000 00	
Educational, recreational and library supplies	5,000 00	
Stationery and office supplies	1,400 00	
Ground supplies	200 00	
Other materials and supplies	500 00	
Janitors' supplies ...	1,400 00	
	<hr/>	16,500 00
Current repairs		4,500 00

Miscellaneous:

Traveling expenses ..	\$500 00	
Traveling expenses, practice teaching ..	2,020 00	
Postage	650 00	
Telephone and telegraph	750 00	
Printing	1,200 00	
Other miscellaneous expenses	400 00	
Freight, express and cartage	200 00	
	<hr/>	5,720 00

Additions and Improvements:

For the expenses of maintenance of the boarding halls there is hereby appropriated all the receipts therefrom pursuant to the provisions of chapter 58, of the Laws of 1910, and all receipts from the said boarding halls for the current fiscal year that may not have been disbursed on or before June 30th, 1933, shall be held in trust in the State treasury, subject to the provisions of chapter 58, of the Laws of 1910.

All receipts from extension courses are hereby reappropriated for the use of said courses.

Payments under this account to be made pursuant to chapter 65, Laws of 1909.

\$230,864 00

A tuition fee of \$100.00 per year shall be paid by every Normal School student beginning with the academic year commencing September, 1933, estimated as amounting to

55,000 00

Net amount appropriated \$175,864 00

E 15. STATE TEACHERS COLLEGE AND STATE NORMAL SCHOOL, TRENTON

For salaries and wages, and for the maintenance of the State Teachers College and State Normal School, Trenton, on the basis of eight hundred students.

Trenton
Teachers
College.

Salaries and Wages:

Principal	\$7,500 00	
Business manager ...	4,000 00	
Teachers	200,068 00	
Other employees	40,286 00	
	<u> </u>	\$251,854 00

Materials and Supplies:

Fuel, light and power	\$26,000 00	
Janitors' supplies ...	2,000 00	
Educational, recrea- tional and library supplies	5,000 00	
Stationery and office supplies	1,200 00	
Other materials and supplies	300 00	
Vehicular transporta- tion supplies	500 00	
Ground supplies	400 00	
	<u> </u>	35,400 00
Current repairs		6,000 00

Miscellaneous:

Traveling expenses ..	\$500 00	
Postage	800 00	
Telephone and tele- graph	1,500 00	
Freight, express and cartage	300 00	
Transportation of stu- dents	1,600 00	
Other miscellaneous expenses	500 00	
Printing	1,200 00	
Expenses, supervision of student teaching	2,000 00	
	<u> </u>	8,400 00

Additions and Improvements:

Equipment — Health and Physical Educa- tion Building	\$1,000 00	
Equipment — Admin- istration-Classroom Building	600 00	
	<hr/>	1,600 00

For the expenses of maintenance of the boarding halls there is hereby appropriated all the receipts therefrom pursuant to the provisions of chapter 58, Laws of 1910, and all receipts from the said boarding halls for the current fiscal year that may not have been disbursed on or before June 30, 1933, shall be held in trust in the State treasury, subject to the provisions of chapter 58, Laws of 1910.

All receipts from proceeds of sales of the lunch room are hereby reappropriated for the uses of said lunch room.

All receipts from extension courses are hereby reappropriated for the use of said courses.

Payments under this account to be made pursuant to chapter 65, Laws of 1909.

		<hr/>	\$303,254 00
A tuition fee of \$100.00 per year shall be paid by every Normal School student beginning with the academic year commencing September, 1933, estimated as amounting to			80,000 00
		<hr/>	
Net amount appropriated		<hr/> <hr/>	\$223,254 00

E 16. TEACHERS' LIBRARIES

Teachers' Libraries.	Establishment and maintenance of libraries for use of teachers	\$400 00
	Payment under this account to be made pursuant to chapter 2, Laws of 1920.	

E 17. TEACHERS' RETIREMENT FUND—PENSION AND ANNUITY FUND

Teachers' Retirement Fund.	State Treasurer, for expenses incurred in connection with the fund, pursuant to chapter 80, Laws of 1919.	
	Salaries of clerks	\$6,000 00
	Materials and supplies and miscellaneous expenses	250 00
		\$6,250 00
	Payments under this account to be made pursuant to chapter 2, Laws of 1920.	

E 18. VOCATIONAL SCHOOLS

Vocational Schools.	For the purpose of carrying into effect the provisions of chapter 76, Laws of 1916, which provides for the appropriation of State funds for the purpose of carrying out the provision of chapter 294 of the Laws of 1913, which authorized State aid for vocational schools. . .	\$180,314 00
	For the purpose of carrying into effect the provisions of chapter 119, Laws of 1917, which provides that the State shall appropriate a sum	

not less than the maximum amount received from the Federal Government under an act of Congress, which provides for Federal co-operation in the promotion of such education as agriculture and the trades and industries, and for the proper preparation of teachers of vocational subjects	26,241 00
State supervision	1,000 00
State supervision of vocational schools	6,250 00
Payments under this account to be made pursuant to chapter 2, Laws of 1920.	
	\$213,805 00

F. AGRICULTURAL

F 1. AGRICULTURAL EXPERIMENT STATION

Salaries and wages and for the expenses of maintenance and operation of the New Jersey Agricultural Experiment Station at New Brunswick, and its authorized activities	\$104,920 00	Agricultural Experiment Station.
Printing bulletins and circulars	4,500 00	
Books and binding	500 00	
Abolishing mosquito-breeding, pursuant to chapter 134, Laws of 1906, and chapter 104, Laws of 1912, and investigations incident thereto	11,650 00	

Investigation of oyster propagation, pursuant to chapter 187, Laws of 1907	5,630 00
Department of Poultry Husbandry, pursuant to chapter 52, Laws of 1911, and chapter 18, Laws of 1923, including poultry specialists for South Jersey	19,435 00
Seed inspection, pursuant to chapter 228, Laws of 1916	8,965 00
Experimental work in vegetable production	2,475 00
Insecticide inspection, pursuant to chapter 89, Laws of 1912	500 00
Farm demonstration, pursuant to the provisions of chapter 364, Laws of 1913, and other agricultural extension work	85,000 00
Cranberry and blueberry investigation	6,950 00
Egg-laying and breeding tests, pursuant to the provisions of chapter 16, Laws of 1916, and chapter 35, Laws of 1920, including squab breeding tests	9,000 00
Experimental work in growing white potatoes, sweet potatoes and tomatoes	10,460 00
Legume inoculation inspection	1,500 00

Sewage investigation, pursuant to chapter 126, P. L. 1920	14,475 00
For the purpose of carrying into effect the provisions of chapter 75, Laws of 1920, creamery inspection .	2,510 00
Investigation of vegetable diseases	3,000 00
Investigation of bee husbandry	3,180 00
Investigations of diseases of ornamental plants and nursery stock	4,000 00
Experimental work in vegetable production in North Jersey	1,200 00
Combating insects affecting fruit and ornamental plants	8,550 00
Experimental work with small fruits	3,570 00
Spray residue investigations	6,000 00
Control of insects affecting vegetable crops investigations	4,930 00
Maintenance of Boys' and Girls' 4-H club exhibits and payment of premiums	7,500 00
Maintenance and repairs, State Buildings at Trenton Fair, also premiums for live stock, poultry, horticultural, agricultural and home economics	

exhibits at the Trenton State Fair and the several county fairs . 5,000 00

Additions and Improvements:

Additional farm equipment	800 00	
Power sprayer and fruit washer	1,400 00	
		2,200 00

All fees and receipts of the Experiment Station are hereby appropriated for the uses of the station.

North Jersey Branch

All receipts of the North Jersey Branch Agricultural Experiment Station are hereby appropriated for maintenance and for permanent improvements and equipment.

\$337,600 00

F 2. DEPARTMENT OF AGRICULTURE

Department of Agriculture.	Salaries and administration of the Department of Agriculture, pursuant to chapter 268, Laws of 1916..	\$69,884 00
	Tuberculosis eradication	216,665 00
	Contagious abortion, pursuant to chapter 179, Laws of 1926.	9,850 00
	Poultry disease control	6,812 00

Miscellaneous animal diseases	7,040 00
Fruit and vegetable marketing, pursuant to chapter 83, Laws of 1921...	5,350 00
Supervision of markets	4,725 00
Crops and markets information service	8,089 00
Poultry standardization and marketing, pursuant to chapter 83, Laws of 1921	10,965 00
Dairy products marketing	10,342 00
Farm economics and finance	11,170 00
Plant inspection	23,370 00
Bee disease control	3,600 00
Japanese beetle control	51,380 00
Gipsy moth extermination	10,800 00
Licensing and bonding, receipts appropriated up to the sum of \$9,800.00.	

All fees and receipts of the Department are hereby appropriated for the use of said Department.

\$450,042 00

F 3. STATE BOARD OF MILK CONTROL

Salaries and expenses incurred, pursuant to chapter 169, Laws of 1933	\$22,000 00	Board of Milk Control.
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G. MILITARY

G 1. ADJUTANT-GENERAL'S DEPARTMENT

Salaries:		Adjutant- General.
Adjutant-General ...	\$6,000 00	
Deputy Adjutant-General	5,000 00	
Clerical services	12,900 00	
Record division	12,440 00	
	<u> </u>	
		\$36,340 00

Materials and Supplies:		
Stationery, office supplies and equipment		1,150 00
Miscellaneous:		
Printing and binding.	\$1,000 00	
Other miscellaneous expenses	400 00	
	<u> </u>	1,400 00

*State Service Officer*State Service
Officer.

Salaries:		
Examination of re- jected veterans' claims	\$2,100 00	
Officers and employees	7,620 00	
	<u> </u>	9,720 00
Materials and Supplies:		
Stationery and office supplies		150 00
Miscellaneous:		
Traveling expenses ..	\$1,800 00	
Other miscellaneous expenses	200 00	
	<u> </u>	2,000 00
Unclassified Expenses:		
Pursuant to the provisions of chap- ter 44, Laws of 1930, to provide assistance, in the education of "War Orphans"		2,000 00
		<u> </u>
		<u>\$52,760 00</u>

G 2. NATIONAL GUARD

Maintenance of Organizations

Allowance for division headquarters	\$20,000 00	National Guard
Allowance for headquarters and headquarters company, 57th Infantry Brigade	2,000 00	
Allowance for two regiments of Infantry (113th and 114th) ...	13,000 00	
Allowance for one regiment of Cavalry (102nd)	22,000 00	
Allowance for one regiment of Field Artillery (112th)	15,000 00	
Allowance for one regiment of Engineers (104th)	8,000 00	
Allowance for one Medical Regiment (119th)	3,500 00	
Allowance for headquarters and Headquarters Battery 69th Field Artillery	1,500 00	
Allowance for 44th Division Special Troops	4,500 00	
Allowance for 44th Division Aviation	6,000 00	
Allowance for State Staff Corps and Departments	2,000 00	
Caretaker of military equipment, Signal Corps	900 00	
Caretakers for drill halls, Hoboken, Flemington and Jersey City	2,160 00	
	<hr/>	\$100,560 00

*Maintenance of Armories, Arsenals and Camp
Grounds*

Armories, etc.	Allowance for rent of quarters, heat and light, and miscellaneous expenses for companies or troops stationed in towns and cities not quartered in State owned armories, namely, H o b o k e n, Flemington, Trenton (garages), J e r s e y City, Newark and Orange	15,300 00
	State camp grounds, salaries, wages and maintenance, including arsenal at Sea Girt and maintenance thereof.	30,000 00
	Regimental armories at Jersey City, Paterson, Trenton, Englewood and two at Newark and Camden	85,000 00
	Troop, battery and battalion armories at East Orange, Elizabeth, Red Bank, Orange, Westfield, Passaic, Atlantic City, Trenton and Newark Air Port, maintenance	73,000 00
	Company armories at Somerville, Hackensack, Bridgeton, Asbury Park, New Brunswick, Morristown, Mount Holly, Burlington, Salem, Dumont, Woodbury and Plainfield	35,000 00

Insurance, other than fire	9,840 61	
Rent of drill hall for headquarters and ma- chine gun troops, New- ark	3,000 00	
Automobile maintenance	2,500 00	
Salary and expenses of building inspector ...	4,000 00	
	<hr/>	257,640 61

Army Instruction and Field Training

Transportation and ex- penses for battalion drills, inspection, pa- rades and pay and ex- penses of inspecting officers	\$4,000 00	Military Instruction and Training.
Compensation of officers and employees and ex- penses incurred in con- nection with rifle prac- tice	12,000 00	
Pay of caretakers and mechanics for motor- ized and mounted or- ganizations	24,000 00	
Salary of clerk to senior inspector-instructor ..	1,500 00	
Compensation of officers and enlisted men and expenses in connection with annual encamp- ment	65,000 00	
Traveling expenses, in- spector-instructors ..	1,200 00	
Attendance of national guard officers at con- ferences and for pay of contract surgeons.	1,200 00	
	<hr/>	108,900 00

General Maintenance Expenses

Maintenance of Armories.	Ordnance stores, uniforms, clothing, camp and garrison equipment, freight, expressage and miscellaneous supplies	\$7,000 00	
	Military boards and courts - martial expenses	150 00	
	Transportation of disabled soldiers	30 00	
		<hr/>	7,180 00

Armory Construction

	Renovations, repairs and additions to thirty armories	\$50,000 00	
	Furnishings for thirty armories	3,000 00	
		<hr/>	53,000 00

Claims

Claims for injuries.	Hospitalization and medical attendance due to injuries in National Guard service under provisions of chapter 46, Laws of 1925, Article 13	25,000 00	
		<hr/>	\$552,280 61
		<hr/> <hr/>	

G 3. NAVAL MILITIA RESERVE

Naval Reserve.	Brigade headquarters	\$300 00	
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Second Battalion, Camden

Allowance for miscellaneous expenses in lieu of company allowances.....	1,000 00
Allowance for battalion headquarters	300 00

Seventh Battalion, Jersey City

Allowance for miscellaneous expenses in lieu of company allowances.....	1,000 00
Allowance for battalion headquarters	300 00

Eighth Battalion, Perth Amboy

Allowance for miscellaneous expenses in lieu of company allowances.....	1,000 00
Allowance for battalion headquarters	300 00
Pay, expenses, et cetera, of officers and enlisted men on annual cruise and practice cruises	3,600 00
Pay of shipkeepers, maintenance and general expenses	9,500 00
Maintenance of Perth Amboy armory	4,000 00
	<hr/>
	\$21,300 00
	<hr/> <hr/>

G 4. QUARTERMASTER-GENERAL'S DEPARTMENT

Salaries:

Quartermaster - Gen- eral	\$6,000 00	Quartermaster- General.
Chief, Q. M. C., prop- erty and disbursing officer	5,000 00	
Assistant Chief, Q. M. C. property and dis- bursing officer	4,500 00	
Chief clerk, finance de- partment	3,780 00	
Supervisor of military property	3,000 00	
Compensation of other assistants	9,360 00	
	<hr/>	
	\$31,640 00	

Materials and Supplies:	
Stationery and office supplies	500 00
Miscellaneous:	
Other miscellaneous expenses	200 00
	<u>\$32,340 00</u>

G 5. STATE MILITIA

State Militia.	Organizing, equipping, quartering and training two companies of Colored Battalion authorized pursuant to chapter 149, Laws of 1930.....	\$20,000 00
		<u>\$20,000 00</u>

G 6. SPANISH-AMERICAN WAR VETERANS

Preserving records of Spanish-American War.	Compiling and preserving record of proceedings of the Spanish-American War Veterans of New Jersey, pursuant to chapter 329, Laws of 1929	\$1,000 00
		<u>\$1,000 00</u>

G 7. NEW JERSEY GRAND ARMY OF THE REPUBLIC

G. A. R.	Providing assistance to the Department of New Jersey, Grand Army of the Republic, pursuant to chapter 156, Laws of 1921	\$1,000 00
		<u>\$1,000 00</u>

H. PENSION AND RETIREMENT FUNDS

H 1. JUDICIAL RETIREMENT FUND

For the purpose of carrying out the provisions of chapter 313, Laws of 1908; chapter 185, Laws of 1911; chapter 256, Laws of 1918; chapters 107 and 358, Laws of 1920, and chapter 3, Laws of 1929	Pension for Judges.	\$18,000 00
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H 2. 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	Sundry Pensions.	\$60,000 00
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H 3. STATE EMPLOYEES' RETIREMENT SYSTEM

Expenses in carrying into effect the provisions of chapter 109, Laws of 1921.	State Employees' Pension Fund.	
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Salaries:

Secretary	\$4,000 00	
Compensation for assistants	10,800 00	
		\$14,800 00

Materials and Supplies:

Stationery and office supplies	\$400 00	
Office equipment	100 00	
		500 00

Miscellaneous:

Traveling expenses ..	\$50 00	
Other miscellaneous expenses	250 00	
Printing	100 00	
	<hr/>	400 00

Unclassified:

To the Treasurer of the State of New Jersey, custodian for Contingent Reserve Fund, created by section six, chapter 109, Laws of 1921	\$87,353 00	
Contributions on account of members' service	230,722 00	
	<hr/>	318,075 00
		<hr/>
		<u>\$333,775 00</u>

H 4. ANNUITY FOR WIDOWS OF GOVERNORS

Annuity to Governor's Widow.

Annuity for widow of Governor of New Jersey, pursuant to chapter 178, Laws of 1920	\$2,500 00
	<hr/>
	<hr/>

J. CONSTRUCTIVE

J 1. COMMISSION ON ELIMINATION OF TOLL BRIDGES

Free Bridges.

Expenses of the commission appointed pursuant to chapter 297, Laws of 1912	\$1,000 00
Any unexpended balance for maintenance and improvements, including payments from Pennsylvania and rental receipts, is hereby reappropriated.	
	<hr/>
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J 2. STATE HIGHWAY COMMISSION

The receipts, as and when received, of the Motor Vehicle Fund, less the amounts appropriated for maintenance of Department of Motor Vehicle Regulation and Registration and the State road tax and from Federal aid, and other contributions, sales of condemned property, penalties and damages for the violation of any law for the protection of roads pursuant to chapter 15, P. L. 1917, and the amount accruing thereto, pursuant to chapter 230, P. L. 1917.

Highway
Commission.

The Comptroller of the Treasury is hereby authorized and empowered to pay any claim properly approved for damage or injury, caused by any employee of the State Highway Commission and to pay any pension allowed and approved by said commission from the funds of said commission, and the State Treasurer is directed to pay warrants issued therefor by the Comptroller.

J 3. SOUTH JERSEY PORT COMMISSION

For the purpose of carrying out the provisions of chapter 336, Laws of 1926

\$25,000 00

South Jersey
Port
Commission.

J 4. PORT RARITAN DISTRICT COMMISSION

Carrying out the provisions of chapter 337, Laws of 1926.

Port Raritan.

Salaries \$3,000 00
Miscellaneous expenses. 2,000 00

\$5,000 00

K. GENERAL

K 1. BURIAL GROUNDS

Shipwrecked bodies.	For the care and maintenance of burial grounds, purchased by the State pursuant to chapter 171, Laws of 1898	<u>\$75 00</u>
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K 2. COMMISSIONERS OF HIGH POINT PARK

High Point Park.	Expenses incurred by the commission appointed pursuant to the provi- sions of chapter 36, Laws of 1923:	
	Salaries:	
	Superintendent and executive secretary.	\$3,000 00
	Compensation for la- borers, mechanics and other employees	22,350 00
		<u>\$25,350 00</u>
	Materials and Supplies:	
	Heat, light, power, water and electricity	\$4,000 00
	Ground supplies	100 00
	Vehicular transporta- tion supplies	3,000 00
	Sanitary supplies	400 00
	Stationery and office supplies	100 00
	Other materials and supplies	400 00
	Supplies for the zoo..	1,200 00
		<u>9,200 00</u>
	Current repairs	4,700 00

Miscellaneous:

Telephone and tele- graph	\$200 00	
Rent	120 00	
Insurance, auto	500 00	
Other miscellaneous expenses	500 00	
	<u> </u>	1,320 00

Additions and Improvements:

Piping, toilets, sew- age, etc.	\$750 00	
Walks, drains, walls, sanitation, electrical equipment and wir- ing and playground equipment	750 00	
	<u> </u>	1,500 00
		<u> </u>
		<u> </u>
		\$42,070 00

K 3. COMMISSIONERS OF PALISADES INTERSTATE PARK

Expenses of commissioners in the operation of the Palisades Inter- state Park	\$94,689 50	Palisades Park.
	<u> </u>	

K 4. COMMISSION TO INVESTIGATE CRIPPLED
CHILDREN

Carrying out the provisions of chap- ter 188, Laws of 1926, and suppl- ements.		Crippled Children.
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Salaries:

Director	\$4,500 00	
Secretary	1,764 00	
Statistical clerk	1,680 00	
Investigating nurse .	1,000 00	
	<u> </u>	\$8,944 00

Materials and Supplies:		
Stationery and office supplies	\$300 00	
Hospitalization, braces, etc.	5,000 00	
	<u>5,300 00</u>	5,300 00
		<u>\$14,244 00</u>

K 5. 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 ..	\$2,000 00
		<u>\$2,000 00</u>

K 6. PUBLIC LIBRARY COMMISSION

Salaries:		
Library Commission.	Secretary	\$500 00
	Librarian and organizer	4,500 00
	Assistant librarian and other employees	14,240 00
		<u>\$19,240 00</u>
Materials and Supplies:		
	Stationery and office supplies	\$700 00
	Operating materials and supplies, books and pamphlets	7,000 00
		<u>7,700 00</u>
Miscellaneous:		
	Traveling expenses ..	\$500 00
	Formation and aid of school libraries, chapter 186, P. L. 1914	9,000 00

Donations to libraries, chapter 62, P. L. 1900	200 00	
Freight and express .	500 00	
Printing and binding	250 00	
Other miscellaneous expenses	50 00	
	<hr/>	10,500 00
		<hr/>
		<u>\$37,440 00</u>

K 7. PUBLIC RECORD OFFICE

Salaries:		Public Record Office.
Director	\$3,000 00	
Clerical services	3,240 00	
	<hr/>	\$6,240 00
Materials and Supplies:		
Stationery and office supplies		250 00
Miscellaneous:		
Traveling and other miscellaneous ex- penses	\$700 00	
Binding and repair of public and his- torical records	100 00	
	<hr/>	800 00
		<hr/>
		<u>\$7,290 00</u>

K 8. REHABILITATION COMMISSION

For the purpose of carrying into effect the provisions of chapter 74, Laws of 1919.	Rehabilitation Commission.
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Salaries:

Administrative	\$15,600 00	
Physicians in charge and assistants	23,500 00	
Vocational examiners	20,580 00	
Clinical employees ..	23,160 00	
Clerical and other em- ployees	17,840 00	
Janitor service	5,100 00	
	<hr/>	\$105,780 00

Materials and Supplies:

Clinic supplies	\$4,500 00	
Office equipment	800 00	
Stationery and office supplies	1,500 00	
Medical, surgical and laboratory supplies	200 00	
Household supplies ..	400 00	
Tuition and voca- tional supplies	30,000 00	
Heat, light, power, water and gas	1,420 00	
Artificial appliances .	12,000 00	
Supplies for curative workshop	500 00	
	<hr/>	51,320 00
Current repairs		1,200 00

Miscellaneous:

Traveling expenses ..	\$22,000 00	
Rent	5,600 00	
Insurance	600 00	
Telephone and tele- graph	2,200 00	
Household expenses .	2,100 00	
Freight, express and other miscellaneous expenses	200 00	
Printing	500 00	
	<hr/>	33,200 00

Appropriation, including estimated receipts	\$191,500 00
Less receipts from clinic fees, Federal government and Workmen's Compensation Tax Fund	\$191,500 00
	<u> </u>

K 9. REFUND OF RAILROAD TAX

The Comptroller of the Treasury is hereby authorized and empowered to adjust and repay any overpayment of tax assessed and penalty thereon, for any year, pursuant to section 14, chapter 208, Laws of 1888, and the acts amendatory thereof and supplementary thereto, made by any railroad and canal company, and the State Treasurer is directed to pay warrants therefor issued by the Comptroller, said 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.

Refund of overpaid railroad tax.

K 10. REFUNDING TAXES ON MISCELLANEOUS CORPORATIONS

The Comptroller of the Treasury 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

Refund of miscellaneous taxes.

CHAPTER 231, LAWS OF 1933

years prior to the date of instituting proceedings to recover such overpayment. The State Treasurer is hereby authorized and directed to pay warrants issued therefor by the Comptroller.

K 11. STATE LIBRARY

State
Library.

Salaries:		
Librarian	\$5,000 00	
Assistant librarian ..	3,500 00	
Law librarian	3,000 00	
Reference librarian ..	2,820 00	
Clerical services and messenger	9,120 00	
	<u> </u>	\$23,440 00
Materials and Supplies:		
Library supplies	\$4,000 00	
Stationery and office supplies	300 00	
	<u> </u>	4,300 00
Miscellaneous:		
Traveling expenses ..	\$100 00	
Legislative reference department	300 00	
Other miscellaneous expenses	200 00	
Printing and binding.	1,000 00	
	<u> </u>	1,600 00
		<u> </u>
		<u> </u>
		\$29,340 00

K 12. COMMISSION TO MARK HISTORIC SITES

Marking
historic sites.

Expenses of the commission, pursuant to chapter 24, Laws of 1931.....	\$10,000 00
	<u> </u>
	<u> </u>

K 13. UNCLAIMED WAGES

The Comptroller is hereby authorized to pay from this fund any claim for unclaimed wages, properly approved.

Unclaimed wages.

L. STATE EMERGENCY FUND

L 1. STATE EMERGENCY FUND

For the State House Commission to meet conditions of emergency the sum of	\$200,000 00
	<hr/> <hr/>

Emergency Fund.

Provided, however, that all disbursements therefrom shall be made upon the written authorization of members of said Commission, in accordance with the provisions of chapters 142 and 184, Laws of 1931.

Proviso.

L 2. FIRE INSURANCE

For the State House Commission for payment of fire insurance premiums not otherwise provided for, maturing during the current fiscal year, fire insurance on all State buildings to be placed by said Commission, all bills to be approved by said Commission, and policies filed with the State Treasurer	\$125,000 00
Less amount to be taken from the income of the State Insurance Fund.	25,000 00
	<hr/> <hr/>
	\$100,000 00

Fire insurance.

X. INSTITUTIONS AND AGENCIES

X 1. DEPARTMENT OF INSTITUTIONS AND AGENCIES

Department
of Institutions
and Agencies.

Salaries:

Commissioner	\$15,000 00	
Director, Division of Medicine	7,500 00	
Director, Administra- tion and Accounts..	6,500 00	
Director of Statistics and Research	6,000 00	
Supervising steward .	6,000 00	
Director of Inspec- tions	3,000 00	
Agricultural super- visor	4,000 00	
Director of Classifica- tion	4,500 00	
Assistant institutional collectors (2)	7,200 00	
Other officers and em- ployees	57,000 00	
	<hr/>	\$116,700 00

Materials and Supplies:

Stationery, office sup- plies and equipment	\$3,500 00	
Vehicular transporta- tion supplies	3,500 00	
	<hr/>	7,000 00

Miscellaneous:

Traveling expenses ..	\$4,000 00	
Deporting aliens and nonresidents	2,000 00	
Other miscellaneous expenses	800 00	
	<hr/>	6,800 00

Central Parole Bureau

Salaries:		Bureau of Parole.
Director	\$4,000 00	
Assistant directors, parole and domestic relations (2)	7,740 00	
Parole officers	47,960 00	
Miscellaneous services	1,000 00	
Other employees	22,320 00	
	<hr/>	83,020 00
Materials and Supplies:		
Stationery, office sup- plies, furniture and equipment	\$1,000 00	
Vehicular transporta- tion supplies	2,500 00	
	<hr/>	3,500 00
Miscellaneous:		
Traveling expenses	6,000 00	
 <i>Division of Old Age Relief</i>		
Salaries:		Old Age Relief.
Director	\$3,600 00	
Other officers and em- ployees	4,920 00	
	<hr/>	8,520 00
Materials and Supplies:		
Stationery, office supplies and equipment	1,000 00	
Miscellaneous:		
Traveling expenses ..	\$1,000 00	
Other miscellaneous expenses	250 00	
	<hr/>	1,250 00

*Industrial Supervision*Industrial
Supervision.

Salaries:

Director institutional industries	\$7,000 00	
Assistant director of industries	4,500 00	
Clerical services and other employees ...	24,510 00	
	<hr/>	36,010 00
Materials, supplies and miscellaneous expenses		700 00
Miscellaneous:		
Traveling expenses		600 00

*Division of Architecture and Construction*Building
operation.

Salaries and expenses 19,158 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.

*State Use Funds*State use
funds.

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," with the exception of the original grant which is hereby rescinded to the extent of \$150,000.00, and in accordance with the provisions of section 709, chapter 147, of the Laws of 1918, all receipts when received derived from State use production will be credited to the State Use Revolving Fund.

The following sums are 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 \$200,000.00.	
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 for Females, Totowa	
Industries, Criminal	
Insane and Penal	
Institutions	
	25,000 00
	\$315,258 00
Appropriation	
The amount appropriated for Division of State Use to be taken from the State Use Working Capital Fund	62,310 00
	\$252,948 00
	\$252,948 00

Revolving Fund.

X 2. COLONY FOR FEEBLE-MINDED MALES, NEW LISBON

For salaries and wages, and for maintenance of the Colony of Feeble-Minded Males, on the basis of seven hundred and fifty inmates.	
Salaries and Wages:	
Superintendent	\$5,000 00
Other officers and employees	90,800 00
Medical and surgical fees	1,000 00
	\$96,800 00

New Lisbon Colony.

Materials and Supplies:		
Food	\$35,000 00	
Clothing	13,500 00	
Fuel, light and power	19,000 00	
Household supplies ..	7,500 00	
F a r m , stable and grounds supplies ..	11,000 00	
Industrial and voca- tional supplies	1,500 00	
Medical, surgical and laboratory supplies	2,300 00	
Vehicular transporta- tion supplies	2,000 00	
Stationery and office supplies	500 00	
Educational, recrea- tional and library supplies	650 00	
Other materials and supplies	250 00	
Tobacco	1,400 00	
	<hr/>	94,600 00
Current repairs		5,000 00
Miscellaneous:		
Traveling expenses ..	\$900 00	
Telephone and tele- graph	1,600 00	
Postage	550 00	
Insurance other than fire	350 00	
Entertainment	500 00	
Freight, express and cartage	400 00	
	<hr/>	4,300 00
	<hr/>	<hr/>
Appropriation, including esti- mated receipts		\$200,700 00

The receipts of the institution are hereby appropriated for maintenance expenditures, pursuant to chapter 153, Laws of 1918, estimated as amounting to	130,000 00
	<hr/>
Net amount appropriated	\$70,700 00
	<hr/> <hr/>

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 chapter 217 of the Laws of 1919, 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

For salaries and wages, and for maintenance of the Colony for Feeble-Minded Males, Woodbine, on the basis of five hundred and fifty inmates:

Woodbine
Colony.

Salaries and Wages:	
Superintendent	\$3,600 00
Physician	1,800 00
Attendants, nurses and other employees	87,260 00
Medical, surgical and dental fees	800 00
	<hr/>
	\$93,460 00

Materials and Supplies:		
Food	\$45,000 00	
Clothing	8,400 00	
Fuel, light and power	15,000 00	
Household supplies ..	7,000 00	
Farm, stable and ground supplies ..	2,000 00	
Medical and surgical supplies	1,600 00	
Stationery and office supplies	500 00	
Vehicular transporta- tion supplies	1,200 00	
Educational, recrea- tional and library supplies	400 00	
	<hr/>	81,100 00
Current repairs		4,000 00
Miscellaneous:		
Telephone and tele- graph	\$1,000 00	
Traveling expenses ..	700 00	
Postage	400 00	
Funeral expenses ...	200 00	
Insurance, other than fire	900 00	
Freight and express .	250 00	
Entertainment	400 00	
Other miscellaneous expenses	300 00	
	<hr/>	4,150 00
Appropriation, including esti- mated receipts		\$182,710 00

The receipts of the institution are hereby appropriated for maintenance expenditures, pursuant to

chapter 153, Laws of 1918, estimated as amounting to	113,000 00
Net amount appropriated	<u>\$69,710 00</u>

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 chapter 217 of the Laws of 1919, 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

Salaries:		Commission for the Blind.
Executive officer and secretary	\$3,000 00	
Assistant executive officer	2,520 00	
Teachers of occupational subjects and other employees ..	28,320 00	
	<u> </u>	\$33,840 00
Materials and Supplies:		
Household supplies ..	\$50 00	
Extension of home industries	3,000 00	
Stationery and office supplies	600 00	
Office equipment	50 00	
Light and power	50 00	
	<u> </u>	3,750 00

New Jersey State Library

Miscellaneous Expenses:		
Traveling expenses ..	\$7,500 00	
Postage	800 00	
Maintenance, support and instruction of blind persons	33,000 00	
Higher education of the blind	2,000 00	
Publicity, demonstra- tions, and sales ...	800 00	
Expressage	800 00	
Entertainment for the blind	150 00	
Telephone and tele- graph	500 00	
Prevention of blind- ness	1,000 00	
State relief for the blind	1,200 00	
Other miscellaneous expenses	150 00	
	<hr/>	47,900 00

The balance to the credit of the outdoor relief—Revolving Fund—on the thirtieth day of June, one thousand nine hundred and thirty-three, 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 thirty-three, is hereby reappropriated as a Revolving Industrial Fund, said sum not to exceed \$2,000.00, increase in fund

	1,000 00
	<hr/>
	\$86,490 00
	<hr/> <hr/>

X 5. COUNTY INSANE HOSPITALS

For the support of patients pursuant
to chapter 67, Laws of 1924, in
County Insane Hospitals:

County Hos-
pitals for the
Insane.

Atlantic	\$43,500 00	
Burlington	38,800 00	
Camden	75,000 00	
Cumberland	24,000 00	
Essex	520,000 00	
Hudson	205,000 00	
	<hr/>	\$906,300 00
		<hr/> <hr/>

Said amounts to include payment of
bills prior to current fiscal year.

X 6. COUNTY TUBERCULOSIS HOSPITALS

For the support of patients pursuant
to chapter 217, Laws of 1912, in the
following county hospitals:

County
Hospitals
for Tubercu-
losis.

Atlantic	\$17,700 00	
Bergen	60,000 00	
Burlington	20,000 00	
Camden	80,000 00	
Cape May	1,800 00	
Cumberland	10,000 00	
Essex	152,000 00	
Gloucester	8,000 00	
Hudson	65,500 00	
Mercer	46,500 00	
Middlesex	45,000 00	
Monmouth	23,150 00	
Morris	19,000 00	
Ocean	3,300 00	
Passaic	80,000 00	
Salem	5,000 00	
Somerset	11,700 00	
Sussex	500 00	
Union	117,000 00	
Warren	5,000 00	
	<hr/>	\$771,150 00
		<hr/> <hr/>

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	\$170,000 00
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X 8. HOME FOR DISABLED SOLDIERS, MENLO PARK

Soldiers' Home, Menlo Park.	For salaries and wages, and for maintenance of the Home for Disabled Soldiers, Menlo Park, on the basis of one hundred veterans.
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Salaries and Wages:

Superintendent	\$5,000 00	
Other officers and employees	27,360 00	
	<u>32,360 00</u>	\$32,360 00

Materials and Supplies:

Food	\$14,000 00	
Clothing	1,500 00	
Fuel, light and power	5,200 00	
Household supplies	1,000 00	
G r o u n d s (includes care of cemetery)	100 00	
Stationery and office supplies	200 00	
Medical, surgical and laboratory supplies	1,200 00	
Vehicular transportation supplies	700 00	
Other materials and supplies	50 00	
	<u>23,950 00</u>	23,950 00
Current repairs		500 00

Miscellaneous:

Traveling expenses ..	\$100 00	
Postage	200 00	
Telephone and tele- graph	300 00	
Funeral expenses and religious services ..	300 00	
Entertainment	100 00	
Freight and express..	25 00	
Insurance, other than fire	100 00	
Household expenses .	700 00	
	<hr/>	1,825 00

Additions and Improvements:

Grading roads, walks, etc.		150 00
	<hr/>	
Appropriation, including esti- mated receipts	\$58,785 00	
The receipts of the institution are hereby appropriated for mainte- nance expenditures pursuant to chapter 153, Laws of 1918, esti- mated as amounting to		12,000 00
		<hr/>
Net amount appropriated	\$46,785 00	<hr/> <hr/>

X 9. HOME FOR DISABLED SOLDIERS, ETC., VINELAND

For salaries and wages, and for main-
tenance of the Home for Disabled
Soldiers, Sailors, et cetera, Vine-
land, on the basis of two hundred
and seventy members.

Soldiers'
Home,
Vineland.

CHAPTER 231, LAWS OF 1933

Salaries and Wages:

Superintendent	\$5,000 00	
Other officers and employees	53,880 00	
Religious services ...	200 00	
Medical and surgical fees	600 00	
		<u>\$59,680 00</u>

Materials and Supplies:

Food	\$32,000 00	
Clothing	3,000 00	
Fuel, light and power.	11,500 00	
Household supplies ..	3,300 00	
Grounds	250 00	
Medical, surgical and laboratory supplies	1,400 00	
Stationery and office supplies	350 00	
Vehicular transportation supplies	600 00	
Other materials and supplies	160 00	
		<u>52,560 00</u>
Current repairs		5,000 00

Miscellaneous:

Traveling expenses ..	\$400 00	
Postage	125 00	
Telephone and telegraph	450 00	
Entertainment	300 00	
Insurance, other than fire	31 80	
Freight and express..	75 00	
Funeral expenses	300 00	
		<u>1,681 80</u>

Appropriation, including estimated receipts \$118,921 80

The receipts of the institution are hereby appropriated for maintenance expenditures, pursuant to chapter 153, Laws of 1918, estimated as amounting to 17,000 00

Net amount appropriated \$101,921 80

X 10. NORTH JERSEY TRAINING SCHOOL FOR FEMALES, TOTOWA

For salaries and wages and for maintenance of the North Jersey Training School for Females, Totowa, on the basis of five hundred and fifty inmates.

Totowa
Training
School.

Salaries and Wages:

Superintendent	\$5,000 00	
Attendants, nurses and other employees	114,020 00	
Medical, surgical, dental, veterinary and religious fees	3,800 00	
	<u> </u>	\$122,820 00

Materials and Supplies:

Food	\$30,000 00
Clothing	8,000 00
Fuel, light and power	23,000 00
Household supplies ..	5,000 00
Farm, stable and grounds supplies ..	8,500 00
Industrial and vocational supplies	1,500 00
Educational, recreational and library supplies	1,700 00
Medical, surgical and laboratory supplies.	3,000 00

CHAPTER 231, LAWS OF 1933

Stationery and office supplies	500 00	
Vehicular transportation supplies	1,200 00	
Other materials and supplies	100 00	
	<hr/>	82,500 00
Current repairs		4,000 00
Miscellaneous:		
Postage	\$450 00	
Traveling expenses ..	800 00	
Telephone and telegraph	1,000 00	
Entertainment	300 00	
Freight and express..	200 00	
Insurance other than fire	600 00	
Subscriptions	25 00	
	<hr/>	3,375 00
Appropriation, including estimated receipts		<hr/> \$212,695 00
The receipts of the institution are hereby appropriated for maintenance expenditures, pursuant to chapter 153, Laws of 1918, estimated as amounting to.....		120,000 00
		<hr/>
Net amount appropriated		<hr/> <hr/> \$92,695 00

X 11. REFORMATORY, ANNANDALE

Annandale
Reformatory.

For salaries and wages and for maintenance of the Reformatory at Annandale, on the basis of four hundred and fifty inmates.

Salaries and Wages:

Superintendent	\$5,000 00	
Deputy superintendent	2,500 00	
Disciplinary officer ..	1,800 00	
Medical and surgical fees	1,500 00	
Other officers and em- ployees	117,985 00	
	<hr/>	\$128,785 00

Materials and Supplies:

Food	\$27,000 00	
Clothing	13,000 00	
Fuel, light and power	16,250 00	
Farm, stable and grounds supplies ..	14,000 00	
Household supplies .	5,000 00	
Medical, surgical and laboratory supplies.	1,400 00	
Vehicular transporta- tion supplies	1,100 00	
Stationery, office sup- plies and equipment	900 00	
Educational, recrea- tional and library supplies (tobacco) .	2,000 00	
Other materials and supplies	100 00	
	<hr/>	80,750 00
Current repairs		2,000 00

Miscellaneous:

Traveling expenses ..	\$725 00
Telephone and tele- graph	900 00
Postage	525 00
Freight and express..	200 00
Entertainment	300 00
Funeral expenses	60 00

CHAPTER 231, LAWS OF 1933

Payments to dis-		
charged inmates ...	2,500 00	
Insurance other than		
fire	500 00	
Household expenses..	2,000 00	
	<hr/>	7,710 00
Additions and Improvements:		
Maintenance of roads, material ...		300 00
		<hr/>
Appropriation, including esti-		
mated receipts		\$219,545 00
The receipts of the institution are		
hereby appropriated for mainte-		
nance expenditures, pursuant to		
chapter 153, Laws of 1918, esti-		
mated as amounting to.....		7,500 00
		<hr/>
Net amount appropriated		<u>\$212,045 00</u>

X 12. REFORMATORY, RAHWAY

Rahway
Reformatory.

For salaries and wages and for maintenance of the Reformatory at Rahway, on the basis of nine hundred inmates.

Salaries and Wages:		
Superintendent	\$6,000 00	
Deputy superintendent	3,000 00	
Other officers and em-		
ployees	238,900 00	
Inmates' wages	10,000 00	
Medical and surgical		
fees	800 00	
	<hr/>	\$258,700 00
Materials and Supplies:		
Food	\$60,000 00	
Clothing	18,000 00	

Fuel, light, power and water	31,000 00	
Household supplies..	8,500 00	
Farm, stable and grounds supplies ..	8,000 00	
Industrial and vocational supplies	800 00	
Educational, recreational and library supplies	900 00	
Photographing, blue-printing and drafting supplies	250 00	
Medical, surgical and laboratory supplies.	1,500 00	
Stationery and office supplies	1,200 00	
Office equipment	200 00	
Vehicular transportation supplies	1,400 00	
Tobacco	3,800 00	
	<hr/>	135,550 00
Current repairs		16,000 00
Miscellaneous:		
Traveling expenses ..	\$700 00	
Postage	1,100 00	
Telephone and telegraph	1,400 00	
Freight and express..	250 00	
Entertainment, athletic and recreational supplies	100 00	
Funeral expenses	50 00	
Rent of farm land....	300 00	
Payments to discharged inmates ...	6,000 00	
Insurance, other than fire	500 00	
	<hr/>	10,400 00

Additions and Improvements:	
Two aluminum steam cookers	600 00
	<hr/>
Appropriation, including esti- mated receipts	\$421,250 00
The receipts of the institution are hereby appropriated for mainte- nance expenditures, pursuant to chapter 153, Laws of 1918, esti- mated as amounting to.....	
	800 00
	<hr/>
Net amount appropriated	<u>\$420,450 00</u>

X 13. REFORMATORY FOR WOMEN, CLINTON

Clinton
Reformatory.

For salaries and wages, and for main-
tenance of the Reformatory for
Women, Clinton, on the basis of
two hundred and eighty-five in-
mates.

Salaries and Wages:	
Superintendent	\$4,000 00
Assistant superintend- ent	1,980 00
Other officers and em- ployees	53,200 00
Medical and surgical fees	3,500 00
Religious services ...	550 00
	<hr/>
	\$63,230 00
Materials and Supplies:	
Food	\$15,000 00
Clothing	5,000 00
Fuel, light and power	19,000 00
Household supplies .	3,000 00
Farm, stable and grounds supplies ..	6,100 00

Medical and surgical supplies	2,500 00	
Stationery and office supplies	400 00	
Office equipment	75 00	
Educational, recreational and library supplies	600 00	
Vehicular transportation supplies	1,100 00	
Other materials and supplies	150 00	
Cannery supplies ...	500 00	
	<hr/>	53,425 00
Current repairs		4,000 00
Miscellaneous:		
Traveling expenses ..	\$750 00	
Postage	700 00	
Telephone and telegraph	1,200 00	
Insurance, other than fire	415 00	
Freight and express .	200 00	
Entertainment	300 00	
Funeral expenses ...	100 00	
Payments to discharged inmates ..	1,500 00	
	<hr/>	5,165 00
Additions and Improvements:		
Unit refrigeration		800 00
		<hr/>
		<u>\$126,620 00</u>

X 14. SANATORIUM FOR TUBERCULOUS DISEASES

For salaries and wages, and for the maintenance of the Sanatorium for Tuberculous Diseases, on the basis of four hundred and ninety-four patients.

Sanatorium
at Glen
Gardner

Salaries and Wages:

Superintendent	\$8,000 00	
Physicians, clerks, nurses, farm help, waiters, instructors and others, includ- ing school teachers	193,012 00	
Medical and surgical fees	200 00	
Religious services ...	1,000 00	
	<hr/>	\$202,212 00

Materials and Supplies:

Food	\$89,500 00	
Fuel, light and power	25,800 00	
Household supplies ..	10,500 00	
Farm, stable and grounds supplies ..	13,250 00	
Medical, surgical and laboratory supplies	9,000 00	
Stationery and office supplies	1,200 00	
Educational, recrea- tional and library supplies	600 00	
Vehicular transporta- tion supplies	2,800 00	
Clothing	500 00	
	<hr/>	153,150 00
Current repairs		12,000 00

Miscellaneous:

Traveling expenses ..	\$1,000 00
Postage	700 00
Telephone and tele- graph	1,900 00
Insurance other than fire	271 65
Freight and express .	500 00
Entertainments	500 00

Funeral expenses of indigent patients ..	300 00	
Miscellaneous expenses	50 00	
	<u> </u>	5,221 65

Additions and Improvements:

Traveling clinic	\$16,000 00	
Replacing hot water lines to nurses home	2,000 00	
Renovation of roads .	500 00	
Renovation of boiler .	2,000 00	
	<u> </u>	\$20,500 00

Appropriation, including estimated receipts	\$393,083 65	
The receipts of the institution are hereby appropriated for maintenance expenditures, pursuant to chapter 153, Laws of 1918, estimated as amounting to	100,000 00	
	<u> </u>	
Net amount appropriated	\$293,083 65	

X 15. STATE BOARD OF CHILDREN'S GUARDIANS

Salaries:

Superintendent	\$5,000 00	
Assistant superintendents (3)	9,420 00	
Departmental auditor	3,000 00	
Compensation for other assistants ...	225,799 00	
	<u> </u>	\$243,219 00

Board of
Children's
Guardians.

Materials and Supplies:

Stationery and office supplies	\$5,000 00
Office equipment	2,000 00

Heat, light, power, water and elec- tricity	1,500 00	
Vehicular transporta- tion supplies	10,000 00	
	<hr/>	18,500 00
Miscellaneous:		
Traveling expenses ..	\$12,000 00	
Postage	9,000 00	
Telephone and tele- graph	3,000 00	
Other miscellaneous expenses	500 00	
Insurance other than fire	1,200 00	
	<hr/>	25,700 00

Revolving Fund:

To enable 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 \$100,000.00 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.

\$287,419 00

X 16. STATE HOME FOR BOYS

State Home
for Boys.

For salaries and wages and for maintenance of the State Home for Boys, on the basis of five hundred and fifty inmates.

Salaries and Wages:

Superintendent	\$7,000 00	
Medical, surgical and veterinary fees ...	1,000 00	
Business manager ..	3,000 00	
Resident physician ..	3,000 00	
Other officers and em- ployees	167,019 00	
	<hr/>	\$181,019 00

Materials and Supplies:

Food	\$22,500 00	
Clothing	15,000 00	
Fuel, light and power	28,000 00	
Household supplies .	8,500 00	
Farm, stable and grounds supplies ..	18,000 00	
Industrial and voca- tional supplies	3,000 00	
Educational, recrea- tional and library supplies	3,000 00	
Photographing, blue- printing and draft- ing supplies	50 00	
Medical, surgical and laboratory supplies	2,500 00	
Stationery and office supplies	1,000 00	
Vehicular transporta- tion supplies	2,000 00	
	<hr/>	103,550 00
Current repairs		8,500 00

Miscellaneous:

Traveling expenses ..	\$600 00
Postage	700 00
Telephone and tele- graph	1,500 00
Entertainment e x - penses	250 00

Freight and express..	450 00	
Assisting boys outside of institution, the equivalent of in- mates' fund trans- ferred to State Treasury	700 00	
Insurance, other than fire	500 00	
Funeral expenses ...	100 00	
	<hr/>	4,800 00
Additions and Improvements:		
Roads and walks		250 00
		<hr/>
Appropriation, including esti- mated receipts		\$298,119 00
The receipts of the institution are hereby appropriated for mainte- nance expenditures, pursuant to chapter 153, Laws of 1918, esti- mated as amounting to.....		7,000 00
		<hr/>
Net amount appropriated		<u>\$291,119 00</u>

X 17. STATE HOME FOR GIRLS

State Home
for Girls.

For salaries and wages, and for main-
tenance of the State Home for Girls
on the basis of three hundred twen-
ty-five inmates.

Salaries and Wages:		
Superintendent	\$4,000 00	
Physician	2,500 00	
Teachers, nurses, clerks and others...	73,400 00	
Medical, surgical and dental fees	2,500 00	
	<hr/>	\$82,400 00

Materials and Supplies:

Food	\$26,000 00	
Clothing	7,000 00	
Fuel, light and power	7,500 00	
Household supplies ..	5,000 00	
Farm, stable and grounds supplies ..	3,200 00	
Educational, recrea- tional and library supplies	2,000 00	
Stationery and office supplies	600 00	
Medical and surgical supplies	1,600 00	
Vehicular transporta- tion supplies	750 00	
Other materials and supplies	400 00	
	<hr/>	54,050 00
Current repairs		5,000 00
Miscellaneous:		
Traveling expenses ..	\$600 00	
Postage	400 00	
Telephone and tele- graph	1,200 00	
Insurance, other than fire	75 00	
Freight and express..	225 00	
Entertainment	300 00	
Payments to dis- charged inmates ...	200 00	
	<hr/>	3,000 00
Appropriation, including esti- mated receipts		<hr/> \$144,450 00

The receipts of the institution are hereby appropriated for maintenance expenditures, pursuant to chapter 153, Laws of 1918, estimated as amounting to	450 00
Net amount appropriated	<u>\$144,000 00</u>

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 four thousand inmates.

Salaries and Wages:

Medical director	\$8,000 00	
Business manager ...	5,000 00	
Chief engineer	3,600 00	
Other officers and employees	873,129 00	
Religious services ...	1,300 00	
	<u> </u>	\$891,029 00

Materials and Supplies:

Food	\$264,000 00
Clothing	37,000 00
Fuel, light, power and equipment	100,000 00
Household supplies ..	50,000 00
Farm, stable and grounds supplies ..	33,000 00
Industrial and vocational supplies	5,000 00
Medical, surgical and laboratory supplies.	28,000 00
Stationery and office supplies	2,200 00

Recreational supplies (tobacco)	7,000 00	
Vehicular transporta- tion supplies	7,500 00	
	<u> </u>	533,700 00
Current repairs		40,000 00
Miscellaneous:		
Traveling expenses ..	\$3,000 00	
Postage	1,800 00	
Telephone and tele- graph	4,800 00	
Insurance, other than fire	1,800 00	
Freight and express..	3,500 00	
Funeral expenses	3,500 00	
Other miscellaneous expenses	550 00	
	<u> </u>	18,950 00
Unclassified:		
Clinics in various counties		30,000 00
Additions and Improvements:		
Fire hose equipment.	\$500 00	
Maintenance and re- construction of roads	1,200 00	
	<u> </u>	1,700 00
		<u> </u>
Appropriation, including esti- mated receipts		\$1,515,379 00
The receipts of the institution are hereby appropriated for mainte- nance expenditures, pursuant to chapter 153, Laws of 1918, esti- mated as amounting to		
		690,000 00
		<u> </u>
Net amount appropriated.....		<u><u>\$825,379 00</u></u>

X 19. STATE HOSPITAL, MARLBORO

State Hospital,
Marlboro.

For salaries and wages, and for maintenance of the State Hospital, Marlboro, on the basis of one thousand seven hundred inmates.

Salaries and Wages:

Medical director	\$5,000 00	
Business manager and superintendent	4,500 00	
Other officers and em- ployees, present, \$259,498.00, new, \$31,420.00	290,918 00	
	<hr/>	\$300,418 00

Materials and Supplies:

Food	\$100,000 00	
Clothing	20,000 00	
Fuel, light and power	42,000 00	
Farm, stable and ground supplies ..	19,000 00	
Household supplies ..	25,000 00	
Medical, surgical and laboratory supplies.	16,000 00	
Industrial and voca- tional supplies	1,500 00	
Educational, recrea- tional and library supplies	1,800 00	
Stationery and office supplies	1,800 00	
Vehicular transporta- tion supplies	2,100 00	
Tobacco	2,500 00	
Other materials and supplies	800 00	
	<hr/>	232,500 00
Current repairs		7,500 00

Miscellaneous:

Traveling expenses ..	\$1,000 00	
Postage	1,000 00	
Insurance, other than fire	900 00	
Telephone and tele- graph	2,200 00	
Funeral expenses ...	750 00	
Freight and express .	700 00	
Subscriptions	50 00	
Other miscellaneous expenses	500 00	
	<hr/>	7,100 00

Additions and Improvements:

Maintenance and repair of roads ..	500 00	
	<hr/>	
Appropriation, including esti- mated receipts	\$548,018 00	
The receipts of the institution are hereby appropriated for mainte- nance expenditures, pursuant to chapter 153, Laws of 1918, esti- mated as amounting to	300,000 00	
	<hr/>	
Net amount appropriated	\$248,018 00	
	<hr/> <hr/>	

X 20. STATE HOSPITAL, TRENTON

For salaries and wages, and for main-
tenance of the State Hospital,
Trenton, on the basis of two thou-
sand seven hundred inmates.

State Hospital,
Trenton.

Salaries and Wages:

Medical director	\$6,000 00
Warden	7,000 00
Other officers and em- ployees	652,000 00

In lieu of maintenance of nine physicians and their families .	12,000 00	
Religious services ...	700 00	
	<hr/>	\$677,700 00
Materials and Supplies:		
Food	\$175,700 00	
Clothing	22,000 00	
Fuel, light and power	95,000 00	
Household supplies .	35,000 00	
Farm, stable and grounds supplies ..	31,500 00	
Medical and surgical supplies	22,000 00	
Stationery and office supplies	3,000 00	
Vehicular transporta- tion supplies	3,000 00	
Tobacco	3,800 00	
	<hr/>	391,000 00
Current repairs		25,000 00
Miscellaneous:		
Traveling expenses ..	\$2,200 00	
Telephone and tele- graph	4,000 00	
Postage	1,000 00	
Entertainment	500 00	
Funeral expenses ...	800 00	
N e w s p a p e r s and magazines	100 00	
Insurance other than fire	1,500 00	
Freight and express .	200 00	
Cemetery upkeep ...	100 00	
O t h e r miscellaneous expenses	500 00	
	<hr/>	10,900 00

Unclassified:

Psychiatric clinic, for various institutions with headquarters at State Hospital, Trenton	\$25,000 00
<hr/>	
Appropriation, including estimated receipts	\$1,129,600 00
The receipts of the institution are hereby appropriated for maintenance expenditures, pursuant to chapter 153, Laws of 1918, estimated as amounting to	550,000 00
<hr/>	
Net amount appropriated	<u>\$579,600 00</u>

X 21. STATE PRISON

For salaries and wages, and for maintenance of the State Prison on the basis of one thousand five hundred inmates.

State Prison.

Salaries and Wages:

Principal keeper	\$6,000 00	
Director of industries	6,000 00	
Other officers and employees	322,080 00	
Wages for inmates at prison (other than State use)	12,000 00	
Medical, surgical and dental fees	2,000 00	
Religious services	4,920 00	
	<hr/>	\$353,000 00

Materials and Supplies:

Food	\$70,000 00
Clothing	35,000 00
Fuel, light and power	38,000 00

Household supplies .	15,000 00	
Grounds supplies ...	50 00	
Medical, surgical and laboratory supplies	5,000 00	
Stationery and office supplies	2,000 00	
Educational, recrea- tional and library supplies	2,000 00	
Vehicular transporta- tion supplies	1,200 00	
Industrial and voca- tional supplies	800 00	
Photographing, blue- printing and draft- ing supplies	800 00	
Tobacco	2,500 00	
	<hr/>	172,350 00
Current repairs		14,000 00
Miscellaneous:		
Traveling expenses ..	\$2,500 00	
Postage	800 00	
Telephone and tele- graph	1,500 00	
Insurance other than fire	600 00	
Freight and cartage .	450 00	
Electrocution plant ..	1,200 00	
Payments to dis- charged inmates ..	3,000 00	
Funeral expenses ...	250 00	
Other miscellaneous expenses	250 00	
Claim of Mrs. Elsie M. Fretz, for damage caused by escaped convicts, October 23, 1931	16 75	
	<hr/>	10,566 75

Additions and Improvements:	
New refrigeration plant	3,000 00
<hr/>	
Appropriation, including estimated receipts	\$552,916 75
The receipts of the institution are hereby appropriated for maintenance expenditures, pursuant to chapter 153, Laws of 1918, estimated as amounting to	
	500 00
<hr/>	
Net amount appropriated	\$552,416 75
<hr/> <hr/>	

X 22. STATE PRISON FARM, BORDENTOWN

For salaries and wages, and for maintenance of the State Prison Farm, Bordentown, on the basis of two hundred forty inmates.

Prison Farm,
Bordentown.

Salaries and Wages:	
Superintendent	\$2,700 00
Chief deputy	2,500 00
Custodial officers and other employees ..	36,060 00
Inmates' wages	5,000 00
	<hr/>
	\$46,260 00
Materials and Supplies:	
Food	\$13,000 00
Clothing	5,500 00
Fuel, light and power	6,750 00
Household supplies .	2,000 00
Farm, stable and grounds supplies ..	16,000 00
Vehicular transportation supplies	750 00

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Stationery and office supplies	400 00	
Educational, recreational and library supplies	50 00	
Tobacco	500 00	
		<u>44,950 00</u>
Current repairs		1,000 00
Miscellaneous:		
Traveling expenses ..	\$60 00	
Telephone and telegraph	500 00	
Insurance other than fire	100 00	
Postage	200 00	
Other miscellaneous expenses	50 00	
		<u>910 00</u>
Appropriation, including estimated receipts		<u>\$93,120 00</u>
The receipts of the institution are hereby appropriated for maintenance expenditures, pursuant to Chapter 153, laws of 1918, estimated as amounting to		8,000 00
Net amount appropriated		<u><u>\$85,120 00</u></u>

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 and forty inmates.

Salaries and Wages:		
Superintendent	\$3,600 00	
Other officers and employees	51,020 00	
Wages for inmates ..	3,000 00	
Medical and surgical fees	50 00	
	<hr/>	\$57,670 00
Materials and Supplies:		
Food	\$14,000 00	
Clothing	5,500 00	
Fuel, light and power	5,750 00	
Household supplies ..	3,000 00	
Farm, stable and grounds supplies ..	4,000 00	
Medical, surgical and laboratory supplies	500 00	
Stationery and office supplies	450 00	
Educational, recreational and library supplies	50 00	
Cannery supplies ...	700 00	
Vehicular transportation supplies	500 00	
Tobacco	850 00	
	<hr/>	35,300 00
Current repairs		2,000 00
Miscellaneous:		
Traveling expenses ..	\$250 00	
Postage	250 00	
Telephone and telegraph	750 00	
Insurance, other than fire	300 00	
Freight and cartage .	100 00	
Entertainment	50 00	
Other miscellaneous expenses	50 00	
	<hr/>	1,750 00
		<hr/>

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Appropriation, including estimated receipts	\$96,720 00
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The receipts of the institution are hereby appropriated for maintenance expenditures, pursuant to chapter 153, laws of 1918, estimated as amounting to	21,000 00
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Net amount appropriated	<u>\$75,720 00</u>
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X 24. VILLAGE FOR EPILEPTICS

Village for
Epileptics.

For salaries and wages, and for maintenance of the Village of Epileptics on the basis of one thousand two hundred and seventy-five inmates.

Salaries and Wages:

Superintendent	\$8,000 00	
Steward	4,000 00	
Senior resident physician	4,000 00	
Other officers and employees	222,862 00	
Medical and surgical fees	500 00	
Religious services ...	750 00	
		<u>\$240,112 00</u>

Materials and Supplies:

Food	\$69,000 00
Clothing	9,000 00
Fuel, light and power	39,500 00
Household supplies ..	13,000 00
Farm, stable and grounds supplies..	15,000 00
Medical, surgical and laboratory supplies	8,000 00

Stationery and office supplies	550 00	
Office equipment	150 00	
Industrial and vocational supplies	600 00	
Educational, recreational and library supplies	800 00	
Vehicular transportation supplies	2,500 00	
Other materials and supplies	1,000 00	
	<hr/>	159,100 00
Current repairs		8,500 00
Miscellaneous:		
Traveling expenses ..	\$1,275 00	
Postage	550 00	
Telephone and telegraph	1,700 00	
Insurance, other than fire	800 00	
Freight and express .	600 00	
Amusements	500 00	
Funeral expenses ...	200 00	
Other miscellaneous expenses	100 00	
	<hr/>	5,725 00
Additions and Improvements:		
Maintenance of roads	800 00	
Extraordinary household supplies	1,000 00	
Replacement fire hose	200 00	
	<hr/>	2,000 00
		<hr/>
Appropriation, including estimated receipts		\$415,437 00

The receipts of the institution are hereby appropriated for maintenance expenditures, pursuant to chapter 153, Laws of 1918, estimated as amounting to 250,000 00

Net amount appropriated \$165,437 00

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 three hundred and twenty-five inmates.

Salaries and Wages:

Superintendent	\$7,000 00	
Physicians, executive assistant, clerks, mechanics and others, present		
\$164,740.00, new		
\$2,160.00	166,900 00	
Medical, surgical and oculist fees	2,500 00	
Religious services ...	500 00	
		<u>\$176,900 00</u>

Materials and Supplies:

Food	\$71,500 00
Clothing	14,000 00
Fuel, light and power	32,000 00
Household supplies .	14,000 00
Farm, stable and grounds supplies ..	17,000 00
Industrial and vocational supplies	1,500 00
Medical, surgical and laboratory supplies	4,000 00

Stationery and office supplies	1,000 00	
Vehicular transportation supplies	1,500 00	
Educational, recreational and library supplies	2,000 00	
Other materials and supplies	200 00	
	<hr/>	158,700 00
Current repairs		10,000 00
Miscellaneous:		
Traveling expenses ..	\$1,500 00	
Postage	950 00	
Telephone and telegraph	1,500 00	
Insurance, other than fire	750 00	
Entertainments	1,000 00	
Funeral expenses ...	500 00	
Freight and express .	500 00	
	<hr/>	6,700 00
		<hr/>
Appropriation, including estimated receipts		\$352,300 00
The receipts of the institution are hereby appropriated for maintenance expenditures, pursuant to chapter 153, Laws of 1918, estimated as amounting to		189,000 00
		<hr/>
Net amount appropriated		<u><u>\$163,300 00</u></u>

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 chapter 217, of the Laws of 1919, whatever sum or sums is received from the counties to pay the cost of such maintenance of any said patient in the institution.

Appropriation
from school
fund.

2. 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 for the fiscal year ending on the thirtieth day of June, in the year one thousand nine hundred and thirty-four.

1. FREE PUBLIC SCHOOLS

Schools. For the support of free public schools \$500,000 00

2. PREMIUMS AND ACCRUED INTEREST

Premiums and
accrued in-
terest.

There shall be paid from the income of the school fund such sums required to pay premiums and accrued interest on bonds purchased by the trustees for the support of public schools.

3. SCHOOL FUND EXPENSES

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 \$4,000 00

4. 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, and the same has been carried to the credit of the trustees of the school fund, the State Treasurer, upon warrant of the Comptroller, 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.

Refunds.

3. No money shall be drawn from the treasury except for objects as hereinabove specifically appropriated, and except such sums which are by law devoted to specific purposes, namely, State school tax, United States appropriation to Agricultural College, and taxes for the use of taxing districts in this State, moneys received by the State from the taxation of railroad and canal property, which may be by law apportioned to the various counties of the State for school purposes, academic certificate fund, vocational schools, pensions of teachers and school officers authorized by law, motor fuel tax fund, bill board tax fund, moneys received from tuition at the summer schools, and loans to "State School Fund," which last named sums shall be paid pursuant to the laws applicable thereto; this section shall not be construed to prohibit the payment due upon any contract made under an appropriation of the previous years; moneys received by the Department of Conservation and Development from the sale or lease of forest reserve lands pursuant to chap-

Money used
as specified.

Construing
section.

ter one hundred and eighty-seven, Laws of nineteen hundred and thirteen; moneys received by the Quartermaster-General under the provisions of section seventeen, chapter eighty-one, Laws of one thousand nine hundred and seventeen, as amended March fourth, one thousand nine hundred and eighteen; moneys received by the Department of Health pursuant to chapter thirteen, Laws of nineteen hundred and fourteen, chapter two hundred and thirty-two, Laws of nineteen hundred and seventeen, and receipts pursuant to chapter one hundred and forty-seven, Laws of nineteen hundred and eighteen; nor shall this act apply to moneys appropriated by Joint Resolution of the Legislature where such moneys have been set apart by the State Comptroller.

Transfer of
money to
other items.

Application.

Proviso.

Corrections
made to comply
with intentions.

4. In order that some degree of flexibility in appropriations may be had, any department or other State agency receiving an appropriation by any act of the Legislature may apply to the State House Commission for leave to transfer a part of any item granted to such department or agency to any other item in such appropriation. Such application shall only be made during the current year for which the appropriation was made, and if the State House Commission shall consent thereto, it shall notify the Comptroller thereof in writing, whereupon the Comptroller shall place the amount so transferred to the credit of the item so designated; *provided, however*, that no sum appropriated for any permanent improvement shall be used for maintenance or for any temporary purpose.

5. The Comptroller of the Treasury is hereby authorized, empowered, directed, and it shall be his duty to make such correction of the title or text, or both, of an appropriation, necessary to make such appropriation available for the purpose or purposes of its intention. Such correction shall be by written ruling, reciting in appropriate details the facts thereof, and the reasons therefor, attested by the signature of said Comptroller and

filed in the Department of the Comptroller of the Treasury as an official record thereof, and any action thereunder, including disbursements and the audit thereof, shall be legally binding and of full force and virtue.

6. No provision having been made in the appropriations for personal service carried in this act for salary or wage advancements during the fiscal year July first, one thousand nine hundred and thirty-three to June thirtieth, one thousand nine hundred and thirty-four, no increase in the compensation of any officer or employee in the State service beyond the rate received by him or her as the incumbent of any State office or position at the end of the fiscal year one thousand nine hundred and thirty-three shall be made or authorized during said fiscal year for which appropriations are herein provided while he or she continues in the service of the State. Promotions during the said fiscal year shall be made only for the purpose of filling existing or occurring vacancies or new positions specifically provided in this act. Promotions shall not be authorized or made as a means of compensation advancement contrary to the policy herein expressed. The incumbents of offices or positions for which line item appropriations are made shall not receive compensation in excess of the amounts therein provided.

No increase in compensation during fiscal year.

Promotions.

7. The offices of all departments, boards, commissions and agencies of the State government shall be open for the transaction of public business except on Sundays and legal holidays from 9:00 A. M. to 5:00 P. M., Monday to Friday, inclusive, and from 9:00 A. M. to 12:00 M. on Saturdays. The working hours of all full-time State officers and employees in offices, departments and agencies, not including educational and other institutions, in the State, shall be from 9:00 A. M. to 5:00 P. M., Monday to Friday, inclusive, and 9:00 A. M. to 12:00 M. on Saturdays, except with the approval of the Governor, the Civil Service Commission may, by regulation, reduce the work-

Working hours.

Summer schedule.

- Requirements. ing day by one hour and authorize alternate Saturday mornings off for the months of July and August. Department heads are authorized, with the approval of the Civil Service Commission, to fix other hours to meet the requirements of individual departments for all or any part of their employees, but the working hours of all such employees shall not be less than as herein provided. The working hours of officers and employees at institutions shall be such as are determined by the institutional authorities, but not less than as herein provided. Departmental authorities shall see that working hours as herein provided are observed, and that vacation leaves and other leaves, with pay, shall be limited in accordance with existing law and regulations.
- Vacations and leaves of absence. 8. The Comptroller of the Treasury is hereby empowered, and it shall be his duty in the disbursement of funds available for the general uses of this State, to first provide for the maintenance of the administration of the government of the State, and of its courts, and of its penal, correctional and charitable institutions, and to apply the remainder of such available funds in such manner and to such purpose for which appropriations may have been made as in his judgment may best conserve the interest of the State.
- Order of disbursing funds. 9. The State House Commission 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 building 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.
- Transfer from various appropriations. 10. The Comptroller of the Treasury may, upon application therefor, allot from appropriations made to any official, department, commission or board a sum, not in excess of three hundred dol-
- Petty cash fund.

lars, to establish a petty cash fund, for the payment of expenses not in excess of five dollars. The allotment thus made by the Comptroller shall be paid to such person as shall be designated as the custodian thereof by the official, department, commission or board making request therefor, and the money thus allotted shall be disbursed by such custodian, who shall require from all persons obtaining money from said fund a receipt therefor. Such receipts shall by such custodian be forwarded monthly to the Comptroller of the Treasury for audit, and the Comptroller of the Treasury shall likewise make regulations governing disbursements from petty cash funds.

11. The Comptroller of the Treasury 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, to transfer such appropriations to such department as shall be charged with the responsibility of administering the functions of such department so transferred as aforesaid. Transfer of appropriations.

12. This act shall take effect on the first day of July, one thousand nine hundred and thirty-three. Act effective.

Approved with the exception of item on Page 30, D. 9—Dept. of Labor, line 12½.
June 20, 1933.

A. HARRY MOORE,
Governor.

SENATE

June 21, 1933.

Item D-9, page 30, line 12½, having been returned by the Governor, with his objections, to the Senate in which it originated, and the objections having

been entered at large on the Journal of the Senate, the Senate proceeded to reconsider said item; and

Resolved, That the same do pass, the objections of the Governor to the contrary notwithstanding.

By order of the Senate.

EMERSON L. RICHARDS,
President of the Senate.

HOUSE OF ASSEMBLY

June 21, 1933.

Item D-9, page 30, line 12½, having been sent to the House of Assembly by the Senate, together with the objections of the Governor thereto, and the said item having been reconsidered by the House of Assembly,

Resolved, That the same do pass, the objections of the Governor to the contrary notwithstanding.

By order of the House of Assembly.

CHARLES A. OTTO, JR.,
Speaker of the House of Assembly.

CHAPTER 232

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

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

1. In each school district in counties of the first class in this State having within its territorial limits more than one municipality and having a population by the last Federal or State census of more than thirty thousand inhabitants and acting under and governed by Article VII of the act to which this is a supplement, as modified by an act entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three," which last mentioned act was approved April tenth, one thousand nine hundred and nineteen, and is known as chapter seventy-three, laws of that year, as the said supplement has been heretofore amended, there shall be constituted and organized a board of school estimate to consist of the chief executive officer and two members chosen by ballot from each of the governing bodies of such municipalities or political subdivisions within its territorial limits and the president and one member of the board of education of such district chosen by ballot. Members of such board of school estimate chosen by ballot from the respective governing bodies herein provided to be represented thereon shall be so chosen during the month of January and

Board of school estimate in certain districts in first class counties.

How constituted.

When chosen.

- shall serve for one year from February first, or until their successors are chosen. Vacancies occurring shall be filled in like manner. Such board of school estimate so constituted shall have the powers and perform the duties and be governed by the provisions of the said act entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three," approved April tenth, one thousand nine hundred and nineteen, and the supplements and amendments thereto, as fully and to the same extent as the board of school estimate in said act created; *provided, however*, that whenever and wherever by the provisions of said act a certificate is required to be signed by at least a majority of all the members of such board of school estimate, such majority must include a majority of the members of such board representing the respective municipal governing bodies.
- Vacancies.**
- Powers.**
- Proviso.**
- Beginning and ending of terms.**
- Act in effect.**
2. Thirty days after the passage of this act the term of office of the members of the existing board of school estimate shall terminate and the new board shall be chosen in the manner provided in section one of this act, which board shall take office and continue to serve until their successors have been elected as herein provided.
3. Except as herein otherwise provided, the provisions of said act entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three," approved April tenth, one thousand nine hundred and nineteen, and the supplements and amendments thereto, shall remain in full force and effect.
4. This act shall take effect immediately.
- Approved June 21, 1933.

CHAPTER 233

A SUPPLEMENT to an act entitled "A supplement to an act entitled 'An act for the settlement and relief of the poor, and providing for municipal, county or joint county relief, excepting from county or joint county relief, certain municipalities' (Revision of 1924), approved March eleventh, one thousand nine hundred and twenty-four."

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

1. Every person of full age who shall be a resident of and domiciled without interruption in any municipality of a county wherein this act has been adopted, by referendum, for five years, excluding in the computation of such period the time if any spent by such person in any charitable or correctional institution, shall be deemed settled in such municipality and shall so remain until he shall have gained a like settlement in some other municipality or county in this State, or shall have removed from this State and remained therefrom continuously for one year, or shall have gained a legal settlement elsewhere in this State. In case such person shall have removed from this State for more than one year as aforesaid, he shall not retain his settlement in any municipality or county in this State.

Determining domicile.

Effect of removal.

2. Where temporary relief is required by a poor person in any municipality in which he is a resident and inhabitant, in which municipality he has not gained a settlement, but shall have gained a settlement in some other municipality in the same county than the one in which relief is sought, the county director of welfare shall temporarily relieve such poor person and proceed to remove him to the place

Temporary relief.

of such settlement in the municipality within the same county where his place of settlement is.

Method of
removal.

3. When the removal of a poor person from the place of his domicile or where he is found to the place of his settlement in the same county is lawful and necessary, such removal shall be made by means of a written notice signed by the director of welfare of said county to the governing body having jurisdiction in the place to which such person is to be removed, that on a day certain, not less than ten nor more than twelve days after the date and mailing of such notice, an order will be made by the director of welfare that such poor person be removed to the place of his settlement, stating the reasons therefor, the place of his settlement or the place where he became poor prior to his becoming an inhabitant of the municipality from whence he is to be removed. On the day named in said notice, said order for removal shall be made by the director of welfare of said county, and thereafter such poor person shall forthwith be removed by said director of welfare to the place indicated in such notice upon the making of an order that such poor person has no settlement in the municipality in which he is a resident or is found, and has a settlement or became poor in such other municipality in the same county prior to his becoming a resident and inhabitant or being found in such municipality from whence he is to be removed, unless within ten days after the mailing of such written notice the governing body to whom the same shall have been mailed shall proceed to contest the allegation of the settlement of such poor person or of the right to remove such poor person to the municipality in which it has jurisdiction. Such contest shall be made by notice to the said director of welfare giving such original notice, fixing a time and place when the said governing body shall apply to the court of common pleas of the county in which such poor person may be when and where the court shall hear and determine the controversy, which said time and place shall not be less than ten or

Order for
removal.

Protest.

Contesting
removal.

more than thirty days from the time of giving such original notice thereof. On failure to resist such removal by the receiving municipality such receiving municipality may not contest receiving such poor person, and such poor person shall be removed by the county welfare director at the cost and expense of the municipality from which said poor person is removed out of the appropriation made by such municipality for the relief of the temporary or outdoor poor of said municipality; *provided, however*, that for good cause shown for the failure to contest such removal the receiving municipality may, within thirty days after the receipt of such poor person in its municipality, apply to the court of common pleas of said county to review the proceeding and to make such revised order and disposition for the care and relief of such poor person and his removal, if lawful, as may be proper and necessary.

Expense of removal.

Proviso.

4. This act shall take effect immediately.
Approved June 21, 1933.

CHAPTER 234

AN ACT to repeal an act entitled "An act to create a State Accounting and Auditing Department and to provide for a centralized control and uniform system of accounting for the State, its departments, institutions, boards, commissions, officers and other State agencies," approved December second, one thousand nine hundred and thirty.

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

1. An act entitled "An act to create a State Accounting and Auditing Department and to provide for a centralized control and uniform system of

Chap. 269,
P. L. 1930,
repealed.

accounting for the State, its departments, institutions, boards, commissions, officers and other State agencies," approved December second, one thousand, nine hundred and thirty, and known as chapter two hundred and sixty-nine of the laws of one thousand nine hundred and thirty, be and the same is hereby repealed.

Act effective.

2. This act shall take effect July first, one thousand nine hundred and thirty-three.

Approved June 21, 1933.

CHAPTER 235

AN ACT to amend an act entitled "An act providing for the licensing and bonding of commission merchants, dealers and brokers receiving, buying, soliciting or negotiating the sale of perishable agricultural commodities from or on behalf of a grower or growers thereof residing in this State, and the licensing of the agent or agents of commission merchants, dealers or brokers, and to punish any person, firm, association, partnership, corporation or agent violating the provisions thereof," approved April fourteenth, one thousand nine hundred and thirty.

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

Section 3
amended.

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

Application
for license.

3. Each such person, firm, association, partnership or corporation being engaged in such business shall on or before June first, one thousand nine hundred and thirty-one, and on or before June

first annually thereafter, file an application with the secretary, on a form prescribed by him, for a license to transact such business. The application shall state the nature of the business, the kind or kinds of perishable agricultural commodities which the applicant proposes to handle, the full name or names of the person or persons applying for the license, and if the applicant be a firm, association or partnership, or corporation, the full name of each member of such firm, partnership or association, or officers of such corporation, and the name of the local agent or agents of the person, firm, association, partnership or corporation, the city, town or municipality and street address, if any, or post-office address, where such business is to be conducted, and such other facts as the secretary shall prescribe. The application shall be accompanied by a good and sufficient surety bond executed in favor of the secretary in his official capacity, by a surety company duly authorized to transact business in this State in the sum of at least three thousand dollars, conditioned for the payment of all moneys due and owing by such licensee to such grower or growers during the period that such license is in force. Such bond shall be executed upon a form prescribed by the Secretary and shall be subject to his approval as to form and sufficiency. Such applicant may in lieu of such bond deposit with the Secretary for Agriculture United States Government securities in an amount equal to the sum secured by the bond required to be filed as herein provided, and such securities so deposited with the Secretary for Agriculture shall constitute a separate fund and shall be held in trust for and applied exclusively to the payment of claims arising under the provisions of this act against the licensee making such deposit for the period for which such license is issued. The applicant shall further satisfy the secretary of his or its character, financial responsibility and good faith in seeking to engage in such business. Upon the

Form of application.

Bond.

Form of bond.

Deposit of securities.

Character and responsibility.

Issuance of license.

Fee.	<p>filing and approval of such application and bond or the deposit of such securities the secretary shall thereupon issue to such applicant or applicants or their agents on payment of a license fee of two dollars, a license entitling the applicant or applicants or the agent of such to conduct the business of receiving, buying, soliciting or negotiating the sale of perishable agricultural commodities on behalf of the grower, at the place named in the application, which license shall expire on the thirtieth day of June next following its date of issuance.</p>
Expiration of license.	
Agents soliciting, etc.	<p>No agent shall receive, buy, solicit or negotiate the sale of any perishable agricultural commodity in this State on behalf of any commission merchant, dealer or broker unless such agent has been designated by a duly licensed commission merchant, dealer or broker to so act and unless such commission merchant, dealer or broker has notified the secretary in his application for license or given notice in writing of such designation and has requested the secretary to issue to such agent an agent's license.</p>
Additional bond.	<p>The secretary may require a licensee to file an additional bond, to be executed as above provided, or deposit additional securities, in a sum to be determined by the secretary, but the maximum amount of such bond or securities shall not exceed twenty-five thousand dollars.</p>
Section 4 amended.	<p>2. Section four of the act of which this act is amendatory be and the same hereby is amended to read as follows:</p>
Filing claim upon default by licensee.	<p>4. Upon default by any licensee in the payment of any money due to any grower such grower may file with the secretary upon a form prescribed by him, a verified statement of his claim. If such grower or growers shall have reduced his claim to judgment a transcript of such judgment shall be filed with the secretary. Such statement may be filed at any time during the period of the license and within ninety days from the termination of such period, for debts contracted during such li-</p>
Judgment.	

censed period. After the expiration of ninety days from the termination of any licensed period the secretary shall, by proper action, wherein all such creditors and the surety or sureties upon the bond or bonds given as herein provided for, and the licensee shall be parties, proceed to determine the amount due each creditor and the judgment rendered in such action shall be enforced ratably for such creditors against the surety or sureties on the bond or bonds, or against the securities deposited, as the case may be. If any grower shall have reduced his claim to judgment such judgment shall be presumptive proof of the amount due such creditor in any action brought by the secretary as herein provided. Every bond given pursuant to the provisions hereof shall be applicable to the payment of all claims arising during the licensed period for which such bond or bonds shall continue. Claims not filed within ninety days from the termination of any licensed period shall not be received, acted upon or paid and shall not participate in the proceeds of any bond. The secretary may bring an action in any court of competent jurisdiction against the licensee or surety or sureties on the bond or bonds for the recovery of any money due and owing to a grower or growers as hereinbefore provided.

Suing on
bond of
licensee.

Proof of
amount due.

Bond appli-
cable to pay-
ment of claim.

Limit to filing
claim.

Secretary to
bring action.

3. This act shall take effect immediately.
Approved June 21, 1933.

CHAPTER 236

AN ACT to provide for the registration and protection of the names, badges, mottoes, buttons, decorations, membership cards, charms, emblems, rosettes, and other insignia of associations, lodges, orders, fraternal societies, beneficial societies, or fraternal and beneficial societies or associations, historical, military, or veterans' organizations, labor union, foundation, federation, or any other society, organization, or association, degree, branch, subordinate lodge, or auxiliary thereof; to prohibit the wearing, exhibition, display, or use of the same, by any person not entitled to wear, exhibit, display, or use the same; and fixing a penalty for the violation of this act.

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

Fraternal orders may register name, badge, motto, etc., with Secretary of State.

1. Any association, lodge, order, fraternal society, beneficial association, or fraternal and beneficial society or association, historical, military, or veterans' organization, labor union, foundation, federation, or any other society, organization or association, degree, branch, subordinate lodge, or auxiliary thereof, whether incorporated or unincorporated, the principles and activities of which are not repugnant to the Constitution and laws of the United States or this State, may register, in the office of the Secretary of State, a facsimile, duplicate, or description of its name, badge, motto, button, decoration, membership card, charm, emblem, rosette or other insignia, and may, by reregistration alter or cancel the same.

Application for blank for registering.

2. Application for such registration, alteration, or cancellation, shall be made by the chief officer or officers of said association, lodge, order, fraternal

society, beneficial association, or fraternal and beneficial society or associations, historical, military, or veterans' organization, labor union, foundation, federation, or any other society, organization, or association, degree, branch, subordinate lodge, or auxiliary thereof, upon blanks to be provided by the Secretary of State; and such registration shall be for the use, benefit, and on behalf of all associations, degrees, branches, subordinate lodges, and auxiliaries of said association, lodge, order, fraternal society, beneficial association, or fraternal and beneficial society or association, historical, military, or veterans' organization, labor union, foundation, federation, or any other society, organization, or association, degree, branch, subordinate lodge, or auxiliary thereof, and the individual members and those hereafter to become members thereof, throughout this State.

Object of registration.

3. The Secretary of State shall keep a properly indexed record of the registration provided for by this act, which record shall also show any altered or cancelled registration.

Indexed record kept.

4. When a name, badge, motto, button, decoration, membership card, charm, emblem, rosette, or other insignia shall have been registered in accordance with this act, no registration or alteration in registration of a name, badge, motto, button, decoration, membership card, charm, emblem, rosette, or other insignia imitating, or so nearly resembling as to be calculated to deceive, such name, badge, motto, button, decoration, membership card, charm, emblem, rosette, or other insignia already registered, shall be accepted, except only when such name, badge, motto, button, decoration, membership card, charm, emblem, rosette or other insignia was adopted and has been in actual use by any such regularly organized association, lodge, order, fraternal society, beneficial association, or fraternal and beneficial society or association, historical, military, or veterans' organization, labor union, foundation, federation, or other society, organization, or association, degree, branch,

As to changes being made.

subordinate lodge, or auxiliary thereof, for at least three months preceding the passage of this act.

Certificate
of authority.

5. Upon granting registration as aforesaid, the Secretary of State shall issue his certificate to the petitioners, setting forth the fact at such registration.

Counterfeiting,
etc.

6. Any person who shall, without permission or authority of any such association or organization make, forge, counterfeit or cause to be made, forged, or counterfeited, any duly registered badge, motto, button, decoration, membership card, charm, emblem, rosette or other insignia, of any such association or organization herein mentioned, or who shall utter, distribute or cause to be uttered or distributed, without permission or authority of any such association or organization, any such duly registered badge, motto, button, decoration, membership card, charm, emblem, rosette or other insignia, knowing the same to be false, forged or counterfeited, shall be guilty of a misdemeanor, and, upon conviction, shall be punished by a fine not exceeding one hundred (\$100.00) dollars, and in default of payment of such fine shall be committed to jail for a period not to exceed sixty (60) days.

Penalty.

Improper use
of badge, etc.

7. Any person who shall wilfully wear, exhibit, display, or use, for any purpose, the badge, motto, button, decoration, membership card, charm, emblem, rosette, or other insignia of any such association or organization, herein mentioned, duly registered hereunder, or any imitation thereof, unless he or she shall be entitled to use and wear the same under the constitution, by-laws, rules, or regulations of any such association or organization, shall be guilty of a misdemeanor, and, upon conviction, shall be punished by a fine not exceeding one hundred (\$100.00) dollars, and in default of payment of such fine shall be committed to jail for a period not to exceed sixty (60) days.

Penalty.

Exceptions.

8. The provisions of sections six and seven, of this act, shall not apply to the wearing, exhibiting, displaying or using, for any purpose, of the badge, motto, button, decoration, membership card, charm, emblem, rosette or other insignia, of any associa-

tion or organization, which shall have heretofore duly copyrighted the same under the laws of the United States, and the wearing, exhibiting, displaying or using has been authorized or privileged under the constitution, by-laws, rules or regulations of such copyrighting association or organization.

9. The fees of the Secretary of State for registration, alteration, cancellation, searches made by him, and certificates issued by him, pursuant to this act, shall be the same as provided by law for similar services. The fees collected under this act shall be paid by the Secretary of State into the State Treasury. Secretary of State's fees.

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

Approved June 21, 1933.

CHAPTER 237

AN ACT to give a lien to owners of mill, factory, loft and other manufacturing space upon the machinery or other chattels of those to whom space has been rented, and providing for the enforcement of such lien.

WHEREAS, It is the practice of some manufacturers to rent space in a mill, factory or other building to manufacture machinery or other chattels of one kind or another and when they find they owe the landlord several months rent to place a chattel mortgage on machinery or other chattels after the rent is overdue and to the great prejudice of the landlord's interest; therefore, Preamble.

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

1. The words and phrases used herein shall have the following definition and meaning as far as this act is concerned: Definitions:

- Rentor;** (a) The word "rentor" herein includes all persons, partnerships and corporations who may rent mills, factories or lofts or any portions thereof, to others for manufacturing or other purposes.
- Rentee;** (b) The word "rentee" herein includes all persons, partnerships and corporations who may rent space for manufacturing or other purposes.
- Owner.** (c) The word "owner" herein includes all persons, partnerships or corporations having or acquiring title to property herein referred to or having or acquiring any interest in the same either in law or in equity.
- Right of rentor.** 2. The rentor shall be entitled to a lien on machinery and other chattels to the extent of the interest of the rentee in such machinery or other chattels for the amount of rent unpaid from date the rent is unpaid.
- Priority of lien.** 3. The lien created hereby shall have priority and be paramount to any title, lien, interest, mortgage, judgment or other encumbrance created or acquired after machinery or other chattels are placed in the premises; *provided, however,* that such priority shall extend only to the amount of unpaid rent for not more than six months.
- Proviso.**
- Sale to meet lien.** 4. Where any rentor may have a lien upon the machinery or other chattels of any rentee by reason of unpaid rent, and the amount due shall remain due and unpaid, either in whole or in part, it shall be lawful for the rentor to expose or cause to be exposed such machinery or other chattels for sale, and sell the same free and clear of subsequent liens and encumbrances at public auction, upon notice of sale being first published for the space of two weeks, at least once in each week, preceding the day of the sale, in some newspaper published in the county in which the machinery or other chattels are located and at least five days notice of sale being set up in five or more public places in said county, one whereof shall be the township, borough, ward, or city in which said machinery or other chattels are located, and a copy of the notice be mailed to the owner or owners, if known, at least
- Publication.**
- Owners notified.**

five days before the day of sale, at their last known post office addresses.

5. The proceeds of such sale shall be first applied to the payment of such unpaid rent for which the rentor has a lien and the reasonable and necessary expenses of such sale; next to the payment of subsequent liens or encumbrances in the order of their priority; and the balance if any to the rentee; or the whole balance if any may be paid into the Court of Chancery.

Use of proceeds of sale.

6. In case, for any reason, any section, part of section, clause or provision of this act shall be adjudged invalid by any court of competent jurisdiction, it shall not in any wise affect or invalidate any other section, part of section, clause or provision of this act.

Validity of act.

7. This act shall take effect immediately.

Approved June 21, 1933.

CHAPTER 238

AN ACT concerning transmission of electricity and gas between the State of New Jersey and the States of New York, Vermont, Massachusetts, Connecticut and Pennsylvania, or any one or more of said States or any other State, and provides for a compact between the States for the regulation and control thereof.

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

1. The Board of Public Utility Commissioners is hereby empowered to enter into compacts in the name of the State of New Jersey with the States of New York, Vermont, Massachusetts, Connecticut and Pennsylvania, or any one or more of such States, or any other State, through such body in each such State or States as may be designated by law to act, for the purpose of establishing joint

Joint regulation and control of rates.

regulation and control of rates for electricity and gas transmitted between such States. Such board shall report for ratification the terms of any such compact to the Legislature of the State of New Jersey at a regular session thereof after such compact has been agreed upon and shall recommend such legislation, both State and Federal, as may be necessary to be enacted to render such compact effective.

2. This act shall take effect immediately.
Approved June 21, 1933.

Compact to be
ratified by
Legislature.

Legislation.

CHAPTER 239

AN ACT to supplement an act entitled "An act to authorize two or more municipalities in this State by means of a commission to acquire, either by purchase or condemnation, and operate privately owned water works now or hereafter supplying water therein, and in other municipalities, if any, in which water is supplied by the same water works, together with the franchises, rights, and any or all other appurtenant property of the owner or owners, of such works, and to enlarge and extend the same," passed March twenty-third, one thousand nine hundred and twenty-three, and constituting chapter one hundred and ninety-five of the pamphlet laws of one thousand nine hundred and twenty-three.

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

Section 5-A
added.

1. The act to which this act is a supplement be and the same is hereby supplemented by adding thereto a new section to be known as section 5-A, and to read as follows:

5-A. The commission appointed pursuant to the first section of the act to which this act is a supplement and any succeeding commission, however appointed or elected, is hereby designated as the fiscal agent of all municipalities represented by said commission for direct payment to the holders of the principal of and interest on all obligations of such municipalities, the payment of which the said commission or its successors has heretofore or may hereafter formally assume as provided in the act to which this act is a supplement. The chief financial officer of each such municipality shall furnish the said commission or its successors with the names and addresses of the registered holders of such obligations as they may appear in his records, and shall promptly provide the commission with such other information from his records pertaining to such obligations and the payment of the principal thereof and interest thereon which the said commission or its successors may request. The said commission or its successors shall have power to do all acts and things necessary or advisable to carry out its functions and perform its duties as such fiscal agent for the purpose hereof expressed. Nothing herein contained, nor any act or thing done or to be done by said commission or its successors pursuant to this section, shall be construed as the assumption by the said commission or its successors of the payment of any obligations or interest thereon not otherwise formally assumed as provided in the act to which this act is a supplement. Nothing herein contained shall be construed to relieve any municipality issuing such obligations from its liability to pay the same from an unlimited ad valorem tax levied on all the taxable property in such municipality. Nothing herein contained shall be construed to confer upon the said commission power to issue any bonds or other obligations in the name of any municipality where the power to issue such obligations is now vested solely in the municipality.

Commission
as fiscal agent.

List of
holders of
obligations.

Duties.

Liability not
assumed.

Municipal
liability.

May not
issue bonds.

2. This act shall take effect immediately.

Approved June 21, 1933.

CHAPTER 240

A SUPPLEMENT to an act entitled "An act for the incorporation of fire companies," approved April twenty-first, one thousand eight hundred and seventy-six.

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

Oath of
fire police.

1. The members of volunteer fire companies or associations appointed pursuant to said act, or the acts amendatory thereof or supplemental thereto, to perform police duty at fires shall, before entering upon their duties, take and subscribe to an oath that they will justly, impartially and faithfully discharge their duties, according to the best of their ability and understanding, which oath shall be filed with the secretary of the fire company making such appointment; and any member qualifying as aforesaid shall be eligible for duty as a fire police and shall have full power and authority to act as such anywhere in the county in which he is appointed.

May serve
throughout
county.

2. This act shall take effect immediately.

Approved June 21, 1933.

CHAPTER 241

AN ACT validating the public sale of certain lands, tenements, hereditaments or real estate made by any commission or other governmental agency of the State of New Jersey for and on its behalf and for and on behalf of the State of New Jersey under and by virtue of the authority and requirements of any public statute.

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

1. No public sale of any lands, tenements, hereditaments or real estate heretofore made by any commission or other governmental agency of the State of New Jersey for or on its behalf and for or on behalf of the State of New Jersey under and by virtue of the authority and requirements of any public statute shall be invalidated by reason of any omission to advertise such sale in the manner and for the length of time and in the number of newspapers then required under any general act relative to sales of lands under a public statute or because any public statute under which any such public sale has been had fails to specify the mode or manner of advertisement, or by reason of any other irregularity or defect in such advertisement; but the purchaser or purchasers of such lands, tenements, hereditaments or real estate, his, her or their heirs, successors or assigns, shall, when a deed shall have been executed and delivered therefor to him, her or them, be deemed to have as good and complete title thereto as if such sale had been in all particulars duly advertised or the mode or manner of advertisement thereof had been particularly specified; *provided*, that no proceeding shall have heretofore been instituted in any court of law or

Validating
sale of land
improperly
advertised.

Title good
and complete.

Proviso.

equity to set aside said sale or any proceedings in connection therewith.

2. This act shall take effect immediately.

Approved June 21, 1933.

CHAPTER 242

AN ACT for the release and vacation of public rights in cemetery lands in certain cases.

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

Public rights in certain cemetery property vacated.

1. Whenever the owner or owners of land in any manner heretofore dedicated or appropriated to cemetery purposes have been or shall be authorized and empowered to convey such land, or any part thereof, and have conveyed or shall convey under such authority, then, from and after the delivery of any such deed therefor, any and all public rights in the land so conveyed shall be and are hereby released, vacated, terminated and extinguished; *provided*, that at the time of such conveyance the lands conveyed are not actually used for burial purposes; *and provided further*, that the lands so conveyed in each case constitute a compact parcel or area within the limits of which no burials have been or shall have been made, and within which area there is no lot, the title to which at the time of any such conveyance is in any other owner than the grantor in any such deed.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved June 21, 1933.

CHAPTER 243

AN ACT to amend an act entitled "A supplement to an act entitled 'An act to secure the purity of foods, beverages, confectionery, condiments, drugs and medicines and to prevent deception in the distribution and sales thereof' (Revision of 1907), approved May twentieth, one thousand nine hundred and seven," the supplement having been approved May second, one thousand nine hundred and thirty-two, being chapter one hundred and thirty-one of the laws of one thousand nine hundred and thirty-two, and to repeal certain parts thereof.

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

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

1. Definitions. For the purpose of this act the following definitions are set up: Definitions:

(a) Milk. Milk is hereby defined to be the lacteal secretion obtained by the complete milking of one or more healthy cows properly fed and kept, excluding that obtained within fifteen days before and five days after calving, or such longer period as may be necessary to render the milk practically colostrum free; which contains not less than eleven and one-half per centum ($11\frac{1}{2}\%$) of milk solids, and not more than eighty-eight and one-half per centum ($88\frac{1}{2}\%$) of water fluids, or less than three per centum (3%) of milk fats. Milk.

(b) Cream. Cream is a portion of milk which contains not less than sixteen per centum (16%) of milk fat and shall not contain any foreign fat or oils. Cream.

- Milk fat. (c) Milk Fat. Milk fat or butterfat is the fat of milk.
- Ice cream. (d) Ice Cream. Ice cream is hereby defined as the frozen product made from cream with the addition of milk or milk products or eggs, fruit, fruit juices, or nuts, with or without sugar or harmless artificial flavoring, or colors certified by the United States Department of Agriculture and containing not more than one-half of one per centum ($\frac{1}{2}$ of 1%) by weight of stabilizers, improvers or similar substances, approved by the Department of Health of the State of New Jersey.
- Ice cream mix. (e) Ice Cream Mix. Ice cream mix is an unfrozen mixture containing in whole or in part, the ingredients enumerated under the definition for ice cream.
- Milk products. (f) Milk Products. Milk products is hereby defined as cream, ice cream, ice cream mix or sherbets.
- Dairy. (g) Dairy. A dairy or dairy farm is any place or premises where one or more cows are kept, a part or all of the milk or milk products from which is sold or delivered to any person.
- Creamery. (h) Creamery. Creamery is hereby defined as any establishment where milk or cream is received or stored for sale or distribution by wholesale, or for manufacture of the same into butter, cheese, condensed milk, ice cream or other food for human consumption.
- Milk plant. (i) Milk Plant. A milk plant is any place, or premises, or establishment where milk or milk products are collected, handled, processed, manufactured, stored, bottled, pasteurized, or prepared for distribution.
- Pasteurization. (j) Pasteurization. Pasteurization is the process of heating every particle of milk or milk products to a temperature of not less than one hundred and forty-two (142) degrees Fahrenheit and holding same at that temperature for thirty (30) consecutive minutes in approved pasteurizing apparatus or equipment, or by such other method demonstrated to accomplish the same results.

(k) Sherbet. Sherbet is any frozen, sweetened, fruit flavored product containing five per centum or less by weight of total milk solids or skimmed milk solids. Sherbet.

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

2. (A) On and after July one, one thousand nine hundred and thirty-three, no person shall distribute, sell or hold for sale or manufacture into milk products any milk and/or cream which has been collected or assembled from a dairy or dairies into any creamery, milk plant or other establishment in which milk or cream are handled, processed or stored or manufactured into milk products or from which milk, cream and/or milk products are shipped, transported or imported for the purpose of distribution, sale or resale, and no person shall distribute, sell or hold for sale any milk and/or cream which for any other purpose has been collected or assembled from a dairy or dairies, within the State of New Jersey, unless such person shall first have obtained a permit from the Department of Health of the State of New Jersey to engage in such business, in the manner hereinafter set forth; all such permits shall expire on June thirtieth unless an earlier date is specified in the permit. The Department of Health of the State of New Jersey is hereby authorized and directed in issuing such permits to restrict each said permit to milk and/or cream and/or a particular milk product as defined in this act. Permit to engage in shipping, etc., milk.

(B) The Department of Health of the State of New Jersey may also issue temporary or emergency permits for limited periods or for limited quantities of milk, cream and/or milk products and/or restricted to a limited area or to a particular city or to a particular market or markets in order that a sufficient supply of milk, cream and/or milk products shall always be available for the inhabitants of this State. Expiration.
Permit restricted.
Temporary permits.

Section 3
amended.

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

Fee for
permit.

3. For the purpose of providing funds to defray the cost of inspection, as hereinafter provided for in this act, the Department of Health of the State of New Jersey is authorized and directed to collect from each applicant for each permit issued under the provisions of this act a fee of twenty-five dollars (\$25.00) for each creamery, milk plant or other establishment in which milk, cream and/or milk products are collected, handled, processed, manufactured or stored or from which they are shipped, transported or imported for the purpose of distribution, sale or resale in the State of New Jersey.

Section 4
amended.

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

Facts to be
ascertained.

4. The Department of Health of the State of New Jersey, before it issues any permit as prescribed in section two of this act, shall be satisfied of the following facts:

Standard.

(a) That said milk, and cream and/or milk products are of the standard and quality required by and

Handling.

(b) Are produced, handled, processed and/or transported in accordance with the rules and regulations established by the Department of Health of the State of New Jersey as well as the statutes of New Jersey, with relation thereto.

Unapproved
milk not
allowed.

(c) Unapproved milk, cream and/or milk products shall not be allowed to enter a milk plant from which milk, cream and/or milk products are distributed, sold or held for sale in this State.

Section 5
amended.

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

Containers
tagged.

5. All milk and cream collected, assembled, stored, shipped, transported or imported under permit issued as aforesaid shall, until the same reaches the place at which the same is prepared for distribution to the consumer (if intended for con-

sumption as fluid milk or cream) or the place at which the same is used in the manufacture of milk products, have attached to the container or affixed thereon, printed in legible type, a tag, label or cap bearing a permit number and such other identification mark as may be designated by the Department of Health of the State of New Jersey. Any container of milk or cream offered for sale to consumers may display a symbol or device certifying to the grade, quality, purity or food value of the milk or cream contained therein. Any person using such symbol or device on a container of milk or cream shall first file with the Department of Health of the State of New Jersey a statement acceptable to said department certifying to the meaning and significance of such symbol or device and/or the minimum food value of such milk or cream in terms of total solids and/or milk fat. A distributor or seller of any container displaying such symbol or device shall furnish on demand to any purchaser of such container a copy of the statement on file with the Department of Health of the State of New Jersey. The use of any such symbol or device in a manner that is false or misleading shall be deemed misbranding as defined in this act.

Milk value shown.

Meaning of marker.

Statement supplied.

6. Section five and one-half of this act which reads as follows is hereby repealed:

Section 5½ repealed.

5½. All milk and cream shipped, transported or imported into this State under permit issued as aforesaid, shall until the same reaches the place at which the same is bottled or canned, or the place at which the same is used in the manufacture of ice cream, ice cream mix, or other milk product, have attached to the container or affixed thereon, printed in legible type, a tag or label bearing the name of the State and date where and when the same was produced.

Repealed.

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

Section 6 amended.

6. The Department of Health of the State of New Jersey is hereby authorized and directed to estab-

Forms necessary to ascertain facts.

lish such form or forms as in its judgment may be necessary to ascertain the facts that said milk or cream is of the standard and quality required by and was produced, handled, processed and transported in accordance with the rules, regulations or statutes set forth in section four hereof, and such other forms as may be necessary to the proper administration of this act. Each application shall be made upon the forms supplied by the Department of Health of the State of New Jersey.

Section 7
amended.

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

Revocation
of permit.

7. Upon evidence duly ascertained by the Department of Health of the State of New Jersey, or furnished to said Department by any local board of Health, or other body exercising the powers thereof, that the person authorized under the permit provided for by this act to engage in the business of collecting, assembling, manufacturing, processing, shipping, transporting, or importing milk, cream and/or milk products for the purpose of distributing, selling or reselling the same within this State, is violating any of the rules, regulations or statutes as hereinbefore provided governing the standard, quality, production, handling, processing or transporting of milk and cream, is guilty of said violation, then it shall be the duty of the Department of Health of the State of New Jersey, upon hearing, to revoke said permit, and no permit shall be renewed or restored until the Department of Health of the State of New Jersey is satisfied that all of the provisions of this act are strictly complied with; *provided, however*, that the Department of Health of the State of New Jersey, when in its judgment the protection of the public health warrants may, before hearing, suspend said permit pending said hearing and in the event that said permit is suspended, it shall be unlawful for said person to engage in collecting, assembling, manufacturing, processing, shipping, transporting or importing any milk or cream and/or milk products,

As to renewal.

Proviso.

for use within this State during such period of suspension.

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

Section 8 amended.

8. All milk, cream, or milk products and all milk and cream used in said milk products produced within this State, and when intended for use within this State, and all milk, cream, or similar products and all milk and cream used in said milk products produced outside thereof, shall be subject to inspection at its source of supply and all dairies, milk plants and transportation equipment wherein such milk, cream, ice cream, sherbets, ice cream mix, or milk products and all milk and cream used in said milk products are produced, handled, processed, manufactured or transported shall likewise be subject to inspection to determine if it, or they, meet the following minimum requirements, and on and after July first, one thousand nine hundred and thirty-two, any milk or cream which fails to meet said requirements shall not be sold, offered or exposed for sale, distributed or held in possession with intent to sell or distribute or for manufacturing into food for human consumption.

Milk and plants subject to inspection.

(A) STANDARDS, PRODUCTION AND HANDLING

Standards.

(1) Milk shall not contain less than eleven and one-half per centum (11½%) of milk solids, or more than eighty-eight and one-half per centum (88½%) of watery fluids, or less than three per centum (3%) of milk fat.

Milk.

(2) Cream. Cream shall not contain less than sixteen per centum (16%) of milk fat.

Cream.

(3) Milk or cream. Milk or cream shall not contain any water, drug, chemical, preservative, or coloring matter, which has been added thereto or mixed therewith.

No water, chemical, etc.

(4) Milk or cream. Milk or cream collected, stored, shipped, transported or imported for use within this State shall be pasteurized, excepting

Pasteurization.

Tested cows.	that produced by cows which have successfully passed a tuberculin-test within one year, made by a licensed veterinarian of the State or other jurisdiction where the cows are maintained, and a certificate showing results of such examination shall be placed and kept on file for a period of one year at the milk plant to which the milk is delivered by the producer; <i>provided, however</i> , that local boards of health or other bodies exercising the powers thereof may adopt and enforce ordinances requiring the pasteurization of milk and cream.
Proviso.	
Health and condition of workers.	(5) Health of workers. No person affected with typhoid fever, scarlet fever, diphtheria, sore throat, diarrhoea or suppurative process or infectious skin eruption or communicable disease or condition which may be transmitted through milk, or who is a carrier of the causative agent of any such disease, shall handle or be employed in the handling of milk or milk products. Persons conducting the business of processing, manufacturing, collecting, storing, shipping, transporting or importing milk or milk products by virtue of permits issued under the provisions of this act shall notify the Department of Health of the State of New Jersey immediately when any case of contagious, infectious or communicable disease occurs or when a carrier of the causative agent of any such disease is found on any dairy or in any milk plant where their supplies of milk or milk products are produced, handled, processed or manufactured.
Notification of disease.	
Health of cows.	(6) Health of Cows. Cows that from any cause as determined by a licensed veterinarian to be a menace to the health of the consumers of the milk shall not be used in the production of milk for human consumption and shall be isolated immediately from the milk herd. Cows shall be physically examined by a licensed veterinarian of the State or other jurisdiction where the cows are maintained at least once a year and a certificate showing results of such examination shall be placed and kept on file for a period of one year at the milk plant to which the milk is delivered by the pro-
Examination of cows.	
Certificate of result.	

ducer, and said records shall at all times be open to inspection by the State and local departments of health or other bodies exercising the powers thereof.

(7) Cows. The flanks, udders and teats of all milking cows shall be clean at the time of milking. Cleanliness of cows.

(8) Milkers' Hands. The hands of the milkers must be washed clean just prior to milking and kept clean during the process of milking. Hands kept clean.

(9) Clothing. Milkers and milk handlers shall wear clean, washable outer garments while engaged in handling milk. Clothing.

(10) Cow Stables. Cow stables shall be well ventilated. At least two square feet of window light shall be provided in cow stables to each five hundred cubic feet of air space. The floors and gutters of all barns in which cows are kept and milked shall be constructed of concrete or other impervious material which can be easily cleaned and shall be graded properly. The floors and gutters shall be kept in good repair and in clean condition. Manure shall be removed from the stable at least daily and shall be made inaccessible to the cows. Liquid matter must be absorbed and removed with the manure or conveyed at least fifty feet from the stable by means of an approved drainage system and disposed of in a manner that will not create a nuisance. The keeping of horses, pigs, fowl or animals other than dairy animals in the immediate parts of the stable used for dairy purposes is prohibited. Manure or bedding from horse stalls shall not be taken into the cow stable for any purpose. Cow beds shall be of proper dimension for sanitary stabling of cattle. Stables.
Light.
Floors.
Manure.
Liquid matter.

(11) Walls and Ceilings of Cow Stables. The sidewalls and ceilings of cow stables shall be so constructed that they can be kept reasonably free from accumulations of dust and dirt and shall be maintained in a clean condition. Other animals, etc., not near stable.
Bedding.
Sanitary stabling.
Walls.

(12) Cow Yards. Cow yards shall be graded and drained so that liquid wastes will not accumulate and shall be kept reasonably clean. Yards.

- (13) Milk House. A suitable milk house or milk room shall be provided for the cooling, handling, bottling and storage of milk or milk products and for the operations incident thereto, and shall not be used for other purposes. Milk house or milk room shall be separate and apart from barns and other buildings. In those cases in which milk houses or milk rooms have been constructed in connection with stables there shall be no direct opening between the milk rooms and the stables. The milk house or milk room shall be well lighted and ventilated and all openings shall be effectively screened to prevent the entrance of flies. Milk house or milk room shall be provided with self-closing doors. The milk house or milk room shall be provided with a tight floor, constructed of concrete or some other impervious material, and shall be properly drained and kept clean. The walls and ceiling of the milk house or milk room shall be constructed so as to permit proper cleaning and shall be kept clean. The immediate surroundings of the milk house or milk room shall be free from accumulations of liquid or solid waste materials, which are subject to decomposition. Approved refrigerating facilities or a storage vat of sufficient capacity to hold all cans of milk to be cooled or stored and of sufficient depth to bring the water to the neck of the can must be provided. It must be provided with a suitable drain so as to facilitate changing the water and cleaning. The water in such vat must be kept clean and fresh, and a plentiful supply of uncontaminated water shall be provided.
- (14) The local boards or departments of health or other bodies exercising the powers thereof, of the municipalities where the milk and/or cream is distributed, shall have power by ordinance, or code, to fix the maximum temperature at which the milk shall be delivered to the receiving station or milk plant.
- (15) Bottling. If milk is bottled, a mechanical filling and capping device shall be used. Hand capping is prohibited.
- Milk house.
- Milk house separate.
- Light and ventilation.
- Floor and drainage.
- Free from polluting materials.
- Refrigeration.
- Drains.
- Temperature.
- Bottling.

(16) Utensils. Milking pails, cans, and other utensils used in the handling or storage of milk or milk products shall not be used for any other purpose and shall be made of smooth, well-finished metal or other approved material and of such construction as to be easily cleaned and shall be kept in good repair. Joints and seams shall be flush. Metal receptacles or utensils which are rusted on the surfaces which come in contact with the milk or milk products shall not be used in the handling of milk or milk products. Milking stools shall be kept in a clean condition and shall be constructed of impervious material. Metal strainers shall be so constructed that they can be readily cleansed after being used. Suitable single strainer cloths shall be used and destroyed after one service. No milk containers shall be collected from any premises where there exists a case of infectious, contagious or communicable disease, except under such conditions and regulations as are specified by the board of health or other bodies exercising the powers thereof having jurisdiction.

(17) Cleaning of Utensils. All containers, milking machines and other utensils used in the handling, storage or transportation of milk or milk products shall be thoroughly cleansed after each use and shall be scalded with hot water, or by some other method which will result in the same degree of cleanliness, before milk or milk products are again allowed to come in contact with them. All containers and other utensils used in the handling, storage or transportation of milk or milk products shall be stored so as not to become contaminated before again being used. Nonrusting racks for the draining and storage of containers and utensils shall be provided.

(18) Water Supply. There shall be an adequate supply of water which shall be free from contamination.

(19) Privies. No person shall maintain, use or permit to be used, any privy or other receptacle for human excrement, unless such privy or other re-

Pails, cans,
etc.

Rusted
utensils not
used.

Stools.

Strainers.

No collection
from diseased
premises.

Cleansing
utensils.

Avoiding
contamination.

Pure water.

Privies.

ceptacle is so constructed and maintained that flies cannot gain access to the excremental matter contained therein, and unless such excremental matter shall at all times be prevented from flowing over or upon the surface of the ground. Every privy or other receptacle for human excrement located within one hundred feet of any stream, the waters of which are used for drinking or domestic purposes, shall be provided with a water-tight vault.

General conditions.

(20). The general sanitary conditions of any place wherein milk or milk products are produced, stored or handled and its immediate surroundings, shall be such as to insure a safe supply of milk or milk products.

Plants.

(B) MILK PLANTS, CREAMERIES AND MILK PASTEURIZING PLANTS

Infected person not to handle milk.

(1) No person affected with a disease which may be transmitted through milk or its products, or who shall care for or come in contact with any person so affected, shall handle milk or its products.

Protection from flies, dust.

(2) Milk, cream and other milk products when handled or stored in any creamery or milk plant shall be securely protected at all times from flies, dust and all other foreign or injurious contamination.

Not used for domestic purpose.

(3) No part of any building occupied by a creamery or milk plant shall be used as a dwelling or kitchen.

Stable prohibited.

(4) No part of any building occupied as a creamery or milk plant shall be used as a stable.

Floors.

(5) The floors of all rooms where milk or its products are handled shall be constructed of concrete or other impervious material and shall be so graded that waste liquids will be readily removed.

Waste.

(6) Waste liquid shall be conducted to a point outside the building and disposed of in such a manner as will not create a nuisance.

Walls, ceilings.

(7) The side-walls and ceilings of all rooms where milk or its products are handled shall

have smooth surfaces and shall be kept clean. Painting with a light colored paint shall be done when necessary.

(8) Rooms in which milk or its products are pasteurized or otherwise handled and rooms in which utensils, apparatus and containers are washed shall be well lighted and ventilated. Vent pipes or other outlets of adequate size for the removal of steam should be provided.

Light and
ventilation.

(9) The washing of containers or utensils should be avoided if possible in rooms in which milk or its products are handled.

Washing
utensils.

(10) All openings to the outside air shall be so screened as to exclude flies from the creamery, milk plant or pasteurizing plant.

Openings
screened.

(11) All milk plants, creameries and milk pasteurizing plants shall be provided with an abundant supply of pure hot and cold water, and steam.

Water
and steam.

(12) Apparatus, containers, equipment and utensils used in the handling, storage, processing or transporting of milk or its products shall not be used for any other purpose and shall be of such material and construction as to enable them to be readily cleaned.

Utensils
not otherwise
used.

(13) Receiving and holding vats, storage tanks and bottle-fillers shall be built of metal or other suitable material and shall be provided with close-fitting metal covers. If milk is bottled, a mechanical filling and capping device shall be used. Hand capping is prohibited.

Vats, fillers,
etc.

(14) Milk pipes and pipe fittings shall be constructed of approved metal with smooth interior surfaces and of a type which can be easily cleaned with a brush and shall be so connected that leakage will not occur. The amount of milk piping in use should be reduced to a minimum. All pipes shall be disconnected and cleaned daily.

Metal
fittings.

(15) All apparatus shall be cleaned each day. Such apparatus shall after use be washed with cold water, then scrubbed with a warm alkali solution and finally rinsed with scalding water or steam or

Daily
cleansing.

thoroughly cleaned by such other method demonstrated to accomplish the same results. Immediately before use all apparatus shall again be subjected to scalding water or steam, or by such other method demonstrated to accomplish the same results.

Unsuitable cans.

(16) Cans or other receptacles which are badly worn or rusted on the inside surfaces, or in such a condition that they cannot be readily cleaned shall not be used to contain milk or its products.

Cooling milk.

(17) Milk plants must cool all milk as soon as received from the producer to a temperature not over fifty degrees Fahrenheit (50° F.) and this temperature must be maintained during storage and transportation.

Standard treatment.

(18) No milk or cream shall be offered for sale or distribution in this State as pasteurized unless the same conforms to pasteurization as defined in this act.

Cooling after pasteurization.

(19) Milk or cream, after pasteurization, shall be rapidly cooled to a temperature of fifty degrees Fahrenheit (50° F.) or below and maintained at that temperature until distributed or shipped.

Sale of bottled milk.

(20) Pasteurized milk shall not be held, kept, offered for sale, sold or distributed in bottles unless such milk has been bottled at the place of pasteurization and immediately following pasteurization.

No second treatment.

(21) No milk or cream shall be pasteurized a second time.

No contact with other equipment.

(22) Pasteurized milk or cream shall not be permitted to come into contact with equipment with which unpasteurized milk has been in contact until such equipment has been thoroughly cleansed and sterilized.

Waste milk not sold.

(23) Overflow milk or cream shall not be sold for human consumption.

Bodily health of workers.

(24) Every person connected with a milk plant whose work brings him in contact with the handling, processing, storage or transportation of milk or milk products, or with containers, utensils or equipment, shall have within twelve months or less, as

required by the board of health or other body exercising the powers thereof having jurisdiction in the municipality wherein the milk or milk products are sold or distributed or the Department of Health of the State of New Jersey, passed a medical examination made by a licensed physician and shall submit such specimens or bodily discharges as any of the aforementioned agencies may require. Certificates showing the results of such examinations shall be kept on file for a period of one year at the milk plant where such person is employed. Such records shall be open to inspection by any authorized representative of the Department of Health of the State of New Jersey, or the authorized representative of any local board or department of health or other bodies exercising the powers thereof.

Medical examination.

Certificate.

Records.

(25) Every pasteurizing apparatus shall be equipped with a recording thermometer so arranged as to show the temperature to which the milk has been heated, and the time which it has been held. Accurate indicating thermometers shall be installed on pasteurizing equipment to indicate the temperature of the milk.

Recording thermometers.

(26) Recording thermometer charts shall be clear and intelligible and shall show the dates of pasteurization of milk and cream. Such charts shall be kept on file at the pasteurizing plant for not less than ninety days and shall be open to inspection by representatives of the Department of Health of the State of New Jersey and local boards of health of this State or other bodies exercising the powers thereof.

Charts.

(27) Surface coolers shall be provided with suitable covers of smooth metal or glass, except when such coolers are maintained in a separate room used for no other purpose.

Surface coolers.

(28) Containers in which pasteurized milk or cream is shipped or delivered shall be plainly tagged, capped or labelled "pasteurized" and the said tags, caps or labels shall be marked with the

Containers tagged, etc.

- location of the pasteurizing plant, name of proprietor of the business which is conducted at the said pasteurizing plant and the day on which the milk was pasteurized; containers in which raw milk or cream is shipped or delivered shall be plainly tagged, capped or labelled "raw" and the said tags, caps, or labels shall be marked with the location of the milk plant or dairy at which the raw milk was prepared for distribution to consumers, name of the proprietor of the business which is conducted at the said milk plant or dairy, and the day on which the milk was produced.
- Raw shipments.** (29) Bottle caps shall be stored in a clean place and protected from contamination.
- Bottle caps.** (30) Bottles, cans or other receptacles used as containers for milk and its products shall be cleaned by washing with a solution of at least one per centum (1%) alkali, scrubbed inside and out with suitable brushes, then rinsed with warm water, then scalded with hot water or steam. If any other method is used, such method shall result in the same degree of cleanliness as the method described.
- Cleansing bottles, cans, etc.** (31) Bottles, after washing, shall be so stored or conveyed as to protect the milk or milk products against contamination when placed therein.
- Storing bottles.** (32) Cans, immediately after washing, unless covered, shall be stored in an inverted position upon racks constructed of non-rusting metal. The lids of all milk cans shall be stored in like manner. Cans and lids shall be protected from contamination and maintained in condition to protect milk and milk products against contamination when placed therein.
- Storing cans.** (33) Clean washable outer garments shall be worn by employees while handling milk or its products.
- Clean clothing.** (34) No person shall smoke or expectorate anywhere in any room in which milk or its products are handled.
- Smoking and spitting.** (35) Toilet facilities shall be provided for use of employees, but no water closet or privy shall
- Toilet facilities.**

communicate directly with any room used for handling milk or its products, or with any room in which utensils are washed or stored. If privies are provided they shall be at least fifty feet from the milk plant and so constructed and maintained that flies cannot gain access to the excremental matter contained therein, and such excremental matter shall be prevented from flowing over or upon the surface of the ground. Every privy or other receptacle for human excrement located within one hundred feet of any stream, the waters of which are used for drinking or domestic purposes shall be provided with a watertight vault. Toilet rooms and privies shall be kept clean, well ventilated and in good repair and toilet rooms shall have self-closing doors.

(36) All milk plants, creameries and pasteurizing plants shall be provided with suitable sinks at which employees may wash their hands and soap and clean individual towels shall be provided convenient to wash sinks. Employees must wash their hands before beginning work and after visiting toilet, and shall keep their hands clean at all times while engaged in the handling of milk or its products.

(37) The general sanitary conditions of all milk plants or creameries, pasteurization plants and their immediate surroundings shall be such as to insure a safe supply of milk or its products.

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

9. The inspections provided for in this act shall be made either by the Department of Health of the State of New Jersey or by any local board of health or other body exercising the power thereof of any municipality in this State.

11. Section twelve of this act which reads as follows is hereby repealed:

12. On and after July first, nineteen hundred and thirty-two, no person shall ship, transport or import into this State from any other State or other jurisdiction any milk or cream for the purpose of

Privies.

Clean and ventilated.

Washing facilities.

Sanitary conditions.

Section 9 amended.

Inspections.

Section 12 repealed.

Repealed.

manufacturing it in this State into ice cream, sherbets, ice cream mix or similar products unless there shall first have been filed with the Department of Health of the State of New State Jersey, on forms approved by said Department, a certificate containing a statement, under oath or affirmation, by the official governmental agency of the State or other jurisdiction having supervision over the production, handling, processing, and distribution of milk or cream that the standard, quality, methods and conditions of production, handling, processing and pasteurization (when same are pasteurized before shipment) and the dairies, milk plants where said milk or cream is produced, handled or processed meet the minimum requirements as set up in section eight of this act for all milk or cream; *provided, however,* that this section shall not apply where milk or cream is used by or has been purchased from a dealer whose sources of supply have been duly inspected and approved by the local or State health authorities of this State.

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Section 13
repealed.

12. Section thirteen of this act which reads as follows is hereby repealed:

Repealed.

13. Certificates filed with the Department of Health of this State under provisions of section twelve of this act shall expire on June thirtieth following, unless sooner revoked; *provided, however,* the Department of Health of the State of New Jersey may require additional certificates at any time.

Section 14
repealed.

13. Section fourteen of this act which reads as follows is hereby repealed:

Repealed.

14. Milk or cream shipped, transported or imported into this State under certification as provided for in section twelve of this act shall be pasteurized either before shipment or at the place of manufacture.

Section 15
amended.

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

Milk used
for manufac-
turing
purposes.

15. Milk or cream produced in this State or shipped, transported or imported into this State to

be used for manufacturing purposes only shall be recorded in the manufacturing plant or plants and the record shall be kept on file for six months open to inspection by State and municipal officials in this State charged with the supervision of milk and milk products, showing complete records of receipts and disposition of all milk or cream.

15. Section sixteen of this act which reads as follows is hereby repealed: Section 16 repealed.

16. On and after July first, one thousand nine hundred and thirty-two, no person shall engage in the business of shipping, transporting or importing from any other State or other jurisdiction, any ice cream, sherbet, ice cream mix or similar products, which products shall be for use within this State, unless said person shall apply for and obtain from the Department of Health of the State of New Jersey a permit to engage in the business of shipping, transporting or importing said ice cream, sherbets, ice cream mix or similar products. Such permit shall expire on the thirtieth day of June of each year. Such permit shall be subject to suspension and revocation in such manner and by such procedure as set up in section seven of this act for suspension and revocation of permits for shipping, transporting or importing milk or cream. Repealed.

16. Section seventeen of this act which reads as follows is hereby repealed: Section 17 repealed.

17. The Department of Health of the State of New Jersey shall not issue a permit for the business of shipping, transporting or importing ice cream, sherbets, ice cream mix or similar products, as aforesaid, unless the milk, cream, ice cream, sherbets, ice cream mix or similar products are produced, handled, transported and/or manufactured in accordance with the rules and regulations established by the Department of Health of the State of New Jersey as well as the statutes of New Jersey, with relation thereto and unless there be filed with said Department the following: Repealed.

a. A certificate containing a statement under oath or affirmation by the official governmental agency having jurisdiction over ice cream manufacturing within the State or other jurisdiction wherein the said ice cream, sherbets, ice cream mix or similar product is manufactured, that the manufacturing plant, appurtenances thereof and processes therein, meet the minimum requirements as set up in section eight of this act.

b. A statement under oath or affirmation by the owner or owners of any plant manufacturing ice cream, sherbets, ice cream mix or similar products for use within this State setting forth a complete list of the sources of all milk or cream used in the manufacture of the said ice cream, sherbets, ice cream mix or similar products.

c. A certificate containing a statement under oath or affirmation by the official governmental agency of the State or other jurisdiction, having supervision over the production, handling, processing and distribution of milk and cream that the standard, quality, methods and conditions of production and pasteurization (when the same are pasteurized before shipment) and the dairies and milk plants where said milk or cream is produced, handled or processed meet the minimum requirements as set up in section eight of this act for all milk or cream.

Section 18
repealed.

17. Section eighteen of this act which reads as follows is hereby repealed:

Repealed.

18. Each application shall be made upon the forms supplied by the Department of Health of the State of New Jersey.

Section 19
repealed.

18. Section nineteen of this act which reads as follows is hereby repealed:

Repealed.

19. All ice cream, sherbets, ice cream mix or similar products shipped, transported or imported into this State under permit issued as aforesaid, shall have attached to or printed or impressed upon the container, printed in legible type, a tag or label bearing a permit number and such other identification mark as may be designated by the Department of Health of the State of New Jersey together with

the name of the State and the date where and when the same was manufactured.

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

Section 20 amended.

20. No milk products shall be manufactured, shipped, transported or imported for use within this State unless the milk and cream used in the manufacture of said ice cream, sherbets, ice cream mix or similar products are pasteurized either before shipment or at the place of manufacture into milk products.

Milk used for ice cream, etc., must be pasteurized.

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

Section 23 amended.

23. Any person by violating any of the provisions of sections two, five or twenty of this act shall be liable to a penalty of two hundred dollars (\$200.00) and any person violating any of the provisions of section eight of this act shall be liable to a penalty or from twenty-five (\$25.00) to one hundred (\$100.00) dollars to be recovered in an action of debt in the name of the Department of Health of the State of New Jersey or local board of health or other body exercising the powers thereof as the case may be. Such action may be maintained in the district court of any city or judicial district or small cause court of any county, and jurisdiction is conferred upon said courts to hear and determine actions brought hereunder. The practice and procedure in all such actions shall conform to the practice and procedure prevailing in the court in which the action is instituted, and the penalties, when recovered shall be paid to the State Treasurer or to the treasurer of the municipality as the case may be.

Penalties.

Courts of jurisdiction.

Form of procedure.

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

Section 24 amended.

24. Nothing in this act contained shall be construed to repeal or abrogate any ordinance of a local board of health requiring a license to vend the products mentioned in this act, or to restrict or

Construction of act.

Validity of act.

prohibit any such board of health from adopting an ordinance for such purpose, or to restrict or prohibit any such board from revoking any such license for cause after an opportunity to be heard. If any clause, provision or section of this act shall be attacked in any court and shall be held to be unconstitutional, such clause, provisions or section shall be excised from this act, but the remainder of the act shall stand.

Certain sections repealed.

22. Sections five and one-half, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen and nineteen of the act of which this act is amendatory be and the same are hereby repealed.

23. This act shall take effect immediately.

Approved June 21, 1933.

CHAPTER 244

AN ACT to authorize the sale and conveyance or other disposal of lands or real estate in this State, belonging to or to which title is vested in any bank or trust company incorporated under the laws of the United States or any other State, and not doing business in this State, by any banking commissioner or other officer, receiver, conservator or other custodian, as provided by the laws of the United States or any other State under which such bank or trust company was incorporated.

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

Sale of real estate held by outside banks.

1. When any bank or trust company incorporated under the laws of the United States or of any other State and not doing business in this State shall be or shall have been taken possession of by any banking commissioner or other officer, or where

a receiver, conservator or other custodian by whatever name described shall be or shall have been appointed for such bank or trust company, as provided by the laws of the United States or any other State under which such bank or trust company was incorporated, then and in any such case it shall be lawful for such banking commissioner or other officer, receiver, conservator or other custodian, as the case may be, to make sale or other disposition of any lands or real estate in this State belonging to or to which title is vested in such bank or trust company, and to effectuate the same by any deeds of conveyance or other instruments in writing heretofore or hereafter made and delivered, in accordance with the laws of the United States or of any other State relating to such bank or trust company; *provided, however*, that a duly certified copy of any certificate of possession by such banking commissioner or other officer, or of any judgment, order or decree appointing such receiver, conservator or other custodian, shall be filed and recorded in the office of the register of deeds, or if there be no register of deeds then in the office of the clerk of the county in which said lands or real estate are situate; *and provided further*, that if any order or decree of any court be required by the laws of the United States or any other State where such bank or trust company is incorporated directing and/or confirming such sale or other disposition of such lands or real estate, then a certified copy of such order or decree shall also be filed and recorded in the said office of the register of deeds or county clerk as the case may be.

Proviso.

Proviso.

2. The register of deeds of any county in this State, or if there be no register of deeds then the county clerk of such county, is authorized and directed to record and index in his office any deeds or other instruments in writing as provided for in this act, and to file in his office and record and index as deeds under the name of such bank or trust company, any certified copies of certificates of possession and/or judgments, orders and decrees

Recording deed.

Certified copies.

as mentioned and referred to in this act, for the filing and record of which deeds, instruments in writing and certified copies, said register or clerk shall receive such fees as are now or may hereafter be authorized by law for the filing and record of like or similar deeds, instruments and certified copies.

Fees.

Construction of act.

3. This act shall be liberally construed in order to effectuate the prompt and economical liquidation and disposal of lands and real estate in this State belonging to or to which title is vested in any bank or trust company as mentioned and provided for in this act.

Repealer.

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

Approved June 21, 1933.

CHAPTER 245

AN ACT to amend the title and body of an act entitled "An act to authorize the governing body of any municipality to appropriate money in aid of voluntary fire companies," approved April third, one thousand nine hundred and twenty-eight.

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

Title amended.

1. An act entitled "An act to authorize the governing body of any municipality to appropriate money in aid of voluntary fire companies," approved April third, one thousand nine hundred and twenty-eight, be and the same is hereby amended so that henceforth it shall read as follows:

New title.

An act to authorize the governing body of any municipality to appropriate money in aid of the board of fire commissioners of any fire district or in aid of voluntary fire companies.

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

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

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

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

4. This act shall take effect immediately.

Approved June 21, 1933.

CHAPTER 246

AN ACT to amend an act entitled "An act to amend an act entitled 'An act concerning corporations' (Revision of 1896), approved April twenty-first, one thousand eight hundred and ninety-six," which amendatory act was approved March twenty-third, one thousand nine hundred and ten.

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

Section 1
amended.

Directors to
be trustees
on dissolution.

In case of
vacancy
survivor to act.

When all
directors
deceased.

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

54. Upon the dissolution in any manner of any corporation, the directors shall be trustees thereof, with full power to settle the affairs, collect the outstanding debts, sell and convey the property and divide the moneys and other property among the stockholders, after paying its debts, as far as such moneys and property shall enable them. They shall have power to meet and act under the by-laws of the corporation, and, under regulations to be made by a majority of such trustees, to prescribe the terms and conditions of the sale of such property, and may sell all or any part for cash, or partly on credit, or take mortgages and bonds for part of the purchase price for all or any part of said property. In case of a vacancy or vacancies in the board of directors of such corporation existing at the time of dissolution or occurring subsequent thereto, the surviving directors or director shall be the trustees or trustee thereof, as the case may be; and in case all of the directors shall die before the affairs of such corporation shall be fully settled, the executor or executors, administrator or administrators of the last surviving director shall be the trustees or trustee thereof, with full power to settle the affairs, collect the outstanding debts,

sell and convey the property and divide the moneys and other property among the stockholders, after paying its debts, as far as such moneys and property shall enable them, and to do and perform all such other acts as shall be necessary to carry out the provisions of this act relative to the winding up of the affairs of such corporation and the distribution of its assets.

2. This act shall take effect immediately.

Approved June 21, 1933.

CHAPTER 247

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

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

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

3. It shall be unlawful at all times hereafter for any person engaged in hunting for wild deer in this State to use or carry a rifle of any kind or description, or any firearm or shotgun of a smaller calibre than twelve gauge, or to load such firearm or shotgun with a bullet or other missile larger than that commonly known as buckshot, or to have in possession in the woods or fields during the open season for killing deer any missile except buckshot or to have any missile larger than number four shot in possession in the woods or fields at any time other than the open season for killing deer, under a penalty of one hundred dollars (\$100.00) for each offense. Firearms in hunting deer. Penalty.

2. This act shall take effect immediately.

Approved June 21, 1933.

CHAPTER 248

AN ACT to further amend an act entitled "An act concerning building and loan associations" (Revision of 1925), approved March twelfth, one thousand nine hundred and twenty-five.

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

Section 23
amended.

1. Section twenty-three, as heretofore amended, of the act to which this act is an amendment, be and the same is hereby further amended to read as follows:

Associations
may merge.

23. May merge or consolidate. Any two or more such associations in any county may merge or consolidate into a single association by the vote or written assent of two-thirds of the members of each association present at a meeting, upon such terms as shall have been agreed upon by two-thirds of the board of directors of each association, or, in the case of any association whose property and business are in the possession of the Commissioner of Banking and Insurance, upon such terms as shall be designated by the commissioner, notice of which terms having been given to each member of such associations in the calls for the meetings at which the proposed merger or consolidation is to be considered by the members of such associations, or upon such modified terms as may be adopted at such meetings of members of said associations. Before such notice shall be mailed it shall be approved, as to form, by the Commissioner of Banking and Insurance. Members of such associations who do not attend such meetings or who do not vote at such meetings shall, if said merger or consolidation shall have been approved by the members as aforesaid, be deemed to assent to such merger or consolidation. Notice of the meetings at which the proposed merger or consolidation is to

Assent.

Notice given.

be considered shall be given by mail to the members of such association at their addresses appearing upon the books of such association, not less than ten nor more than twenty days prior to such meetings. Such terms of merger may provide that the business of the association into which or with which such other association or associations shall merge or consolidate, may be carried on at the place or places where the business of the association or associations so merged or consolidated may have been carried on prior to such merger or consolidation, subject to the limitations contained in section seventeen of this act, and for the exchange of shares in the association or associations so merged or consolidated for shares of the same or a different class of the association into which such association or associations shall be merged or consolidated and fixing the time or times prior to which notice of withdrawal of such shares so issued upon merger or consolidation in exchange for the shares in the association or associations so merged or consolidated shall not be given, and if the withdrawal of such shares is so postponed, such fact shall be printed or stamped upon the face of the certificates and/or pass books evidencing shares so to be issued. Before any merger or consolidation shall become effective such associations shall jointly certify to the Commissioner of Banking and Insurance that they have complied with all of the requirements of this section, such certificate to be under the hands of the respective presidents and respective secretaries of such associations, except that the commissioner shall execute such certificate for any association whose property and business are in the possession of the commissioner, instead of the president and secretary of such association. The commissioner shall, if he deems such merger or consolidation in the interest of the public and of all members of such associations so merging or consolidating, in writing, approve such proposed merger or consolidation within fifteen days, or shall, if he deems that such proposed merger or

Terms.

Certification
of compliance.

Approval.

consolidation will not be in the interest of the public and all members of such associations so merging or consolidating, within fifteen days, disapprove in writing, such proposed merger or consolidation. The approval of the commissioner of any merger or consolidation shall be endorsed upon such certificate, which shall be recorded by the clerk of the county where such associations are located and filed with the Department of Banking and Insurance. Upon the recording and filing of such certificate endorsed with the approval of the commissioner as herein prescribed, the merger shall take effect according to its terms and shall be binding upon all members of such associations so merging or consolidating. Upon merger of any such association into another as herein provided:

Disapproval.

When merger effective.

Effects of merger.

(a) Its corporate existence shall be merged into that of such other association; and all and singular its rights, privileges and franchises, and its right, title and interest in and to all property of whatsoever kind whether real, personal or mixed, and things in action, and every right, privilege, interest or asset of conceivable value or benefit then existing which would inure to it under an unmerged existence, shall be deemed fully and finally, and without any right of reversion, transferred to and vested in the association into which it shall have merged, without further act or deed, and such last-mentioned association shall have and hold the same in its own right as fully as the same was possessed and held by the merged association from which it was, by operation of the provisions hereof, transferred.

Rights and obligations not impaired.

(b) Its rights, obligations and relations to any person, member, creditor, trustee or beneficiary of any trust, shall remain unimpaired, and the association into which it shall have been merged shall, by such merger, succeed to all such relations, obligations and liabilities, as though it had itself assumed the relation or incurred the obligation or liability; and its liabilities and obligations to creditors existing for any cause whatsoever shall not be impaired

by such merger; nor shall any obligation or liability of any member in any such association which is a party to such merger be affected by any such merger, but such obligations and liabilities shall continue as fully and to the same extent as existed before such merger.

(c) A pending action or other judicial proceeding to which any such association that shall be so merged is a party shall not be deemed to have abated or to have discontinued by reason of the merger, but may be prosecuted to final judgment, order or decree in the same manner as if the merger had not been made; or the association, into which such other association shall have been merged, may be substituted as a party to such action or proceeding, and any judgment, order or decree may be rendered for or against it that might have been rendered for or against such other association if the merger had not occurred.

Judicial
proceedings
to continue.

2. This act shall take effect immediately.

Approved June 21, 1933.

CHAPTER 249

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

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

1. Any appointment by the Court of Chancery of a trustee or trustees for corporations incorporated under the act entitled "An act to provide

Validating
appointment
of trustees.

for the regulation and incorporation of insurance companies and to regulate the transaction of business in this State," approved April third, one thousand nine hundred and two, as amended and supplemented, be and the same is hereby validated and confirmed as fully and to the same extent as if the appointment of said trustees was expressly authorized by statute at the time of such appointment.

Vestment
of title to
assets.

2. All trustees heretofore appointed by said court, unless otherwise expressly provided in the order of appointment, be and they are hereby invested with title to the assets which are the subject of their trusts, and are empowered, subject to the control of the Court of Chancery, to pledge, sell, assign, transfer, convey and otherwise deal with said assets by any proper instruments.

Validating
acts of
trustee.

3. All deeds of conveyance, bills of sale and other documents or instruments of transfer of title to real or personal property heretofore made and delivered by said trustees, or which may hereafter be delivered by the said trustees, subject to the control of the Court of Chancery, and all proceedings heretofore taken and now pending to foreclose mortgages forming part of said trusts, and all other legal proceedings instituted by said trustees, are hereby validated and confirmed to the same extent as if the appointment of said trustees was expressly authorized by statute and title of said assets also vested in the said trustees at the time of their appointment, and said trustees shall, subject to the control of the Court of Chancery, have full power and authority to foreclose mortgages, institute suits on bonds and such other legal proceedings as may be appropriate or necessary in the administration of their trusts.

Transference
of title.

4. The said Court of Chancery shall have power in any cause in which trustees have been appointed for insurance companies incorporated under the act entitled "An act to provide for the regulation and incorporation of insurance companies and to regulate the transaction of insurance business in

this State," approved April third, one thousand nine hundred and two, as amended and supplemented, upon the application of the said trustees, or any person interested in said cause, after giving ten days' notice to such corporation and to such others as the said courts shall provide, to direct such insurance corporations, their officers and agents to execute such proper deeds of conveyances, bills of sale and other instruments as the said court may direct transferring title to the assets of the said trusts to such trustees, and in the event of the failure or refusal of said corporation and its officers to execute such proper instruments as may be directed by the court, the court may make an order which shall have the same effect as if such deeds of conveyances, bills of sale and other instruments were actually executed and delivered.

5. Each section of this act is remedial and each section shall be considered as separate and independent and any rights or remedies granted as cumulative and as not affecting in anywise the inherent jurisdiction and power of the Court of Chancery over trusts, or avoiding any order or decree of the Court of Chancery heretofore made and if any section or provision of this act shall be declared unconstitutional the remaining sections or portions of this act shall stand.

Act deemed
remedial.

6. This act shall take effect immediately.

Approved June 21, 1933.

CHAPTER 250

A SUPPLEMENT to an act entitled "A supplement to an act entitled 'An act to establish a Department of Inland Waterways,' approved March seventeenth, one thousand nine hundred and eight."

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

Stopping
vessels for
inspection.

Summary
arrest.

Violations
on inland
waterways.

Regulating
traffic by
harbor
masters.

1. Harbor masters appointed pursuant to the terms of an act to which this act is a supplement shall have power to stop any vessel using any of the inland waterways of the State and to examine the same to see that it complies with the requirements of the law, whether in matter of equipment, identification or otherwise; to require the production of permits and licenses; to arrest, without warning, for violations of the power vessel act and other laws of the State of New Jersey, committed in their presence, and generally to act as special officers for the enforcement of the laws of the State of New Jersey pertaining to power and other vessels, their operation and maintenance, the enforcement and observance of the rules and regulations of the Board of Commerce and Navigation, to act as special officers for the detection and arrest of those who violate or infringe upon provisions of the power vessel and other acts relating or pertaining to the operation of vessels on the inland waterways and for the violation of the rules and regulations of the Board of Commerce and Navigation. Harbor masters appointed under the act to which this act is a supplement are hereby given authority to regulate all water traffic on the inland waterways, and upon other waters under the jurisdiction of the State of New Jersey, and are hereby given explicit powers to enforce all laws

and regulations relating to, or regulating traffic or inspecting the equipment of vessels on such inland waterways and other waterways within the control of the State.

Approved June 21, 1933.

CHAPTER 251

AN ACT to amend an act entitled "An act concerning unpaid taxes, assessments and other municipal charges on real property, and providing for the collection thereof by the creation and enforcement of liens thereon" (Revision of 1918), approved March fourth, one thousand nine hundred and eighteen.

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

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

Section 16
amended.

16. When unpaid taxes or any municipal lien, or part thereof, on real property remains in arrears on the first day of July in the calendar year following the calendar year when the same became in arrears, the collector, or other officer charged by law in the municipality with that duty, shall enforce such lien by selling such property in the manner set forth in this act. The term "collector" as hereinafter used shall be taken to include any such officer, and the term "officer" shall be taken to include the collector; *provided, however,* that the municipality may by resolution direct that where unpaid taxes or other municipal liens, or part thereof, are in arrears for more than one year, such sale shall include only such unpaid taxes or other mu-

Sale of
property to
enforce lien.

Proviso.

- Proviso. municipal liens as were in arrears in the year designated in such resolution; *and provided, further*, that the municipality may by resolution, either general or special, direct that there shall be omitted from such sale any and/or all such unpaid taxes, and other municipal liens, or parts thereof, on real property, upon which regular installment payments are being made; *and provided, further*, that in case any installment is not paid when due the municipality may direct that the said collector, or other officer charged by law with that duty, shall proceed to enforce such lien by selling in the manner in this act provided.
- Proviso. 2. Section seventeen of the act of which this act is amendatory be and the same is hereby amended so as to read as follows:
- Section 17 amended. 17. The collector, or other officer, shall make a list of the lands so subject to sale, describing the same in accordance with the last tax duplicate, including the name of the owner as shown on duplicate, amplifying the description in the duplicate if necessary to better identify the parcel. He shall enter on such list all taxes, assessments and other municipal charges which were a lien on such property on said first day of July. He shall also add to such list any unpaid installments of assessments for benefits theretofore levied and existing as immediate or direct benefits, whether then payable or not, so that such list shall be a complete statement of all municipal charges against such property existing on said first day of July, together with all interest and costs on all of the items of said list computed to such first day of July; *provided, however*, that 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.
- List of lands to be sold. Unpaid installments added. Proviso. 3. This act shall take effect immediately.
Approved June 21, 1933.

CHAPTER 252

AN ACT to create a local government plan commission and provide for subordinate county commissions, to study the question of the consolidation of local governments, assemble pertinent data, set up tentative standards, formulate a program and present proposals and recommendations to the next succeeding regular session of the Legislature.

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

1. There is hereby created a local government plan commission to study the question of the consolidation and changes in the form and functions of local governments including school districts which modern economic and social conditions require, to assemble pertinent data and information relating thereto, to set up tentative minimum standards as to form, resources and population which should govern in the establishment or continuance of separate local governments, with a view to encouraging logical consolidation, the elimination of duplication of authority, the reduction in the cost of local government, the more effective control of budgets and expenditures, and to consider other problems relating to the cost, the form and the functions of local governments in the State. The said commission shall report its findings and recommendations to the next regular session of the Legislature. The local government plan commission as herein provided shall consist of one citizen of the State to be appointed by the Governor, one Senator to be appointed by the President of the Senate, and one member of the General Assembly to be appointed by the Speaker of the House.

Commission to study question of municipal consolidation and changes in government.

Report.

Commission how composed

2. The said commission shall organize by the selection of a chairman and secretary and is authorized to obtain from the Attorney-General such legal assistance as may be necessary.
3. The said commission shall name a local government plan commission in each county of the State to consist of three citizens of the county. On the naming of any county commission it shall organize by the selection of a chairman and secretary. Under the plans established by the State commission each county commission shall study the question of the consolidation of local governments within the county, assemble pertinent data and information relating thereto, conduct hearings and meetings as it may deem desirable, dispense correct information respecting local government consolidation and formulate proposed plans for the consolidation of local governments within the county. Each county commission shall make a report to the State commission not later than January fifteenth, one thousand nine hundred and thirty-four.
4. The local government plan commission provided in this resolution may call upon any other officers and employees of the State or local governments for reasonable aid and assistance in carrying out the purposes defined in this resolution. The commission may incur nominal expenses for stationery and office supplies, and necessary travel within the State of members of the commission or other State officers or employees performing duties therefor, whose expenses are not otherwise provided for, out of any moneys as may be provided by the State House Commission from the emergency fund or any moneys at its disposal. No salaries shall be paid to any member of the State or any county commission or to any State or municipal officer or employee performing duties for the State or any county commission created under this resolution.
5. This act shall take effect immediately.
- Approved June 21, 1933.
- Organization and counsel.
- County commissions.
- Duties.
- Report.
- Assistance to be sought.
- Expenses.
- Provision for payment.
- No salaries.

CHAPTER 253

AN ACT to amend an act entitled 'A further supplement to an act entitled 'An act to regulate the practice of pharmacy in this State,' approved March nineteenth, one thousand nine hundred and one,' approved April twenty-eighth, one thousand nine hundred and thirty-two.

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

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

Section 3
amended.

3. The Board of Pharmacy of the State of New Jersey shall have power to enforce this act or the act of which this act is a supplement and any person, partnership or corporation violating this act or the act to which this act is a supplement shall forfeit and pay a penalty of not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00) for the first offense, not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00) for the second offense, and not less than one hundred dollars (\$100.00) for the third and each subsequent offense, which penalty shall be sued for and recovered by and in the name of the Board of Pharmacy of the State of New Jersey.

Enforcement.

Penalties.

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

Section 4
amended.

4. Every district court in any city or judicial district of any county, and every court of common pleas in any county, is hereby empowered upon the filing of a complaint in writing, duly verified, which said verification when made by the president or secretary of the Board of Pharmacy of the State of New Jersey may be made upon infor-

Courts of
jurisdiction.

mation and belief, that any person has violated any provision of this act, or the act to which this act is a supplement, to issue process at the suit of the Board of Pharmacy of the State of New Jersey as plaintiff; such process shall be either in the nature of a summons or warrant, which warrant may issue without any order of the court or judge first being obtained against the person or persons so charged, which process, when in the nature of a warrant, shall be returnable forthwith, and when in the nature of a summons shall be returnable in not less than five or more than fifteen entire days; such process shall state what provision of the law is alleged to have been violated by the defendant or defendants; and on the return of such process or at any time to which the trial shall be adjourned, the said court shall proceed in a summary manner, without a jury, to hear testimony and to determine and give judgment in the matter without the filing of any pleadings for the plaintiff for the recovery of such penalty, with costs, or for the defendant, and the said court shall, if judgment be rendered for the plaintiff, cause any such defendant, who may refuse or neglect to forthwith pay the amount of the judgment rendered against him and all the costs and charges incident thereto, to be committed to the county jail for any period not exceeding one hundred days; that the officers to serve and execute all process under this act shall be the officers authorized to serve and execute process in said court; that said district court or court of common pleas shall have power to adjourn the hearing or trial in any case from time to time, but in such case, except in cases in which the first process was a summons, it shall be the duty of the judges of the district court or the court of common pleas to detain the defendant in safe custody, unless he shall enter into bond to the Board of Pharmacy of the State of New Jersey, with at least one sufficient surety in double the amount of the penalty claimed, conditioned for his appearance on the day to which the hearing shall be adjourned, and thence from

Process issued.

Form of process.

Judgment.

Bond given by defendant.

day to day until the case is disposed of, and then to abide by the judgment of the said court, and such bond, if forfeited, may be prosecuted by the said board.

A. The convictions in prosecutions under this act or the act to which this act is a supplement shall be in the following or similar form: Form of conviction.

State of New Jersey, }
County of } ss.

Be it remembered that on this day of at in said county, C. D., defendant, was by (the District Court of the city of of the Court of Common Pleas of the County of or as the case may be), convicted of violating the section of an act entitled "An act to regulate the practice of pharmacy in this State," approved March nineteenth, one thousand nine hundred and one, in a summary proceeding at the suit of the Board of Pharmacy of the State of New Jersey upon a complaint made by, and further, that the witnesses in said proceeding, who testified for the plaintiff were (name them) and the witnesses who testified for the defendant were (name them).

Wherefore the said court doth hereby give judgment that the plaintiff recover of the defendant dollars, penalty, anddollars, costs of this proceeding.

B. The conviction shall be signed by the judge of the district court or court of common pleas before whom the conviction is had. In case the defendant is committed to jail in default of payment of the penalty, a commitment in the following form shall be added, beneath the judge's signature, to the conviction: Signing conviction.

"And the said C. D. neglecting and refusing to pay the amount of the penalty above mentioned, with costs, it is hereby ordered that the said C. D. Form of commitment.

be, and he hereby is committed to the common jail of the county of for the period of days, unless the said penalty and costs are sooner paid." This commitment shall also be signed by the judge, and in 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.

Section 5 amended.

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

Repealer.

5. This act shall take effect immediately, and all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Approved June 21, 1933.

CHAPTER 254

AN ACT to amend an act entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three," approved May tenth, one thousand nine hundred and thirty-three.

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

Section 1 amended.

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

Unpaid State apportionments included in appropriation bill.

1. Whenever any part of the State apportionments, which have been made from State school taxes in accordance with the statutes governing such apportionments, remain unpaid on June thir-

tieth of either the years one thousand nine hundred and thirty-one and/or one thousand nine hundred and thirty-two, together with any such apportionments remaining unpaid up to April first of the year one thousand nine hundred and thirty-three, such amounts may be included in the annual or supplemental appropriation bills for payment of teachers' salaries only from any State moneys in the hands of the State Treasurer not otherwise obligated or appropriated or from any moneys in the hands of or available to the State Treasurer or other agency of the State which moneys have been deposited with or made available by any act of the Congress of the United States or any agency thereof, or made available or deposited in any manner by any law or from any fund of the United States for school purposes or may be appropriated from the proceeds of the sale of State bonds or notes issued for school purposes or from the proceeds of any taxes designated by the Legislature for school purposes other than first class railroad property taxes. Such apportionments shall be paid by the State Treasurer in the manner now provided by law to the several county treasurers on orders of the commissioner of education, and by them to the several custodians of school funds; *provided*, that evidences of indebtedness described in section two of this act shall have been deposited with the State Treasurer and the county treasurers.

Payment.

Proviso.

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

Section 2 amended.

2. The State Treasurer shall require from the several county treasurers evidence of indebtedness of the county, authorized by law, to the State which shall mature in five years from their date and shall be paid in equal annual installments and bear interest at five per centum per annum, payable semiannually, in the amount paid by the State, which evidence of indebtedness shall be authorized by the board of chosen freeholders and approved by the State Treasurer. The county treasurer of each county receiving such moneys from the State

Evidence of indebtedness furnished.

Payments by county treasurer to custodian of school fund.

Redeeming
indebtedness.

Treasurer shall pay to the custodians of the school districts of the county upon the order of the county superintendent of schools the amount due such districts upon receipt of evidence of indebtedness from the coextensive municipality or municipalities, which evidence of indebtedness shall be approved by the board of chosen freeholders. Such evidences of indebtedness as are deposited with the State Treasurer or county treasurers shall be redeemed in proportionate amount and when the State school taxes are paid to the county treasurer or tax collector of the taxing district.

3. This act shall take effect immediately.

Approved June 21, 1933.

CHAPTER 255

AN ACT to amend an act entitled "An act to regulate and control the purchase, distribution and sale of fluid milk and cream and to declare an emergency, and for this purpose to create a State board of milk control, defining its powers and duties and providing penalties for violations."

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

Article VII,
amended.

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

Fixing
prices.

1. The board may ascertain, determine and fix, by such investigations and proof as the emergency permits, the price to be paid to the producer and to be charged the consumer for milk in the several municipalities or markets of this State, under varying conditions, as will best protect the supply of fresh, wholesome and sanitary milk in this

State, and insure a sufficient quantity of pure and wholesome milk to the inhabitants of this State, having special regard to the health and welfare of children and be most in the public interest. The board shall take into consideration the various grades of milk produced, the varying percentages of butter fat, plant volume, seasonal production, and other conditions affecting the cost of production, cost of transportation and marketing, and the amount necessary to yield a reasonable return to the producer and to the milk dealer. It may, in its discretion, hold a public hearing or hearings in this State and invite producers, consumers, local dealers, and public health officials in this State to submit such proofs as they may desire to aid the board in making its determination hereunder.

Grades
taken into
consideration.

Hearings.

(b) The board upon its own motion, or upon application may from time to time, upon such notice as it shall by rule and regulation determine, alter or modify any official order theretofore made with respect to the price of milk used for fluid consumption to be paid by milk dealers to producers and/or the price to be paid by consumers.

Modifying
prices.

(c) It is the intent of the Legislature that the instant, whenever that may be, that the handling within the State, by a milk dealer, of milk produced outside of the State, becomes a subject of regulation by the State, in the exercise of its police powers, the restrictions set forth in this act respecting such milk so produced shall apply and the powers conferred by this act on the board shall attach. After any such milk so produced shall have come to rest within the State, any sale, within the State, by a licensed milk dealer or a milk dealer required by this act to be licensed, of any such milk purchased from the producer at a price lower than that required to be paid for milk produced within the State, purchased under similar conditions, shall be unlawful and deemed a violation of this act, and for continued violations the board may apply to the Court of Chancery for its writ of injunction to restrain such further unlawful acts.

Milk pro-
duced outside
State.

Violations.	(d) Any person who shall violate any of the provisions of this act and/or the orders, rules and regulations of the board as adopted from time to time, shall be deemed guilty of a violation of the provisions of this act and shall pay a penalty of not less than twenty-five dollars (\$25.00) nor more than two hundred dollars (\$200.00), and such penalty when collected shall be paid to the treasurer of the State of New Jersey and become a part of the general fund of the State of New Jersey.
Penalty.	
Milk condemned or sold.	Any milk or cream or milk products which are the subject of the violation of this act or the orders, rules and regulations of the board, may be seized, condemned, destroyed or sold as the board or court may direct; the proceeds from such sale to be paid to the treasurer of the State of New Jersey, to abide the further order of the board or court, and if no such order is made, then to become a part of the general fund of the State of New Jersey.
Proceeds of sale.	
Seized milk released.	(e) The board or court may, in its or their discretion, release the milk or cream or milk products as seized, or the funds derived from the sale of such milk or cream or milk products, when the requirements of this act and/or the orders, rules and regulations of the board have been complied with, and upon payment of all costs and expenses incurred by the State in any proceedings connected with such seizure or prosecution.
Courts of jurisdiction.	(f) Every district court in any city or judicial district in any county and every court of common pleas in any county wherein a district court is not located is hereby empowered upon the filing of a complaint, in writing, duly verified, which said verification when made by the secretary of the milk control board may be made upon information and belief that any person has violated any of the provisions of this act, to issue process at the suit of the milk control board of the State of New Jersey as plaintiff, such process shall be in the nature of a summons and shall be returnable in not less than five nor more than fifteen days; such process shall state what provisions of the law are alleged to
Process.	

have been violated by the defendant or defendants, and on the return of such process or at any time to which the trial shall be adjourned, the said court shall proceed in a summary manner, without a jury, to hear testimony and to determine and give judgment in the matter without the filing of any pleadings, either for the plaintiff, for the recovery of such penalty, with cost, or for the defendant, and the said court shall, if judgment be rendered for the plaintiff, cause any such defendant, who may refuse or neglect to forthwith pay the amount of the judgment rendered against him and all costs and charges incident thereto, to be committed to the county jail for any period not exceeding one hundred days; that the officers to serve and execute all process under this act shall be the officers authorized to serve and execute process in said court.

Trial.

Officers to serve process.

(g) The sections and parts of sections included in this act are hereby declared to be independent sections and parts of sections; if any such section or part of section shall be held invalid, such holdings shall not affect the remainder of this act, nor the context in which such part of section so held invalid may appear, excepting to the extent that an entire section or part of section may be inseparably connected in meaning and effect with the section or part of section to which such holding shall directly apply. The intention and purpose of this act as hereinbefore defined extends to the regulation of the milk marketing industry and to the control generally of milk to be sold to the inhabitants of the State of New Jersey to the full extent permitted by the constitutions of this State and of the United States as applied to legislation enacted under the emergency conditions described in this act.

Validity of act.

Intention of act.

2. This act shall take effect immediately.
Approved June 21, 1933.

CHAPTER 256

A FURTHER SUPPLEMENT to an act entitled "A supplement to an act entitled 'An act defining motor vehicles and providing for the registration of the same, and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provision of the act and penalties for said violation,' approved April eighth, one thousand nine hundred and twenty-one," approved March fifteenth, one thousand nine hundred and twenty-three, approved March eleventh, one thousand nine hundred and twenty-four.

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

Use of
moneys.

1. Moneys received in accordance with the provisions of this act shall be accounted for and forwarded to the Commissioner of Motor Vehicles, and by him paid over to the treasurer of the State of New Jersey, to be credited to the State Highway Fund and used for the purposes of such State Highway Fund, as provided by chapter one hundred and ninety-three of the laws of one thousand nine hundred and thirty-three.

2. This act shall take effect immediately.

Approved June 21, 1933.

CHAPTER 257

A SUPPLEMENT to an act entitled "An act concerning building and loan associations" (Revision of 1925), approved March twelfth, nineteen hundred and twenty-five.

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

1. It shall be lawful for any association operating under the provisions of the act to which this act is a supplement to hold for investment the bonds of any federal corporation organized for the purpose of providing emergency relief with respect to home mortgage indebtedness or refinancing home mortgages or extending relief to owners of homes occupied by them or financing the purchasing of homes; *provided*, the said bonds shall be guaranteed as to principal or interest by the United States of America; *and provided*, such bonds shall have been acquired by such association through the acceptance of the same, in lieu of cash, in reduction of or in payment of indebtedness due any such association or in part payment or full payment of the purchase price on the sale or transfer of any assets of any such association.

Certain
bonds for
investment.

Proviso.

Proviso.

2. This act shall take effect immediately.
Approved June 21, 1932.

CHAPTER 258

AN ACT to amend an act entitled "An act to amend an act entitled 'A supplement to an act entitled "An act concerning building and loan associations" (Revision of 1925), approved March twelfth, one thousand nine hundred and twenty-five,' approved March tenth, one thousand nine hundred and thirty-three," approved May eleventh, one thousand nine hundred and thirty-three.

Preamble. WHEREAS, A public emergency exists as the result of a prolonged period of economic depression;

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

Commissioner
empowered to
conserve
assets:

1. The Commissioner of Banking and Insurance shall have power, in addition to such other powers as he may have, notwithstanding the provisions of the act to which this act is a supplement and the amendments and supplements thereof, from time to time, to make orders for the purpose of conserving the assets of the building and loan associations of this State, which orders shall have the same force and effect as law and be binding on any and/or all building and loan associations of this State, whereby:

To regulate
withdrawals;

(a) to regulate the method of paying the withdrawal value and/or maturity value of shares of any and/or all of such associations;

To regulate,
etc., applica-
tions for
withdrawal of
shares;

(b) to regulate and/or postpone the filing of applications for withdrawal of shares and of requests for payment of maturity value of shares of any and/or all such associations;

To regulate
payment of
maturity
value;

(c) to regulate or postpone the payment of all or any part of the maturity value or of the withdrawal value of shares of any and/or all such associations;

(d) to require any and/or all such associations to establish additional reserves or increase present reserves and to regulate any reserves of any and/or all such associations and to prescribe the manner in which such reserves shall be established;

To require additional reserves;

(e) to regulate, allocate, prohibit or postpone the receipt and/or disbursement of funds by any such associations;

To regulate, etc., disbursements;

(f) to effect such changes and/or reorganizations in the business and/or affairs of any and/or all such associations as he shall deem necessary or proper;

To effect reorganizations;

(g) whenever it is essential, in the public interest, to appoint under his hand and official seal one or more conservators to assist him in the operation of the business of any building and loan association in this State and such conservator shall execute such changes and/or reorganization in the business and/or affairs of any such association as may be directed by the commissioner; and shall be subject to such orders or regulations as issued or may hereafter be issued by the commissioner pursuant to the provisions of this act. The commissioner may require of such conservator such bond and security as he deems proper. The conservator, under the direction of the commissioner, shall take possession of the books, records and assets of every description of such association, and take such action as may be necessary to conserve the assets of such association pending further disposition of its business as provided by law. Such conservators shall have all the rights, powers and privileges now possessed by or hereafter given receivers of corporations organized and existing under the laws of this State, including the right to renew or pay on account of maturing creditor obligations, and to secure the same if necessary, and the further right and power to incur new obligations, if in the interest of said association, and shall be subject to the obligations and penalties not inconsistent with the provisions of this

To appoint conservators.

Bonded.

Duties of conservator.

Rights and powers.

Incur obligations.

Proviso.	<p>act, to which said conservators are now or may hereafter become subject; <i>provided, however,</i> that said conservators shall not have the power to liquidate any such association. During the time that such conservator remains in possession of such association, the rights of all parties with respect thereto shall, subject to the provisions of this sub-chapter, be the same as if a receiver had been appointed therefor. All expenses of any such conservatorship shall be paid out of the assets of such association and shall be a lien thereon, which shall be prior to any other lien. The commissioner shall fix the compensation of such conservator and of such persons employed by him in the performance of his duties, which compensation shall be disbursed from the funds of such association. If the commissioner becomes satisfied that it may safely be done and that it would be in the public interest, he may, in his discretion terminate the conservatorship and permit such association to resume the transaction of its business, subject to such terms, conditions, restrictions and limitations as he may prescribe, in which event said association shall become revested with title to all the real and personal property wherever situated.</p> <p>2. The commissioner shall not be liable in damages to any person by reason of errors of judgment in carrying out the powers herein conferred on him nor shall he be liable in damages for failure to act under said powers.</p> <p>3. The commissioner shall have authority to repeal, suspend or modify any order made by him pursuant to the provisions of this law.</p> <p>4. No order made hereunto nor any suspension, modification or repealer thereof shall be effective until a copy thereof shall be filed in the Department of Banking and Insurance and a copy thereof delivered or mailed to the association or associations affected.</p> <p>5. This act shall take effect immediately but shall become inoperative after three years from the date of its approval, but all orders or regula-</p>
Rights same as in case of receiver.	
Expenses.	
Salary.	
Resumption of business.	
Liability of commissioner.	
Modifying orders.	
Orders, etc., filed in department.	
When act inoperative.	

tions made and all acts and things done under the provisions of this act shall be and remain valid and operative.

Approved June 21, 1933.

CHAPTER 259

AN ACT to amend an act entitled "An act to regulate elections" (Revision of 1930), approved April eighteenth, one thousand nine hundred and thirty.

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

1. Article XXII, paragraph three hundred and twenty-three, section fifty-eight, of the act of which this act is an amendment be and the same is hereby amended so as to read as follows:

Par. 323
amended.

District Boards to Municipal Clerks.

Par. 323, Sec. 58. At the close of all primary elections held according to the provisions of this act, and after counting the ballots cast at such primary and making the statements thereof as herein provided, each district board shall place all ballots voted at such election and all spoiled and unused ballots inside the ballot boxes used at said election, and after locking and sealing the same, shall forthwith deliver said ballot boxes to the municipal clerk and the keys thereof to the county clerk. The district board in municipalities not having permanent registration shall deliver to the county clerk the party primary poll-books of the previous year, together with the primary election registry books, and the primary party poll-books made up at the current primary election; *provided, however*, that in all municipalities having permanent registration, the signature copy register binders and the current primary party poll-books shall be returned by the district boards to the com-

Ballots placed
in box and de-
livered to
municipal
clerk.

Keys.

Delivery of
poll book,
etc.

Proviso.

missioner, not later than noon of the day following the primary election for the general election.

Return of
poll-books.

The said commissioner shall return the primary party poll-books to the municipal clerks, in municipalities having permanent registration, not later than one month preceding the next primary election.

Return of
register of
voters.

In all municipalities not having permanent registration, the register of voters shall be returned by the district boards to the county clerk, not later than the day following the primary election for the general election.

Delivery
before third
registry day.

The said county clerks, in counties other than counties of the first class, shall, during the ten days next preceding the third registry day deliver, at their offices or in any other way they may see fit, the register of voters to the respective district boards. The county clerks in counties of the first class shall deliver the register of voters to the municipal clerks, who shall deliver said register of voters to the district boards at the same time and with the official general election sample ballots.

Registry Lists.

List of
persons
registered.

Par. 369, Sec. 1. At the close of the last day of registration in all municipalities in counties other than counties of the first class not having permanent registration, the said district board in each election district, in said municipalities shall make and complete one list of all persons registered in their district, grouped according to streets and avenues or other designation of location substantially in the following form:

Grand Street

Residence number or other designation	Name of Voter
14	Smith, John M.
15	Jones, Charles M.

Said list shall be signed and certified by said board and delivered on the same day after the

close of the last day of registration, to the county clerk. On the face of said list of registered voters, the district board shall, in figures, note or state the total number of names of persons registered on all registration days in their respective election districts. In counties of the first class the district boards in municipalities not having permanent registration, shall make, complete and deliver said list to the county clerk on or before the fourth Tuesday preceding the general election.

Completion of Register.

Par. 374, Sec. 6. The district boards in counties other than counties of the first class shall also meet on the third Tuesday next preceding the general election at the polling place at the hour of one in the afternoon, and remain in session until nine o'clock in the evening, for the purpose of revising and correcting the register of voters, of adding thereto the names of all persons entitled to the right of suffrage in that election district at the next election, who shall appear in person before them and of erasing therefrom the name of any person, who, after a fair opportunity to be heard, shall be shown not to be entitled to vote therein; *provided*, that no name shall be entered on said registers or either of them from said canvassing books, or stricken therefrom, without the concurrence of a majority of all the members of said boards.

Adding names and correcting register on third day.

Proviso.

Transcribing names to general election registry list on third registry day.

Par. 375, Sec. 7. At the close of the third registration day the district board, in counties other than counties of the first class shall transcribe from the register of voters to the general election registry list the names of all those who personally appeared before such board, shall certify to the number of names so added and shall post the list with the additional names so added in like manner as hereinbefore provided.

Names transcribed on third day.

Certification.

Approved June 21, 1933.

CHAPTER 260

AN ACT to amend an act entitled "An act to amend an act entitled 'An act to prevent misrepresentation in the sale or exposure for sale of any commodity and providing penalties for violations,'" approved April fifteenth, one thousand nine hundred and nineteen; approved March twenty-fourth, one thousand nine hundred and twenty-one.

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

Section 2
amended.

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

Penalty
for selling
under weight.

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

Recovery of
penalty.

2. This act shall take effect immediately.

Approved June 21, 1933.

CHAPTER 261

AN ACT to amend an act entitled "An act for the control and prevention of infectious venereal diseases," approved March fourth, one thousand nine hundred and eighteen.

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

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

1. Syphilis, gonorrhoea and chancroid are hereby declared to be infectious and communicable diseases, dangerous to the public health. Infectious diseases.

Whenever any local board of health or health officer shall receive a report from the Director of Health of the State of New Jersey or any person authorized by said Director of Health to make such report, that any person within the jurisdiction of said board or health officer is, or is suspected to be suffering from or infected with any infectious venereal disease, said board or health officer may cause a medical examination to be made of said person for the purpose of ascertaining whether or not such person is in fact suffering from or infected with such disease, and it shall be the duty of every such person to submit to such examination as aforesaid and to permit such specimens of blood or bodily discharges to be taken for laboratory examination as may be necessary to establish the presence or absence of such disease or infection. If a request is made therefor, such examination shall be made by a physician of the same sex as the person being examined. Examination of infected person.

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

3. Any person who refuses to submit to the examination provided for in section one of this act, or who refuses to supply or permit to be taken Refusal to submit to examination.

the specimens provided for in said section, or who, upon examination, is found to be suffering from a venereal disease in its infectious stage, and who, by reason of his habits, occupation, or for any other reason, is likely to spread the disease to others, may, in the discretion of said board of health or health officer, be isolated, and such isolation continued until such person is determined by suitable examination to be no longer infectious. In establishing isolation, said board or officer shall define the place and the limits of the area within which said person is to be isolated, and no person other than the attending physician or nurse shall enter or leave the area of isolation without the permission of said board or health officer.

Case
isolated.

Section 6
amended.

Physician's
duty.

Failure to
report for
examination.

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

6. It shall be the duty of every physician in attendance upon a person having an infectious venereal disease, or suspected of having such disease, to instruct such person in the precautionary measures for preventing the spread of the disease and in the necessity for systematic and prolonged treatment, and also furnish to such person printed directions for preventing infection, to be supplied to physicians by the State Department of Health on request. If a person in the infectious stage of a venereal disease shall fail to report to said physician for treatment by the physician when directed so to do, said physician shall report such failure on the part of said person to the local board of health, or to the State Director of Health, who shall forward the information to the local board of health or health officer, and such local board or its health officer may thereupon require said person to be examined as provided for in section one of this act, and if, upon examination, said person is found to be suffering from a venereal disease, in its infectious stage and does not present evidence to show that he is being regularly treated by a reputable physician for such disease, he shall be isolated, as described in section three of this act.

4. Section seven of the act to which this is an amendment is hereby amended to read as follows: Section 7 amended.

7. A case of syphilis, gonorrhoea or chancroid shall be regarded as infectious until a physician licensed to practice medicine has examined the case and has reported to the local health department that the case is not infectious, but if in the opinion of the health officer of the jurisdiction the protection of the public health requires it he shall have power to review the case and to cause a medical examination of any such case to be made by a physician designated by him and the opinion of this physician as to the infectiousness or non-infectiousness of the case shall be final. State of infection.

5. This act shall take effect immediately. Review of case.

Approved June 21, 1933.

CHAPTER 262

AN ACT to supplement and amend an act entitled "An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof," approved October nineteenth, nineteen hundred and three.

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

1. That a new section be and the same is hereby added to and made a part of the act to which this is a supplement to read as follows: Section 117(a) added.

117a. No contract for the transportation of children to and from school shall be made unless the board of education making such contract shall have first publicly advertised for bids therefor in a newspaper circulating in the school district once, at least ten days prior to the date fixed for receiving Advertising for bids to transport school children.

proposals for such transportation, and shall have awarded the contract to the lowest responsible bidder. At the time and place fixed in such advertisement for the submission of proposals the board of education, or any committee thereof authorized so to do, or any officer or employee of such board designated therefor, shall receive such proposals and thereupon immediately proceed to unseal the same and publicly announce the contents in the presence of the parties bidding or their agents, provided such parties choose to be then and there present. Said board shall have the right to reject any and all bids. No proposals shall be opened previous to the hour designated in the advertisement and none shall be received thereafter. Nothing herein contained shall apply to school buses owned by boards of education.

Opening of bids.

Rejection.

School-owned buses excepted.

2. This act shall take effect immediately.
Approved June 21, 1933.

CHAPTER 263

AN ACT to provide and enforce a uniform schedule of costs in all local municipal courts supported and maintained by public taxation, and to repeal acts or parts of acts inconsistent herewith.

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

Fixing schedule of fees.

1. The fees provided in the following schedule, and no other charges whatsoever, shall be allowed for court costs in any proceeding of a criminal or quasi criminal nature in all local or municipal courts in any city, town, township, borough or village in this State having a police judge, mayor, recorder, or other magistrate, and where expenses of said courts are paid from public taxation; *provided,*

Proviso.

however, that no charge shall be made for the services of any salaried police officer of the State, county or municipal police, or a State Motor Vehicle Inspector.

COURT

Drawing complaint, taking affidavit and filing	\$1.00	Schedule of court fees.
Issuing warrant or summons	.75	
Copy of summons or warrant	.10	
Filing summons or warrant	.10	
Return of summons	.10	
Drawing, taking and filing bond	.75	
Issuing every subpoena	.15	
Hearing contested case	2.00	
Hearing noncontested case	.50	
Swearing each witness	.10	
Issuing commitment	.75	
Drawing conviction	.75	
Every adjournment	.25	
Entering judgment	.25	
Drawing and certifying bill of costs	.25	
Every execution	.50	
Return of execution	.15	
Drawing and sealing return to certiorari	1.00	
Transcript and filing papers on appeal	1.00	
Drawing warrant for discharge of defendant	.75	

CONSTABLES

Serving warrant or summons	.75	Schedule of constable's fees.
Serving every subpoena	.35	
Serving every execution	.75	
Advertising property under execution	.35	
Sale of property under execution	.50	
Serving every commitment	.75	
Transport of defendant	actual cost.	
Mileage, for every mile of travel in serving any process, computed by counting the number of miles in and out, by the most direct route from the place where such process is returnable, exclusive of the first mile	.04	

WITNESSES

Schedule
of witnesses'
fees.

For each witness, not exceeding three to each party, twenty-five cents (\$0.25), and which shall be paid by the defendant if the defendant be found guilty of the charge laid against him, but if, on appeal, said judgment is reversed, said costs shall be repaid to said defendant. If the defendant be found not guilty of the charge or charges laid against him, then the costs must be paid by the prosecutor, except that when in such instances the Commissioner of Motor Vehicles or the inspector of motor vehicles, a peace officer, or a police officer shall have been prosecutor.

Paying
costs.

Disposition of
monies
received.

2. All money received in accordance with the provisions of this act shall be accounted for by the court and paid to the municipal treasurer and to the officer respectively within thirty days from receipt thereof.

Defaulting
in payment
of costs.

3. Any person who shall default in the payment of costs assessed against them in accordance with the provisions of this act shall be liable to imprisonment in the county jail for a period of one day for each dollar of costs imposed.

Repealer.

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

5. This act shall take effect immediately.

Approved June 21, 1933.

CHAPTER 264

AN ACT to amend an act entitled "An act to amend chapter LXXVI of the laws of one thousand eight hundred and ninety-two, being an act entitled 'A further supplement to an act entitled "An act to provide for the imposition of State taxes upon certain corporations and for the collection thereof," approved April eighteenth, one thousand eight hundred and eighty-four,' approved March seventeenth, one thousand eight hundred and ninety-two," approved April fourteenth, one thousand nine hundred and thirty-one.

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

Section 5
amended.

5. On or before the first Monday of August in each year, the State Tax Commissioner shall prepare a statement of the basis of the annual license fee or franchise tax imposed hereunder, as returned by each corporation to said Commissioner, or as ascertained by him, and the amount of the tax due from each corporation, at the rates fixed in the act of which this act is an amendment. Upon ascertaining the tax of any corporation hereunder the State Tax Commissioner shall mail notice thereof to the agent of said corporation, at the address shown on the records of the Commissioner, but failure of said corporation to receive said notice shall in no wise relieve the corporation from such tax or from interest thereon. The State Tax Commissioner shall collect the tax imposed hereunder and shall pay the same to the State Treasurer. If the

Statement
of tax due.

Notice
mailed.

Interest paid. tax imposed on any corporation remains unpaid more than one month after the mailing of the notice thereof to it, as aforesaid, the same shall from thenceforth bear interest until paid, at the rate of one per centum per month. The State Tax Commissioner shall have power to require of any corporation subject to tax under this act, such information or reports, touching the affairs of such company, as may be necessary to carry out the provisions of this act; and may require the production of the books and other records of such company, and the said Commissioner or any of his duly authorized assistants may examine said records, and may swear and examine witnesses in relation thereto and any such witness, duly sworn, who shall make a false statement, shall be deemed guilty of perjury.

Enforcement of act. In case of neglect, refusal or failure on the part of any such company to produce its books and other records or submit the same for examination on demand of the State Tax Commissioner, the company so neglecting, refusing or failing shall be liable to a penalty of one hundred dollars, and an additional sum of ten dollars for each day during which such neglect, refusal or failure continues, recoverable by the State Tax Commissioner in the name of the State of New Jersey in an action of debt.

Perjury. Penalty. All taxes ascertained and fixed hereunder against a corporation in any year, including the year nineteen hundred and thirty-three, shall be due and owing by said corporation to the State on the first day of January of said year.

Recovery of penalty. Taxes due.

2. This act shall take effect immediately.
Approved June 21, 1933.

CHAPTER 265

AN ACT to amend the title and body of an act entitled "An act regulating the age, employment, safety, health and work hours of persons, employees and operatives in factories, work shops, mills and all places where the manufacture of goods of any kind is carried on, and to establish a department for the enforcement thereof," approved March twenty-fourth, one thousand nine hundred and four, approved April eleventh, one thousand nine hundred and thirty-two, and providing penalties for the violation thereof.

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

1. The title of the act of which this act is amendatory be and the same is hereby amended to read as follows: "An act regulating the age, employment, safety, health and work hours of persons, employees and operatives in factories, work shops, mills and all places where the manufacture of goods of any kind is carried on, to establish a department for the enforcement thereof, and providing penalties for the violation thereof." New title.

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

7. No minor under the age of sixteen years shall be employed, permitted or suffered to work at any of the following occupations or in any of the following positions: Adjusting any belt to any machinery; sewing or lacing machine belts in any work shop or factory; oiling, wiping or cleaning machinery or assisting therein; operating or assisting in operating any of the following machines: circular or band saws; wood choppers, wood jointers, planers; sand Work forbidden minors.

Not employed
in work con-
nected with
poisonous
materials.

Not employed
in work
harmful to
health.

paper or wood polishing machinery; wood turning or boring machinery; picker machines or machines used in picking wool, cotton, hair, fur or any other material; carding machines; paper lace machines, job or cylinder printing presses operated by power other than foot power; boring or drill presses; stamping machines used in sheet metal and tinware or in paper and letter manufacturing, or in washer and nut factories; metal or paper cutting machines; corner-staying machines in paper box factories; corrugating rolls, such as are used in corrugated paper, roofing or washboard factories; steam boilers, dough brakes or cracker machinery of any description; wire or iron straightening or drawing machinery; rolling mill machinery; power punches or shears; washing, grinding or mixing machinery; collender rolls and mixing rolls in paper and rubber manufacturing; laundering machinery; or in proximity to any hazardous or unguarded belting, machinery or gearing, which, in the judgment of the Commissioner of Labor is a menace to the safety of such minor. No minor under the age of sixteen years shall be employed, permitted or suffered to work in any capacity in, about, or in connection with any processes in which dangerous or poisonous acids are used; or in the manufacture or packing of paints, colors, white or red lead; or in any process in which lead or its compounds are employed; or in soldering; or in occupations causing mineral, animal or vegetable dust in injurious quantities, including flint, clay, metal and talc dust; tobacco, rubber and cotton dust; silk, fur, wool and leather dust; or in the manufacture or use of dangerous or poisonous dyes; or in the manufacture or preparation of compositions with dangerous or poisonous gases or fumes; or in the manufacture or use of compositions of dye in which the quantity thereof is injurious to health; or in any trade process which shall offer such exposure to excessive heat, cold, muscular exertion or other physical risk as shall, in the judgment of the Commissioner of

Labor, be harmful to the health and future working efficiency of such minor.

7a. No minor under the age of eighteen years shall be hired, employed, or permitted to work in any occupation or trade process which may or shall, after public hearing thereon, be determined and declared by the Commissioner of Labor to be a menace to the physical safety or harmful to the health and present or future working efficiency of any minor or minors employed or to be employed in such occupation or trade process. The Commissioner of Labor shall have the power to order and regulate the calling and holding of such public hearing and the procedure and conduct thereof.

Determination
of harmful
employment
for minors.

Hearing.

7b. Any corporation, or the officers or agents thereof, the members or agents of any firm, or any person who shall violate any of the provisions of this section shall be liable to a penalty of fifty dollars. Any corporation, or the officers or agents thereof, the members or agents of any firm, or any person who shall be found guilty of a second violation of any of the provisions of this section shall be liable to a penalty of one hundred dollars for such second offense; *provided, however*, that any place where a child or children are habitually employed, contrary to the provisions of this section of the act, shall be a disorderly house, and the officers or agents of any corporation, the members of any firm, or any person owning, operating and managing said business, shall be deemed to be guilty of keeping a disorderly house, and upon conviction thereof, shall be fined, not to exceed one thousand dollars, or shall be committed to jail, not to exceed three years, or both.

Penalty for
violation.

Proviso.

7c. If any portion or provision of this act be held or deemed to be invalid or unconstitutional, it shall not affect any other portion or provision of this act.

Constitutional-
ity of act.

3. This act shall take effect immediately.

Approved June 21, 1933.

CHAPTER 266

AN ACT to amend an act entitled "An act for the assessment and collection of taxes" (Revision of 1918), approved March fourth, nineteen hundred and eighteen.

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

Section 502
amended.

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

Inspection
of assessment
list.

502. It shall be the duty of every assessor ten days before filing the complete assessment list and duplicate with the county board of taxation, and before annexing thereto his affidavit as required in section five hundred and one of this article, to give public notice by advertisement in at least one newspaper circulating within his taxing district of a time and place, when and where the assessment list may be inspected by any taxpayer for the purpose of enabling such taxpayer to ascertain what assessments have been made against him or his property and to confer informally with the assessor as to the correctness before the filing of the assessment list and duplicate.

Section 504
amended.

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

Amount in
counties.

504. The clerk of the board of chosen freeholders of each county shall, on or before the first day of March in each year, transmit to the county board of taxation a statement of the total amount appropriated by the board of chosen freeholders to be raised for current expenses, debt and interest, public works and for all other county purposes, and all amounts otherwise required by law to be raised by taxation in that year for county purposes. The county board of taxation shall ap-

Tax
apportioned.

portion the tax among the taxing districts as in this act directed.

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

Section 505
amended.

505. The municipal clerk or other proper officer of each taxing district shall, on or before the first day of March in each year, transmit to the county board of taxation a copy of the annual taxing ordinance or resolution, or other evidence showing the amount to be raised by taxation for the purpose of the taxing district. When any execution shall be issued upon judgment against any taxing district, and there shall be found no property sufficient to satisfy the same by levy, the officer shall serve a copy of his execution upon the county board of taxation having jurisdiction over said taxing district, and it shall be the duty of the county board of taxation to add the amount due upon said execution, with interest to the first day of February of the year next ensuing to the amounts certified to it to be raised by taxation in said taxing district, and the amount of said execution and interest shall thereupon also be raised by taxation in said taxing district and paid by the collector thereof on or before the fifth day of February of such year next ensuing; *provided, however,* that if the copy of said execution shall not be served upon the county board of taxation before said board shall have determined and fixed the rate for said taxing district for the year, then the amount shall be included by said board in the amount to be raised by taxation in the next following year, and the interest shall be calculated to the date when the first instalment of taxes in such following year shall become delinquent, unless the amount of such execution and interest shall have been included in an appropriation in the taxing ordinance or resolution of said taxing district, or unless the execution shall have been satisfied otherwise.

Amount in
each taxing
district.

Insufficient
property
to satisfy
levy.

Proviso.

Section 506
amended.

4. Section five hundred six of the act to which this act is an amendment is hereby amended to read as follows:

Amount in
school
districts.

506. The clerk or other proper officer of each school district in this State in which the annual appropriations for school purposes, to be raised by taxation, are voted by the inhabitants of said school district, shall, on or before the first day of March in each year, transmit to the county board of taxation a certified statement of the amount of moneys appropriated for school purposes, which shall include interest to be paid, principal payments of indebtedness, and sinking fund requirements for the school year for which such appropriations are made, to be raised by taxation in said school district.

Section 508
amended.

5. Section five hundred eight of the act to which this act is an amendment is hereby amended to read as follows:

Table of
aggregates.

508. The county board of taxation shall, on or before the tenth day of March, fill out a table of aggregates copied from the duplicates of the several assessors and enumerating the following items: (1) the total number of acres and lots assessed; (2) the value of the land assessed; (3) the value of the improvements thereon assessed; (4) the total value of the land and improvements assessed, exclusive of second-class railroad property; (5) the value of second-class railroad property; (6) the value of the personal property assessed; (7) deductions allowed, stated in separate columns, (a) household goods and other exemptions under Sec. 203 (12) Chapter 236, P. L. 1918; (b) deductions for debt (other than mortgage indebtedness); (c) property exempted under Chapter 7, Laws of 1918, and Chapter 47, Laws of 1919 (general exemptions); (8) net valuation taxable; (9) amounts deducted under Chapter 57, Laws of 1910, and Chapter 188, Laws of 1912 (adjustments resulting from prior appeals); (10) amounts added under Chapter 57, Laws of 1910 (like adjustments); (11) amounts added for equalization under Chapter 31, Laws of 1917, as

Items.

amended by Chapter 115, Laws of 1927; (12) amounts deducted for equalization under Chapter 31, Laws of 1917, as amended by Chapter 115, Laws of 1927; (13) value of personalty of traction, street railway, gas and electric companies assessed under Chapter 25, Laws of 1919; (14) net valuation on which county, State and State school taxes are apportioned; (15) number of polls assessed; (16) dog taxes; (17) shall include all 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) motor vehicles exempted under Chapter 338 (sub-division 17) Laws of 1927; (g) other exemptions not included in foregoing classifications, sub-divided showing exemptions of real property and exemptions of personal property; (h) total amount of exempt property; (18) State road tax; (19) State school tax; (20) soldiers' bonus bond tax; (21) county taxes apportioned (exclusive of bank stock taxes); (22) local taxes to be raised (exclusive of bank stock taxes) subdivided as follows (a) district school tax, (b) other local taxes; (23) total amount of miscellaneous revenues (including surplus revenue appropriated) for the support of the budget; (24) district court taxes; (25) library tax; (26) bank stock taxes due taxing district; (27) tax rate for "local" taxing purposes to be known as general tax rate to apply per one hundred dollars of valuation. In addition to the above such other matter may be added, or such changes in the foregoing items may be made, as may from time to time be directed by the State Tax Commissioner. The forms for following out tables of aggregates shall be prescribed by the State Tax Commissioner and sent by the said commissioner 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

Forms.

Table of aggregates sent to county treasurer.

board of taxation and shall within three days thereafter be transmitted to the county treasurer who shall file the same and forth cause same to be printed in its entirety and shall transmit certified copy of same to the State Comptroller, State Tax Commissioner, the commissioner of municipal accounts, the clerk of the board of freeholders, and the clerk of each municipality in such county.

Section 601
amended.

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

Delivery of
tax bills.

601. As soon as the tax duplicate is delivered to the collector of the taxing districts, as hereinbefore provided, he shall at once begin the work of preparing, completing, mailing or otherwise delivering tax bills to the individuals assessed, and shall complete such work for the taxing years subsequent to nineteen hundred thirty-three at least two months before the third instalment of taxes falls due. He shall also, at least two months before the first instalment of taxes for the year falls due, prepare and mail, or otherwise deliver to the individuals assessed, a tax bill for such following first and second instalments, computed as hereinafter provided at one-half of the complete tax last previously levied. The validity of any tax or assessment, or the time at which the same shall be payable, shall not be affected by the failure of any taxpayer to receive a tax bill, but all taxpayers are put upon notice to ascertain from the proper officials of the respective taxing districts the amount which may be due for taxes or assessment against any such taxpayer or property.

Failure to
receive tax
bill.

Section 602
amended.

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

Taxes payable:

602. Taxes shall be payable and shall be delinquent as hereinafter stated.

Poll tax;

(a) The poll tax levied in accordance with section two hundred one of this act shall be payable and shall become delinquent on the dates hereinafter provided for the first instalment of other taxes.

(b) Taxes for the year nineteen hundred thirty-three shall be payable, one-half thereof on the first day of April, and the remaining half on the first day of December, and will become delinquent as to the first half on the first day of June, and as to the second half on the first day of December.

Other tax
for 1933;

(c) Taxes for the year nineteen hundred thirty-four and subsequent years shall be payable, the first instalment as hereinafter provided on the first day of February and the second instalment on the first day of May, the third instalment on the first day of August, and the fourth instalment on the first day of November, after which dates if unpaid, they shall become delinquent.

Taxes for
1934;

(d) From and after the respective dates hereinbefore provided for taxes to become delinquent, the tax-payer or property assessed shall be subject to the penalties hereinafter prescribed.

Penalties for
delinquents;

(e) The dates hereinbefore provided for payment of the first and second instalments of taxes subsequent to the year nineteen hundred thirty-three, being before the true amount of the tax will have been determined, the amount to be payable as each of the first two instalments shall be one-quarter of the total tax finally levied against the same property or taxpayer for the preceding year; and the amount to be payable for the third and fourth instalments shall be the full tax as levied for the current year, less the amount charged as the first and second instalments; the amount thus found to be payable as the last two instalments shall be divided equally for and as each instalment. An appropriate adjustment by way of discount shall be made, if it shall appear that the total of the first and second instalments exceeded one-half of the total tax as levied for the year.

Fixing
installments;

Adjustments.

(f) Taxes may be received and credited as payments at any time, even prior to the dates hereinbefore fixed as payable.

Payable at
any time.

8. Section six hundred five of the act to which this act is an amendment is hereby amended to read as follows:

Section 605
amended.

Payment by collector to county treasurer.

In case collector is treasurer.

Payments to county treasurer.

Payments to custodian of school moneys.

Proviso.

Payment to State Treasurer.

605. It shall be the duty of the collector, or other officer having custody of collected taxes, on the first day of each month, or oftener if required by the governing body of the municipality, to report his collections to the governing body of the municipality, and to pay the amount collected to the treasurer or other official of the municipality authorized to receive same. In case the collector shall also be the treasurer of the municipality, he shall immediately upon collection deposit all moneys collected in the name of the municipality to his account as treasurer in the place or places designated by the governing body of the municipality. The governing body of each municipality shall in the year nineteen hundred thirty-four and subsequent years cause to be paid to the county treasurer of the county one-quarter of the amount of county taxes required to be assessed and raised in such municipality on the fifteenth day of the month in which each instalment of taxes shall become payable and shall cause to be paid to the county treasurer on the fifteenth day of December of each year all of the taxes required to be assessed and raised by taxation in such taxing district for State school and other State purposes; and shall pay to the custodian of school moneys in the case of school districts in which appropriations for school purposes are made by the inhabitants of the school district within forty days after the beginning of the school year twenty per centum of the appropriation for local school purposes and thereafter, but prior to the last day of the school year, the balance of the moneys raised in such municipality for school purposes in such amounts as may from time to time be requested by the board of education within thirty days after each such request; *provided*, that the said board of education shall not request any more money at any one time than shall be required for its expenditures for a period of eight weeks in advance. The county treasurer shall pay the State taxes assessed in the taxing districts of his county to the State Treas-

urer on or before the twentieth day of December in each year. It shall be the duty of the governing body of the municipality or the county to cause the county, local school and State taxes to be paid as and when due for payment; if there shall not be funds enough in the treasury available for such payments, the governing body of the municipality or county shall immediately borrow such money and pay such taxes. On any part of the taxes payable to the county treasurer and on any part of the taxes payable to the State by the county treasurer which shall remain unpaid after the time within which they are required to be paid by this act, the taxing district or county in arrears shall pay to the county or State, as the case may be, interest at the rate of six per centum (6%) per annum upon such delayed payment.

To borrow money for payment.

Interest on arrears.

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

Section 606.

606. It shall be the duty of the collector in person or by deputy forthwith after the date when the last instalment of the taxes for such year are due and delinquent to enforce the payment of all taxes on personal property and poll taxes and dog taxes by distress and sale of any of the goods and chattels of the delinquent in the county; where the tax is upon real estate the person assessed may be relieved from the levy by showing that he was not the owner at the time when the tax became a lien; if goods and chattels of the delinquent cannot be found, or not sufficient to make all the money required to pay taxes on personal property and poll tax and dog tax, then it shall be the duty of the collector in person or by deputy to take the body of the delinquent and unless the tax is at once paid, with costs, to deliver the same to the sheriff or jailer of the county, to be kept in close and safe custody until payment be made of the amount due on said taxes, with costs, but there shall be no arrest or imprisonment for default in payment of taxes on real estate; a copy of the entry of the tax

Enforcement of payment.

Arrest for nonpayment of personal tax.

Sufficiency of warrant.

assessed against the delinquent, certified by the collector to be a copy truly taken from his duplicate, shall be a sufficient warrant for the distress and sale or arrest and imprisonment authorized by this act; and the authority of any person to act as deputy shall be conferred by the collector in writing upon said copy of the tax entry and signed by the collector; the collector shall not be liable for deficiencies in collection happening without any neglect, fraud or default on his part.

Liability of collector.

Section 610 amended.

10. Section six hundred ten of the act to which this act is an amendment is hereby amended to read as follows:

Annual report of collector.

610. On the thirty-first day of December, annually, in all taxing districts, except cities, the collector shall file with the treasurer or chief financial officer of the taxing district a statement of the amount of his receipts of taxes for the year, and of the amount of taxes remaining unpaid. On or before the fifteenth day of January the collector shall file with the governing body of the taxing district a competent account verified by oath, of his receipts and disbursements as collector during the preceding year ending December thirty-first.

Statement of unpaid taxes, etc.

On the first day of March the collector shall file with the governing body a statement of the amount of taxes for the preceding years then remaining unpaid, the names of the delinquents, and the amount due from each, a description of the property assessed, and the reason why the tax has not been collected, and if the collector believes that any of the delinquent taxes are not collectible by reason of a fictitious or double or other palpably erroneous assessment, or that any poll tax, dog tax or tax on personal property is not collectible by reason of the removal, absence, death or insolvency of the taxpayer, including any taxes heretofore erroneously exempted to exempt firemen on the assessment of five hundred dollars per year and not collected by the collector from said exempt firemen, he shall present his statement of such uncollectible taxes in a separate list. It shall be the

duty of the governing body, within ten days after the filing of the delinquent list, to carefully examine the same in the presence of the assessor and collector, and they may summon and examine witnesses, and adjourn their examination from time to time and shall complete their examination on or before the first day of April, and on being satisfied that any of the taxes listed as uncollectible are, in fact, such, it shall be their duty, by resolution, to release the collector from the collection thereof; any taxes not so released, if not collected, shall be again listed and reported for further investigation and action on the first day of March of the ensuing year.

Examination
of delinquent
list.

Taxes
unlisted.

11. Section six hundred eleven of the act to which this act is an amendment is hereby amended to read as follows:

Section 611
amended.

611. In first class cities the comptroller, and in all other municipalities the collector or other officer charged with the duty of the collection of taxes, shall annually, in the month of January, unless otherwise directed by vote of one more than a majority of the governing body, publish a list of the names of all delinquents for personal taxes and the amounts due in a newspaper published in said city or other municipality, or where none is published therein a newspaper circulating in said city or other municipality, and a second publication shall be made two weeks after the first of the same list, omitting the names of those who have paid the tax in the interval; ten cents per name for each insertion shall be paid to the publisher and added to the tax.

List of
delinquents
published.

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

Section 701
amended.

701. Any taxpayer feeling aggrieved by the assessed valuation of his property, or feeling that he is discriminated against by the assessed valuation of any other property in the county, or any taxing district which may feel discriminated against by the assessed valuation of property in said taxing

Appeals may
be taken.

district, or by the assessed valuation of property in any other taxing district in such county, may on or before the fifteenth day of August in the year nineteen hundred thirty-four and subsequent years

Petition. file with the county board of taxation a petition of appeal to the county board of taxation, a copy of which shall also be filed with the clerk or attorney of the taxing district, setting forth the cause of complaint, the nature and location of such assessed property and the relief sought. Said petition of appeal shall be signed and sworn to by the petitioner or his agent, and shall be in such form and contain such further information as may be from time to time prescribed by rule of the board, for the better understanding and determination of the appeal. Such board shall thereupon make such order respecting the time and manner for hearing such appeal as it may deem just, and shall summarily hear and determine such appeals, and revise and correct such assessment in accordance with the true value of such taxable property.

Hearing.

Witnesses. Such board shall have the power to compel the attendance of witnesses, the production of books and papers before them, to examine witnesses or cause witnesses to be examined under oath before them, which oath may be administered by a member of said board. In case of the willful failure of any person to obey any such order of such board, or to answer any inquiry properly put to him upon such examination, said board shall immediately certify the facts to the court of common pleas of the county for which said board was appointed, and the judge holding the said court of common pleas shall thereupon issue a citation requiring such person to appear before him and show cause why he should not be punished for his refusal to comply with such order or to answer such inquiry and in case the said judge shall determine upon such hearing that the said refusal to obey such order or to answer such inquiry was willful and without justification, the said court shall punish such person so offending as for a contempt of the said

Witness may be cited by court.

court. Any person making a false statement to such board under oath shall be deemed guilty of perjury and liable to the punishment therefor. A majority of the members of any board shall constitute a quorum for the transaction of business, and an adjustment agreed to by such majority shall be taken to be the action of such board.

Perjury.

Quorum.

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

Section 702 amended.

702. The county board of taxation shall hear and determine all such appeals within three months after the last day for filing such appeals, and shall keep a record of its judgments thereon in permanent form, and shall transmit a memorandum of its judgment to the taxpayer, and in all cases where the amount of tax to be paid shall be changed as a result of an appeal, to the collector of the taxing district.

Time of determining appeals; records kept.

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

Section 704 amended.

704. Any appellant who is dissatisfied with the judgment of the county board of taxation upon his appeal may further appeal from said judgment to the State Board of Tax Appeals, by filing a petition of appeal to said State Board of Tax Appeals, in manner and form to be by the said board prescribed, within one month from the date fixed for final decisions by the county boards of taxation, and the State board shall proceed similarly to hear and determine all such appeals, and render its judgment thereon as soon as may be. A copy of all such appeals shall be served by the appellant upon the county board of taxation, whose judgment is appealed from, or its secretary, and upon the clerk or attorney of the taxing district; the service of such copies shall be evidenced by affidavit upon the original petition of appeal filed with the State Board of Tax Appeals, or service thereon acknowledged; a copy of the judgment of the State board shall be sent to the taxpayer, and where the judg-

May appeal to State Board of Tax Appeals.

Service of appeal.

Copy of judgment sent to taxpayer.

ment causes a change in the amount of taxes to be paid, to the collector of the taxing district.

Purpose and application of act.

15. It being the purpose of this act to bring about earlier dates for the collection of taxes for the year nineteen hundred thirty-four and subsequent years, and this act shall apply to such end, but the assessment and collection of taxes for one thousand nine hundred and thirty-three and proceedings and remedies relating thereto shall be done and taken under the act to which this act is an amendment and the amendments and supplements thereto. This act shall take effect July first, one thousand nine hundred and thirty-three.

Act effective.

Approved June 21, 1933.

CHAPTER 267

AN ACT to amend an act entitled "An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations," approved April eighth, one thousand nine hundred and twenty-one.

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

Section 7 amended.

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

Brakes.

7. (1) Brakes. Every motor vehicle operated in or upon any public highway in this State shall

be equipped with brakes adequate to control the movement of and to stop such vehicle. Every automobile so operated shall be equipped with at least two braking systems, with two separate means of application, each operating on at least two wheels and each of which shall suffice to stop the vehicle within a proper distance. If these two systems are connected in any way, or have any parts in common, they shall be so constructed that the cutting in two of any one element of the operating mechanism shall not leave the automobile without brakes on at least two wheels; one of these systems shall be so constructed that it can be set to hold the vehicle. All such brakes shall be maintained in good working order and shall conform to regulations not inconsistent with this act to be promulgated by the Commissioner of Motor Vehicles. Every motor cycle shall be provided with at least one brake which may be operated by hand or foot.

(2) Signaling Device. Every motor vehicle must be equipped with a horn or signaling device, and the operator of the same shall give reasonable warning of his approach whenever necessary to insure the safety of other users of the highway, and before passing any vehicle he may overtake, or pedestrian using any part of the highway other than the sidewalk, also at curves and intersecting highways, where the view of approaching vehicles is obscured; but the horn, bell, or other signaling device shall not be sounded unnecessarily.

Signaling devices.

(3) Lights. Every motor vehicle on a public highway, during the period from one-half hour after sunset to one-half hour after sunrise and at such other times when substantial objects are not clearly discernible, from a distance of three hundred (300) feet, shall carry at the front thereof at least two lighted lamps symmetrically mounted and of equal candlepower, and at the rear thereof a red light visible from the rear, which rear light shall also illuminate the number plate carried on the rear of such vehicle in such a manner so as to render the numerals thereof visible from a dis-

Lights.

Proviso.	tance of at least fifty (50) feet; <i>provided, however,</i> a motor cycle without a side car need not carry more than one lighted lamp at the front; <i>and provided, however,</i> a motordrawn vehicle, as defined in this act, need not carry any lighted lamps at the front. No motor vehicle shall be operated upon a public highway which is equipped with lamps, which, when lighted, project beams at a greater height than forty-two inches from the road surface at a distance of seventy-five feet or greater from the point of projection; <i>and provided, further,</i> that the use of "spotlights" for driving purposes is prohibited, and that the use of such "spotlights" is hereby confined to reading of highway signs and house numbers.
Proviso.	
Proviso: spotlights.	
Regulations by commis- sioner.	In order that this section may be operative in such a manner as to promote safety and the conservation of life and property, the Commissioner of Motor Vehicles is hereby authorized to promulgate from time to time any regulations pertaining to lights on motor vehicles and motor-drawn vehicles which in his discretion are necessary.
Regulations effective.	Such regulations shall become effective thirty days after their promulgation over the hand and seal of the Commissioner of Motor Vehicles and the said commissioner is hereby empowered to revoke, change, or modify at his discretion upon thirty days' notice any regulations or any portion or portions of such regulations. The Commissioner of Motor Vehicles is authorized to require and regulate the use of lights, lamps, reflex reflectors or any other means of visible indication and further to regulate the number of such lights, lamps or reflex reflectors, their intensity, visibility, color, size, shape, optical characteristics, position, their illumination of number plates, or any other details not inconsistent with this section, and the commissioner is further authorized to require the approval by him of any lights, lamps, reflex reflectors or other means of visible indication or direction signals, upon motor vehicles before such devices shall be authorized under this section and he may
Regulation of number, size, etc., of lights.	
Approval of lights to be used.	

promulgate reasonable specifications and require the submission of a suitable laboratory report and samples for testing purposes, and may charge a reasonable fee for such approvals, submissions and tests; and money received as above shall be paid over to the treasurer of the State of New Jersey to be used as hereinafter provided in section thirty-six of this act; *provided, further, however,* that the commissioner may revoke for cause and after hearing any certificate of approval that may be issued under this section.

No motor vehicle shall hereafter be in the custody of or operated by any person on a public highway unless such vehicle is equipped in accordance with this section; *and provided, further,* that all motor vehicles shall be equipped with one or more spare lamps or lamp-bulbs of a suitable type to make replacements, and if a person, who is apprehended because of a burned-out or defective lamp, is able to make a replacement or repair when and where apprehended, it shall be prima facie evidence of such person's intent to comply with this section and no complaint shall be made against such person.

The Commissioner of Motor Vehicles shall cause to be printed a pamphlet or compendium containing this section and any regulations promulgated pursuant thereto, and such pamphlet or compendium shall be made generally available.

(4) Mufflers. Every motor vehicle shall have, and every driver of such motor vehicle shall use, devices to prevent excessive noise, annoying smoke, and the escape of gases and steam, as well as the falling out of embers or residue from the fuel, and all exhaust pipes carrying exhaust gases from the engine shall be directed parallel to the ground or slightly upward. Devices known as "muffler cut-outs" shall not be used within the State of New Jersey.

(5) Mirrors. Any motor vehicle that is so constructed or covered as to prevent the operator

thereof from having a sufficient view of the traffic following and at the sides of such vehicle shall be equipped with a mirror or some device that will show the driver the road to the rear and the road to the side.

Chains. (6) Chains. Motor vehicle tires may be fitted with chains when roads, streets and highways are slippery because of rain, snow, ice, oil, or manner of construction; *provided, however*, that no chains shall be used at any time on the improved highways when their condition does not make such use necessary for the safety of life or property.

Windshield cleaner. (7) Windshield cleaner. Every automobile operated on a public highway with a windshield shall be equipped with a windshield cleaner in good working order.

Safety glass. (8) Safety Glass. On and after July first, nineteen hundred and thirty-five, the Commissioner of Motor Vehicles shall not register a motor vehicle manufactured on or after that date unless safety glass, approved by the Commissioner of Motor Vehicles, has been used in the construction thereof in such parts of the motor vehicle as may be designated by the rules and regulations of the Commissioner of Motor Vehicles in accordance with standards recognized by the United States Bureau of Standards.

Approved June 21, 1933.

CHAPTER 268

AN ACT to amend an act entitled "An act to amend an act entitled 'An act to provide for the incorporation and regulation of provident loan associations,' approved March twenty-eighth, one thousand nine hundred and four," approved March twenty-second, one thousand nine hundred and twenty-three.

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

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

9. No such association shall in any year declare or pay dividends on its capital stock amounting to more than eight per centum. Rate of dividend.

2. This act shall take effect immediately.

Approved June 21, 1933.

CHAPTER 269

AN ACT to amend an act entitled "An act to amend an act entitled 'An act concerning municipalities,' approved March twenty-seventh, one thousand nine hundred and seventeen," which amended act was approved March first, one thousand nine hundred and eighteen.

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

1. Section three of article thirteen of the act to which this act is an amendment be and the same is hereby amended to read as follows: Section 3 amended.

3. In case the governing body of any municipality shall be required by petition, or shall deem it advisable to fix the salaries of its members or of any officer, or the salaries paid in any municipal department, in cases where under the provisions hereof it is necessary to have a referendum vote thereon, such governing body shall pass an ordinance definitely fixing such salary or salaries, with the date when the same shall commence. The clerk of the municipality shall forthwith forward a certified copy of such ordinance to the proper officer, notifying such officer that a vote is desired upon the question. Such officer shall, in the manner and form provided by law, place the same upon the ballots used at the next general election in such municipality in substantially the following form: "Shall the salary (or salaries) of the..... (Title of office, department or group) of (Name of municipality) be reduced (or increased) as follows: (Title of office, department or group) from \$..... (amount of present salary) to \$..... (amount of proposed or adopted salary) per annum?" If a majority of the legal voters voting at such election shall vote "Yes," the salary or salaries so adopted shall be paid to the members of the said governing body, department or officer on and after the date specified and until the said salary or salaries shall be again changed by a referendum vote as aforesaid. In case a majority of the legal voters voting at such election shall vote "No," such salary or salaries shall continue as theretofore; *provided*, that the salary or salaries to be paid any officer or in any department shall not be voted upon more than once in three years.

2. This act shall take effect immediately.

Approved June 21, 1933.

Fixing salaries by referendum.

Ordinance.

Form of question on ballot.

Result.

Proviso.

CHAPTER 270

AN ACT to authorize the acquisition by gift of the birth place of Grover Cleveland, situated in Caldwell, New Jersey, and providing for maintenance thereof.

WHEREAS, Grover Cleveland, the twenty-second President of the United States, was born on March eighteenth, one thousand eight hundred and thirty-seven, in what is now known as the borough of Caldwell, Essex county, New Jersey; and

Preamble.

WHEREAS, His birth place was purchased and has been for some time supported by and maintained by the "Grover Cleveland Birth Place Memorial Association," a corporation not for pecuniary profit; and

Preamble.

WHEREAS, It is both fitting and proper, because of the signal and distinguished services of Grover Cleveland to his country and its citizens, and particularly because of the approach of the one hundredth anniversary of his birth, that his birth place should become a State memorial; therefore,

Preamble.

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

1. The Governor of this State is hereby authorized to appoint twenty persons, over half of which number shall be residents of this State, who shall constitute and are hereby appointed a board of trustees by the name and style of "Grover Cleveland Birth Place Association." The terms of such trustees shall be at the pleasure of the Governor, and he is hereby authorized to fill any vacancy occurring in the board of trustees. No member of such board of trustees shall receive any compensation for his services as trustee. Any eight of said

Grover Cleveland Birth Place Association formed.

Term.

No compensation.

Quorum.

trustees shall constitute a quorum at any stated or specially called meeting.

Board created
a body
politic.

Organization.

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

To acquire
birthplace.

3. The said trustees shall have power to acquire, maintain and make available for use as a public memorial the birth place of Grover Cleveland together with the lands now owned by the Grover Cleveland Birth Place Memorial Association, and for this purpose shall have power to take in fee or otherwise, by gift the said land or lands and building or buildings, and any rights, interests and easements therein; the association shall also have the power to accept by gift all personal property now held by the Grover Cleveland Birth Place Memorial Association. Deeds of conveyance for such lands shall be made to the said board of trustees by its corporate name, and it shall be the duty of said board of trustees to preserve, care for, lay out and improve the said birth place and to make rules for the use and government of the same.

Deeds of
conveyance.

Duty of
trustees.

To acquire
sundry
historic
relics.

Said board of trustees shall also have power to acquire and hold historical relics and other personal property benefiting the purposes of the association; and also to receive by gift or devise any money or endowment, the purpose of which is to help support the birth place.

4. The said board of trustees is hereby authorized ^{Expenses.} to expend such sums of money as may be included in any appropriation bill for the necessary expenses of the said board of trustees in carrying out the provisions of this act.

Approved June 21, 1933.

CHAPTER 271

A SUPPLEMENT to an act entitled "An act to secure the purity of foods, beverages, confectionery, condiments, drugs and medicines, and to prevent deception in the distribution and sales thereof" (Revision of 1907), approved May twentieth, one thousand nine hundred and seven.

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

1. It is hereby enacted by the authority of the same that for the purpose of this act "ice cream" is defined as any frozen sweetened milk product which is agitated during the process of freezing and includes every frozen milk product which contains more than five per centum (5%) by weight of total milk solids or skim milk solids and which in any manner simulates the texture or characteristics of ice cream, no matter under what coined or trade name it may be sold. Ice cream shall be made from a combination of one or more of the following ingredients, viz.: cream, milk, condensed milk, sweetened condensed milk, dried milk, skimmed milk, condensed skimmed milk, sweetened condensed skimmed milk or dried skimmed milk and with or without one or more of the following ingredients: butter, water, sugar, flavor, stabilizer, harmless color which does not conceal damage or inferiority, any one and all of which ingredients

"Ice cream" defined.

Contents of ice cream.

shall be wholesome edible material, and the finished products shall contain not less than ten per centum (10%) of butter fat by weight except when fruits or nuts or both are used for flavoring when it shall contain not less than eight per centum (8%) of butter fat by weight.

Contents of
"custard ice
cream," etc.

For the purpose of this act "custard ice cream," "French ice cream," "French custard," and "frozen custard" shall conform to the definition and standards hereinbefore defined for "ice cream" no matter under what trade or coined name it may be sold or offered for sale and furthermore it shall contain not less than five (5) dozen clean wholesome egg yolks or the equivalent of such egg yolks in any wholesome form for each ninety (90) pounds of finished product, and without the addition of artificial coloring.

"Sherbet"
defined.

For the purpose of this act "sherbet" is defined as any frozen sweetened fruit flavored product containing five per centum (5%) or less by weight of total milk solids or skim milk solids. The process of manufacture of which is similar to the process of manufacture of ice cream, no matter under what trade or coined name it may be sold or offered for sale, it shall be made from milk or milk products including ice cream mix with one or more of the following ingredients, viz.: sugar, water, stabilizer or harmless color which does not conceal damage or inferiority and fruit or fruit flavoring material and the finished product (except vanilla and chocolate flavors) shall contain not less than thirty-five hundredths of one per centum (0.35%) of harmless organic acid as determined by titration with standard alkali and calculated as lactic acid and derived in whole or in part from the fruit or fruit flavoring material or by the addition of citric tartaric or lactic acid.

Process of
manufacture.

To be dis-
tinctly marked.

"Sherbet" when sold or offered for sale under any coined or trade name shall be plainly and distinctly marked as "a sherbet" in addition to the said coined or trade name designated and in juxtaposition thereto.

For the purpose of this act "ice" or "fruit ice" is hereby defined as any frozen sweetened fruit flavored product, the process of manufacture of which is similar to the process of manufacture of ice cream no matter under what trade or coined name it may be sold or offered for sale and shall contain no milk solids whatsoever, it shall be made from one or more of the following ingredients, viz.: sugar, water, stabilizer, harmless color, which does not conceal damage or inferiority fruit or fruit flavoring material and the finished product shall contain not less than thirty-five hundredths of one per centum (0.35%) of harmless organic acid as determined by titration with standard alkali and calculated as lactic acid and derived in whole or in part from the fruit or fruit flavoring material or by the addition of citric tartaric or lactic acid.

"Fruit ice" defined.

How made.

For the purpose of this act "imitation ice cream," "ice cream substitute" or "coated imitation ice cream" is defined as any frozen sweetened product containing milk solids, manufactured in a manner similar to the process of manufacturing ice cream hereinbefore defined and which contains less than the per centum of butter fat as hereinbefore adopted for ice cream or more than five per centum (5%) of total milk solids or skim mild solids.

"Imitation ice cream" defined.

For the purpose of this act an "ice cream plant" shall mean any place, premises or establishment where ice cream, sherbet, ice fruit, ice or similar frozen products are manufactured, prepared or processed for distribution or sale, *provided, however*, that the term shall not be construed to include such establishments as hotel kitchens where ice cream, sherbet or ice is produced and consumed only on the premises.

"Ice cream plant" defined.

Proviso.

2. It is unlawful for any person, association, partnership or corporation by himself, herself, itself or themselves or by his, her or their agents, servants or employees to sell, offer for sale, expose for sale or have in possession with intent to sell ice cream, custard ice cream, French ice cream, French

Unlawful to sell adulterated ice cream, etc.

custard, frozen custard, sherbet ice or fruit ice including coated ice cream and the coating thereof which is adulterated within the meaning of this act or to sell, offer for sale or expose for sale or have in possession with intent to sell any imitation ice cream, ice cream substitute or coated imitation ice cream as defined in this act.

Ice cream, etc., adulterated if it contains: 3. Ice cream, custard ice cream, French ice cream, French custard, frozen custard, sherbet ice and fruit ice and the coating thereof shall be deemed to be adulterated within the meaning of this act.

Boric acid, etc.; First: If it contains boric acid, formaldehyde, saccharin or any other added substance or compound that is deleterious to health.

Salts of copper, etc.; Second: If it contains salts of copper, iron, ochres or any coloring substance deleterious to health, *provided*, that this paragraph shall not be construed to prohibit the use of harmless coloring matter when not used for fraudulent purposes.

Deleterious flavoring; Third: If it contains any deleterious flavoring matter or flavoring matter not true to name.

Paraffin, etc.; Fourth: If it contains any fats, oils, or paraffin other than milk fats added to or blended or compounded with it, *provided, however*, that chocolate ice cream and the coating of coated ice cream may contain cocoa butter.

Imitation ice cream, etc.; Fifth: If it is an imitation ice cream, ice cream substitute or coated imitation ice cream as defined in this act.

Sold from same cabinet as ice cream, etc.; Sixth: If it is offered for sale from any container compartment or cabinet which contains any article other than ice cream, custard ice cream, French ice cream, French custard, frozen custard, sherbet ice or fruit ice.

Below standard. Seventh: If it falls below the standards or any of them fixed for the particular product by the definition thereof contained in this act or is falsely labeled or labeled contrary to the provisions of this act.

Manufactured under sanitary conditions. 4. Every ice cream plant shall be maintained and operated with strict regard for the purity and

wholesomeness of the ice cream, sherbet and ice produced therein. The entire establishment and its appertaining premises including fixtures, furnishings, machinery, apparatus, implements, utensils, receptacles and all equipment used in the production, keeping, storing, handling or distributing shall be maintained and operated in a clean sanitary manner. All equipment and utensils used in the production of ice cream, custard ice cream, French ice cream, French custard, frozen custard, sherbet ice and fruit ice shall be cleaned by washing with a solution of at least one per centum (1%) alkali scrubbed inside and out with suitable brushes, then rinsed with warm water, then scalded with hot water or steam. If any other method is used, such method shall result in the same degree of cleanliness as the method described. The clothing, habits and conduct of the employees shall be conducive to and promote cleanliness and sanitation. There shall be proper suitable and adequate toilets and lavatories and equipment for cleansing, constructed, maintained and operated in a clean and sanitary manner.

Washing the equipment.

Cleanliness of employees.

5. It shall be the duty of every person, copartnership, association and corporation operating a plant for the manufacture of ice cream, sherbet ices, or fruit ices intended for sale and distribution within this State to apply to the Department of Health of the State of New Jersey for a license to do so and to register with the Department each and every brand or product produced or manufactured or sold in or from such plant on or before the first day of July, one thousand nine hundred and thirty-three and thereafter before the first day of July of each succeeding year and pay to the Department of Health of the State of New Jersey at the same time such application for registration and license is filed an annual license fee as follows: For each ice cream manufacturer producing or distributing annually within this State not in excess of one hundred thousand (100,000) gallons, twenty-five

License.

Each product registered.

Fee.

dollars (\$25.00); in excess of one hundred thousand (100,000) gallons, fifty dollars (\$50.00).

Application.

The application for a license and registration shall be made on a form to be supplied by the Department; the application shall have attached thereto the affidavit of the person or of some member or officer of the association, copartnership or corporation applying therefor stating that the facts set forth therein are true and correct.

Plant must be licensed.

From and after the first day of July, one thousand nine hundred and thirty-three, it shall be unlawful for any person to operate an ice cream plant unless the same is duly licensed in accordance with the provisions of this act.

License issued.

Upon approval of application for registration and license and payment of required license fee and also approval of sanitary condition in an ice cream plant, the Department of Health of the State of New Jersey shall issue to each applicant a license or certificate of registration which shall expire June thirtieth of each year.

License revoked.

6. The Department of Health of the State of New Jersey is hereby authorized to revoke any license for cause and where it shall be properly ascertained that the ice cream plants or distributing stations are not operated in a proper and sanitary condition as hereinbefore provided.

Enforcement.

7. The Department of Health of the State of New Jersey is charged with the enforcement of the provisions of this act in the same manner as the act to which this act is a supplement, and all penalties incurred under this act shall be sued for and recovered by and in the name of the Department of Health of the State of New Jersey in accordance with the provisions of the act to which this act is a supplement.

Rules and regulations.

The Department of Health of the State of New Jersey is authorized to adopt and promulgate such rules and regulations as are necessary for the proper enforcement of the provisions of this act.

8. Any person, association, partnership or corporation who shall violate any of the provisions of this act shall be liable to a penalty of twenty-five dollars (\$25.00) for the first offense and to a penalty of fifty dollars (\$50.00) for the second and each subsequent offense. Payment of a penalty for any alleged violation of this act, either before or after the institution of proceedings for the collection thereof, shall, for the purpose of this act, be deemed equivalent to a conviction of the violation for which such penalty was claimed. Penalties for violations.

9. The act approved the twentieth day of February, one thousand nine hundred and twenty-two, entitled "A supplement to an act entitled 'An act to secure the purity of foods, beverages, confectionery, condiments, drugs and medicines, and to prevent deception in the distribution and sales thereof' (Revision of 1907), approved May twentieth, one thousand nine hundred and seven." Milk Act.

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

10. This act shall take effect on the first day of July, one thousand nine hundred and thirty-three. Act effective.

Approved June 21, 1933.

CHAPTER 272

AN ACT relating to pensions of members of the teachers' pension and annuity fund.

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

1. During the period from the first day of July, one thousand nine hundred and thirty-three, to the first day of July, one thousand nine hundred and thirty-four, any person who is a member of the teachers' pension and annuity fund may continue Continuing present payment into fund.

to pay or cause to be paid into such pension fund the same amount as if his salary or compensation had not been decreased from that of the preceding school year, and upon the death or retirement of such person he or his beneficiary shall be entitled to the same benefits as if his salary had remained unchanged.

2. This act shall take effect immediately.

Approved June 21, 1933.

CHAPTER 273

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

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

May bring
suit to
settle title.

Form of bill
of complaint.

1. When any person is in peaceable possession of lands in this State, claiming to own the same, and it is alleged or claimed or it is reputed that his title is defective, in that some other person may at some time claim to own the same or a part thereof, or some interest therein, or to hold a lien or incumbrance thereon, and the person so in possession is unable to ascertain the name and/or identity of said person from a search of the title of the said lands extending back sixty years from the time of the commencement of suit as authorized by this supplement, it shall be lawful for such person so in possession to bring and maintain a suit in chancery to settle the title of said lands, and clear up all doubts concerning the same; the bill of complaint in such suit shall describe the lands with certainty and shall allege that the per-

son so in possession is unable to ascertain from a search of the title of the said lands extending back sixty years, the name and/or identity of the person who may at some time claim to own said lands, or a part thereof, or some interest therein, or some lien or incumbrance thereon, and shall call upon such person by the classification "unknown claimant" to set forth and specify his title, claim or incumbrance, and how and by what instrument the same is derived or created; and whenever any lands within this State shall not, by reason of their extent or by reason of such lands being wild or wood or waste or uninclosed or unimproved lands, be in the actual peaceable possession of the owner or person claiming to own the same, the owner or person claiming to own the same in fee under a deed or other instrument, duly recorded within this State, who shall have paid taxes upon such lands and to whom or to whose grantors the taxes upon such lands shall have been assessed for five consecutive years immediately prior to the commencement of suit, shall be presumed to be in peaceable possession of such lands within the meaning of this act; *provided*, no other person be in possession thereof; and it shall be lawful for such person so presumed to be in possession to bring and maintain a suit in chancery to settle the title of said lands and to clear up all doubts concerning the same, and such person so presumed to be in possession shall be entitled to all the benefits of this act and the act to which it is a supplement and shall be subject to all the provisions of this act; *provided, however*, that no decree entered pursuant to the provisions of this act shall affect the right of any other person claiming to own said lands, or a part thereof, or interest therein, or holding a lien or incumbrance thereon, whose title, claim or incumbrance would be disclosed by a search of the title of said lands for a period of sixty years immediately prior to the commencement of suit, who is not made a party defendant.

Peaceable
possession
presumed.

Proviso.

Proviso.

- Procedure under act. 2. The provisions of the act to which this act is a supplement shall, so far as it is consistent with the provisions of this act, extend to all cases in which the provisions of this act shall authorize a suit to settle the title of said lands, and clear up all doubts concerning the same, and the procedure under this act shall be substantially the same as under the act to which it is a supplement, except as hereinafter stated.
- "Unknown claimant" defined. 3. The classification "unknown claimant" shall include all persons who it is alleged or claimed or reputed in the bill of complaint may at some time claim to own said lands, or a part thereof, or an interest therein, or to hold a lien or incumbrance thereon, whose title, claim or incumbrance cannot be ascertained from a search of the title of said lands for a period of sixty years immediately prior to the commencement of suit, and a final decree entered in such suit shall be binding upon the persons included in said classification, and their heirs, devisees and personal representatives, and their or any of their heirs, devisees, executors, administrators, grantees, assigns or successors in right, title or interest.
- Known persons joined with unknown claimant. 4. In any suit where it is alleged a named person denies or disputes the title of complainant in accordance with the provisions of the act to which this act is a supplement, it shall be lawful and proper to join such named person with "unknown claimant" as defendants in the same suit.
- Notice of suit published. 5. In every suit wherein "unknown claimant" is made defendant the service of process shall be made by a notice such as is required by law to be published against absent defendants in default of personal service, which notice shall contain a description of the lands and premises described in the bill of complaint sufficient to identify the same, and shall be addressed to "unknown claimant" and shall also contain such further statement, if any, and give such further time, if any, as the Chancellor may by his order direct, which notice shall within fifteen days after the date of such
- Form of notice.

order be posted in three conspicuous places upon the said lands and premises, and shall also be published in one or more of the public newspapers printed in the county where the lands are situate and designated in such order, for four weeks successively, at least once in each week, the first publication being made within fifteen days after the date of such order.

6. This act shall not, by implication or otherwise, repeal any of the provisions of the act to which it is a supplement. Act not a repealer.

7. It is the express purpose of this act to create a procedure by which it may be established that certain named persons have a marketable title to all of the estate in fee simple of lands defined by a decree of the Court of Chancery, so that there shall be no occasion for any lands in this State being kept out of the market because of uncertainty as to who the owner of every interest therein may be, and this act shall be liberally construed to effectuate its purpose. Purpose of act.

8. This act shall take effect immediately.
Approved June 21, 1933.

CHAPTER 274

AN ACT to amend an act entitled "An act to regulate the practice of courts of law" (Revision of 1903), approved April fourteenth, one thousand nine hundred and three.

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

1. Section two hundred and thirty of the act to which this act is an amendment be and the same is hereby amended to read as follows: Section 230 amended.

230. If in an action commenced in the Supreme, circuit or common pleas Court which is made When costs not recoverable.

cognizable before a district court held in the county in which the venue is laid, the plaintiff shall not recover above five hundred dollars exclusive of costs, he shall not be entitled to costs unless the defendant does not reside in the same county as the plaintiff in which event plaintiff shall be entitled to costs not exceeding those allowed in the district court; but this section shall not extend to any action in which the title to lands may in anywise come in question, nor to any action in which the judge before whom it is tried shall immediately after verdict found certify that in his judgment the action should have been brought in the court in which it was instituted.

Approved June 21, 1933.

CHAPTER 275

AN ACT to amend an act entitled "An act relative to the Supreme Court and circuit courts" (Revision of 1900), approved March twenty-third, one thousand nine hundred.

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

Section 37
amended.

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

Circuit Court
held by judge
of common
pleas.

37. It shall be the duty of the Chief Justice of the Supreme Court to designate and assign judges of the courts of common pleas to hold the circuit court in counties other than those of their appointment whenever in his judgment the administration of justice would be thereby expedited, and any judge of any of the courts of common pleas in any of the counties of this State is hereby required and empowered to hold any county circuit court in

any of the counties of this State when thereunto designated and assigned by the said Chief Justice. In the absence of such designation and assignment by the Chief Justice and whenever in the judgment of the Chief Justice the services of such common pleas judge are not required in the discharge of his judicial duties as judge of the courts of common pleas, oyer and terminer, quarter sessions, special sessions or orphans' court in the county in and for which such common pleas judge was appointed, it shall be the duty of such judge to hold the circuit court in said county in and for which he was appointed upon request of the Chief Justice while holding the circuit court pursuant to any such designation, assignment or request by the Chief Justice, the said judge of the common pleas court shall have and possess all the powers and authority with which in that respect a justice of the Supreme Court is by the laws of this State invested.

Assignment
by justice.

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

Section 38
amended.

38. Whenever the Chief Justice shall desire to make the designation mentioned in the foregoing section, he shall cause a rule to that effect to be entered in the minutes of the appropriate circuit court; and in the event the judge of the court of common pleas, so designated and assigned, is one who has been appointed in and for a county having by any State or federal census less than three hundred thousand (300,000) inhabitants, he shall, in addition to his regular salary, be entitled to the sum of forty dollars (\$40.00) per diem while so presiding in said circuit court; and in the event the judge of the court of common pleas so designated and assigned is one who has been appointed in and for a county now or hereafter having by any State or federal census three hundred thousand (300,000) or more inhabitants, he shall be entitled only to his necessary and reasonable expenses during the period he shall be engaged in holding said

Rule of
assignment
entered.

Per diem
compensation.

Expenses.

circuit court. Such expenses shall be certified by him to the State Comptroller and shall be paid by the State Treasurer upon the warrant of the Comptroller and a certified copy of said rule of the Chief Justice making the designation, assignment or request as entered in the minutes of the circuit court.

Repealer.

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

4. This act shall take effect immediately.

Approved June 21, 1933.

CHAPTER 276

AN ACT to amend an act entitled "A supplement to an act entitled 'An act relating to the court of common pleas' (Revision of 1900), approved March twenty-third, nineteen hundred," approved April twenty-seventh, nineteen hundred and thirty-one.

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

Section 2
amended.

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

Holding
circuit court.

2. Whenever, in the judgment of the Chief Justice of the Supreme Court, the services of such judge are not required in the discharge of his judicial duties as judge of the courts of common pleas, oyer and terminer, quarter sessions, special sessions or orphans' court, it shall be the duty of such judge to hold the circuit court upon the request of the Chief Justice.

Approved June 21, 1933

CHAPTER 277

AN ACT to prohibit discrimination and intimidation on account of race, creed or color in employment of laborers or workmen and mechanics by contractors or subcontractors doing work or furnishing material for the State of New Jersey, or any county, city, township or other municipality thereof, and providing penalties for violation of the provisions of this act.

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

1. Every contract for or on behalf of the State of New Jersey or any county, city, township or other municipality thereof for the construction, alteration or repair of any public building or public work in the State of New Jersey shall contain provisions by which the contractor agrees:

Provisions of contract:

(a) That 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 or color, discriminate against any citizen of the State of New Jersey who is qualified and available to perform the work to which the employment relates;

Discrimination as to race, creed or color;

(b) That 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 or color;

Intimidation;

(c) That 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

Penalty for violation;

or intimidated in violation of the provisions of the contract; and

Contract
cancelled.

(d) That this contract may be cancelled or terminated by the State of New Jersey or by any county, city, township or other 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.

Complaint
made.

2. Complaint of violation of this act shall be made to the Commissioner of Labor or his representative within the Department of Labor authorized by him to act in this matter, within fifteen days from the date such violation occurred.

Hearing.

And in case of a dispute as to the facts set forth in the complaint, the matter shall be heard by the Commissioner of Labor or his representative within the Department of Labor and his decision thereon shall be conclusive.

Notice of
hearing.

3. The Commissioner of Labor shall notify the State agency or county, city, township or other municipality whenever such complaint shall be filed with him on the proper form prescribed by him and shall notify them of the date and place of any hearing on disputed facts as set forth above.

Notice of
decision.

4. On rendering any decision on the facts in any dispute as above set forth, the Commissioner of Labor shall notify the State agency, or county, city, township or other municipality as to his decision, directing them to apply the penalty set forth in section one-c of this act for a first violation and to apply the penalty set forth in section one-d for a second and/or subsequent violations.

5. This act shall take effect immediately.

Approved June 21, 1933.

CHAPTER 278

AN ACT concerning court attendants of counties of this State.

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

1. From and after the first day of January, nineteen hundred and thirty-three, when the governing body of any county in this State shall, for reasons of economy, or for other reasons, not the fault of the court attendant or attendants involved, decrease the number of court attendants in such county they shall proceed in the following manner:

Decreasing
number of
court at-
tendants.

In the event that any court attendant is removed from the department in which he is employed, such court attendant shall be carried on a special list, and in the event that any new appointments are to be made to such department, the court attendant so removed shall first be appointed thereto before any other person is appointed.

Placed upon
special list.

2. This act shall take effect immediately.
Approved June 21, 1933.

CHAPTER 279

A FURTHER SUPPLEMENT to an act entitled "An act to regulate the practice of pharmacy in this State," approved March nineteenth, one thousand nine hundred one.

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

1. No barbital or any other hypnotic or somnifacient drug as defined herein shall be sold at retail or dispensed to any person except upon the written

Prescription
required for
retail of
barbital, drug,
etc.

prescription of a duly licensed physician, dentist, or veterinarian, compounded or dispensed by a registered pharmacist or under the immediate personal supervision of a registered pharmacist and no pharmacist shall dispense any such drug without affixing to the container in which the drug is sold or dispensed, a label bearing the name and address of the pharmacist, the date compounded and the consecutive number of the prescription under which it is recorded in his prescription files, together with the name of the physician, dentist or veterinarian prescribing it, and the directions for the use of the drug by the patient as given upon said prescription of the physician, dentist or veterinarian; *provided*, that the provisions of this section of this act shall not apply to a duly licensed physician, dentist, or veterinarian, when in their judgment they deem it advisable to dispense any of the aforementioned drugs to their patients under their immediate supervision, *provided, however*, that they keep a record of the date, the drug dispensed, the quantity, and the name and address of the patient.

2. No manufacturer, pharmacist, jobber or other dealer in drugs shall sell or have in his possession barbital or any other hypnotic or somnifacient drug, unless the container bears a label securely attached thereto stating conspicuously in printed words the specific name of the barbital or other hypnotic or somnifacient drug and the proportion or amount thereof. Such label shall not be necessary when such a drug is dispensed by a pharmacist upon a prescription and the container is labeled in the manner described in section one hereof.

3. For the purpose of this act the term "barbital" shall be held to mean and include, the salts of barbituric acid, also known as malonylurea, or any derivative or compounds or any preparations or mixtures thereof possessing hypnotic properties or effects, and the term "other hypnotic or somnifacient drug" shall be held to mean and include sulphonethylmethane (Trional) or sulphonmethane

Form of
label.

Proviso.

Proviso.

Manufacturer,
etc., containers
to be labeled.

"Barbital"
defined.

(Sulphonal) or diethyl-sulphon diethylmethane (Trional) or Carbromal, by whatever name they may be known, or paraldehyde or any derivatives or compounds or preparations or mixtures thereof possessing hypnotic properties or effects, and chloral or chloral hydrate or chlorbutanol or any compounds or mixtures thereof possessing hypnotic properties or effects, when such barbital or other hypnotic and somnifacient drugs, or any derivatives or compounds or mixtures or preparations thereof are to be used internally; *provided* that this section shall not apply to any compound or mixture or preparation that is intended to be used as a spray or a gargle or a liniment or in any other wise for external application only; *provided, further*, that such compound or mixture or preparation intended for external application only shall contain, in addition to the content of barbital or other hypnotic or somnifacient drug, some other drug or drugs conferring upon it medicinal qualities other than those possessed by the barbital or other hypnotic or somnifacient drugs alone, and that such compounds or mixtures or preparations shall be sold in good faith for the purpose for which they are intended, and not for the purpose of evading the provisions of this act.

Proviso.

Proviso.

4. The Board of Pharmacy of the State of New Jersey shall have power to enforce this act and shall make rules and regulations for its enforcement.

Enforcement.

5. Any person violating this act shall forfeit and pay a penalty of not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00) for the first offense, not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00) for the second offense, and not less than one hundred dollars (\$100.00) for the third and each subsequent offense, which penalty shall be sued for and recovered by and in the name of the Board of Pharmacy of the State of New Jersey in accordance with the procedure directed in section four of chapter one hundred twenty-six, Pamphlet laws of one

Penalties
for violations.

thousand nine hundred and thirty-two, entitled "A further supplement to an act entitled 'An act to regulate the practice of pharmacy in this State,' approved March nineteenth, one thousand nine hundred and one," and any amendments thereto.

6. This act shall take effect immediately.
Approved June 21, 1933.

CHAPTER 280

A SUPPLEMENT to an act entitled "An act concerning disorderly persons" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight.

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

Certain conduct and association adjudged disorderly.

1. Any person who shall be apprehended in any municipality of this State or on any public thoroughfare, or in any automobile, vehicle or public conveyance, or in any public place, and shall have no legitimate business in said municipality of this State, and/or who cannot give a good account of his presence in said municipality of this State, and/or who shall be proven to the satisfaction of the magistrate before whom such person shall be brought, by the testimony of two competent witnesses, to have consorted with known thieves, burglars, pickpockets, swindlers, confidence men or other classes of criminals, and/or who shall have been apprehended and arrested charged with crime on more than two separate occasions previous to said apprehension, whether convicted or not of such charges, shall be deemed and adjudged a disorderly person.

2. This act shall take effect immediately.
Approved June 21, 1933.

CHAPTER 281

AN ACT to amend an act entitled "A supplement to an act entitled 'An act for the assessment and collection of taxes,' approved April eighth, one thousand nine hundred and three," which said supplement was approved April fourteenth, one thousand nine hundred and six, approved March twenty-ninth, one thousand nine hundred and twenty-seven.

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

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

Section 1
amended.

1. There shall be established in each county of this State a board for the equalization, revision, review and enforcement of taxes, to be called the (naming county) county board of taxation, composed of three members to be appointed by the Governor, by and with the advice and consent of the Senate. They shall each be residents and citizens of the county in and for which they are appointed and at no time shall more than two of the members of said board be members of the same political party.

County boards
of taxation
membership.

The first appointments under this act, if made when the Senate is not in session, shall be valid until the first day of May, nineteen hundred and seven, and the appointments of successors shall be made as provided in this act, their terms to commence on the first day of May, nineteen hundred and seven.

Terms begin
May first.

The term of office of the members first appointed shall commence on the first day of May, nineteen hundred and six, and the members so appointed by the Governor shall be appointed for the terms

Terms of
members.

of one, two and three years, respectively; and thereafter, as the terms of the said members expire, appointments shall be made for a term of three years and until their successors shall have been duly appointed by the Governor, by and with the advice and consent of the Senate. If there happens to be any vacancy in said office, during the recess of the Legislature, caused by reason of death, resignation or in any manner other than by the expiration of the term for which any person shall have been appointed, the Governor shall fill such a vacancy and the commission shall expire at the end of the next session of the Legislature unless a successor shall be sooner appointed. In filling vacancies other than those that have been created during the recess of the Legislature as herein provided for the Governor shall appoint with the advice and consent of the Senate for the unexpired term only. Any person heretofore appointed by and with the advice and consent of the Senate and now holding office or who held office on January first, one thousand nine hundred and thirty-three as a member of a county board of taxation shall continue to hold such office until a successor is duly appointed as provided for in this act. Before entering upon the discharge of their duties, each member shall take and subscribe an oath to faithfully perform the duties of his or her office, which oath shall be filed in the office of the Secretary of State.

The salaries of the members of said board shall be paid by the treasurer of the State of New Jersey, upon warrants drawn by the comptroller, and shall be paid in equal monthly installments and shall be fixed at the following sums, to wit: In counties having, according to the next preceding State or National census, more than two hundred and seventy-five thousand inhabitants, an annual salary of thirty-five hundred dollars; *provided, however,* that this provision shall not apply to counties of the first class of this State; in counties between two hundred thousand and two

Vacancy.

Unexpired terms.

Oath.

Salaries.

According to population.

Proviso.

hundred and seventy-five thousand inhabitants, an annual salary of twenty-six hundred dollars; in counties having between one hundred and fifty thousand and two hundred thousand inhabitants an annual salary of two thousand four hundred dollars; in counties having between seventy-five thousand and one hundred and fifty thousand inhabitants, an annual salary of two thousand dollars; in counties having between fifty thousand and seventy-five thousand inhabitants, an annual salary of one thousand two hundred dollars, and in counties having less than fifty thousand inhabitants, an annual salary of twelve hundred dollars; *provided, however*, that this act shall not apply to counties bordering on the Atlantic ocean with a population of not less than fifty thousand nor more than one hundred thousand. Proviso.

The board of chosen freeholders of each county shall fix the annual compensation to be paid to the secretary of such tax board and the other clerical assistants; *provided*, that the salary of such secretary shall not be less than the salary of the members of the board of taxation in any county. Secretary's salary.

Proviso.

2. This act shall take effect immediately.

Passed June 22, 1933.

CHAPTER 282

AN ACT authorizing the Commonwealth of Pennsylvania, the city of Philadelphia, and the State of New Jersey, to accept from the Delaware River Joint Commission bonds or other obligations, in lieu of moneys, for the repayment of the amounts due for moneys advanced in the construction of the Delaware river bridge, between the cities of Camden, New Jersey, and Philadelphia, Pennsylvania, and its approaches, and in the acquisition of property in connection therewith; providing for the disposition of such bonds, if delivered; authorizing the purchase thereof by custodial funds of the Commonwealth of Pennsylvania, and by various boards, agencies, and commissions of the said city of Philadelphia and the State of New Jersey; and providing that this act shall become effective upon the adoption of reciprocal legislation by the Commonwealth of Pennsylvania.

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

Authorizing
the acceptance
of bonds.

1. That in lieu of moneys provided for to be paid to the Commonwealth of Pennsylvania and the city of Philadelphia, and the State of New Jersey, from the sale of bonds or other obligations by the Delaware River Joint Commission, in accordance with the provisions of an act of the Commonwealth of Pennsylvania, approved the twelfth day of June, one thousand nine hundred and thirty-one (Pamphlet Laws five hundred seventy-five), entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware river and the improvement of the

facilities for transportation across the river; authorizing the Governor for these purposes to enter into an agreement with New Jersey creating the Delaware River Joint Commission and specifying the powers and duties thereof, including the power to finance projects by the issuance of revenue bonds; transferring to the new commission all the powers of the Delaware River Bridge Joint Commission, and making an appropriation," and in accordance with the provisions of a similar act of the State of New Jersey, approved the thirtieth day of June, one thousand nine hundred and thirty-one, being chapter three hundred ninety-one of the New Jersey Session Laws of one thousand nine hundred and thirty-one, and entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware river and the improvement of the facilities for transportation across the said river; authorizing the New Jersey Interstate Bridge Commission on behalf of the State of New Jersey for these purposes to enter into an agreement with the Commonwealth of Pennsylvania creating the Delaware River Joint Commission and specifying the powers and duties thereof, including the power to finance projects by the issuance of revenue bonds; transferring to the new commission all the powers of the Delaware River Bridge Joint Commission and making an appropriation," and by virtue of which said legislation, said Commonwealth of Pennsylvania and said State of New Jersey have heretofore entered into an agreement; the Governor, Auditor General, and State Treasurer, acting on behalf of the Commonwealth of Pennsylvania, the mayor, city controller and city treasurer of the city of Philadelphia, acting on behalf of the said city, and the Governor, State Treasurer, and State Comptroller, acting on behalf of the said State of New Jersey, are hereby authorized to accept from the Delaware River Joint Commission, and said commission is hereby authorized to issue and deliver to said States and said city, bonds or other obligations of

Issuing
securities.

Details of issue.	a par value equal to or on account of the amount determined by said commission to be due respectively the Commonwealth of Pennsylvania, the city of Philadelphia, and the State of New Jersey, for moneys contributed toward the cost of acquiring property for and constructing the bridge over the Delaware River, between the cities of Philadelphia, Pennsylvania, and Camden, New Jersey, and the approaches thereto, as provided in said acts. Said bonds shall bear interest at a rate to be fixed by
Rate.	said commission. Bonds delivered to and accepted by said Commonwealth of Pennsylvania shall bear interest at a rate not less than four per centum (4%). Bonds issued to and accepted by said city of Philadelphia and said State of New Jersey shall bear interest at a rate not less than four and one-quarter per centum (4 $\frac{1}{4}$ %). Said bonds shall be issued in accordance with, and under the authority of, said legislative enactments and said agreement hereinbefore referred to.
Authority.	
Delivery and disposition of bonds.	2. The bonds or obligations so delivered to the Commonwealth of Pennsylvania shall be deposited with the State Treasurer, and those delivered to the city of Philadelphia with the city treasurer, and those delivered to the State of New Jersey, with the State Treasurer, for safekeeping until sold or disposed of, as hereinafter provided. The Commonwealth of Pennsylvania, the city of Philadelphia, and the State of New Jersey, through their respective treasurers or other officer receiving such bonds, shall issue their receipts to the Delaware River Joint Commission, acknowledging the receipt of the full amount or the amount on account of the moneys due from said commission, as provided for in said legislative enactments and agreement. Said commission shall be absolved from further liability if payment is thus made in full for reimbursement on account of the moneys advanced toward the construction of said bridge, and its approaches, and the acquisition of property in connection therewith.
Receipts.	
Commission's liability.	

3. The Governor, Auditor General, and State Treasurer, acting on behalf of the Commonwealth of Pennsylvania, the mayor, city controller and city treasurer, acting on behalf of the city of Philadelphia, and the Governor, Comptroller and State Treasurer, acting on behalf of the State of New Jersey, are hereby authorized from time to time to sell such bonds or other obligations, after advertisement or without advertisement, at not less than par and accrued interest. Such bonds may also be used by the city of Philadelphia for sinking fund purposes. The respective boards of the Commonwealth of Pennsylvania charged by law with the investment of moneys held in and received by custodial funds are hereby authorized to purchase any of said bonds from said Commonwealth or city of Philadelphia. The various boards, agencies, commissions of the State of New Jersey, charged by law with the investment of the moneys, are hereby authorized to purchase any of said bonds from the said State of New Jersey. Such boards, agencies, commissions, are hereby authorized to sell or transfer bonds, or other securities now in possession of the respective State Treasurers, or other State financial officers, and held for the benefit of such funds, in order that additional moneys may be made available for the purchase of such bonds or obligations issued by said Joint Commission and acquired as aforesaid.

Sale.

Purchase of bonds.

Securing additional moneys.

4. This act shall become effective immediately upon the adoption of reciprocal legislation by the Commonwealth of Pennsylvania.

Act effective.

Approved June 26, 1933.

CHAPTER 283

AN ACT to provide for bringing in new parties defendant in an action at law sounding in contract.

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

Adding
new defendant
in suit.

1. In any action at law sounding in contract where any party alleges and it appears that some other person not then a party to the action is liable for the claim made against such party in the action, the court on application of such party in the action may make an order adding such other person as a party defendant in said action and directing a summons, duly tested, to which shall be annexed a true but uncertified copy of the said order and of the complaint filed in said action, be issued; which summons shall be served upon such person and the other parties to the suit and returned in the same manner as other writs of summons issued at a said court.

Summons.

Service of
summons.

2. Said summons may be served upon any such person in any county of this State, by the sheriff thereof in the manner now prescribed by law regardless of whether such action was originally begun in the Supreme Court, any circuit court or court of common pleas.

"Person"
defined.

3. The term "person" shall mean and include natural persons, firms, or copartnerships, corporations, associations or other artificial bodies, and the singular shall include the plural and the masculine shall include the feminine and neuter genders.

4. This act shall take effect immediately.
Approved June 26, 1933.

CHAPTER 284

A SUPPLEMENT to an act entitled "An act to regulate the practice of optometry, to license optometrists, and to punish persons violating the provisions thereof," approved April seventeenth, one thousand nine hundred and fourteen.

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

1. Any applicant for license to practice optometry, upon proving that he has been examined and licensed by the examining and licensing board of another State of the United States by filing with the secretary of the New Jersey State Board of Optometrists a copy of his license or certificate, verified as a true copy by the affidavit of the secretary of the board granting such license, and that he has been a resident of this State for at least thirty years, shall be granted a license to practice optometry without further examination, upon the payment to the treasurer of said board of a license fee of fifty dollars (\$50.00).

Optometrist
licensed by
other State
may be
licensed
here.

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

Fee.

Repealer.

Approved June 23, 1933.

New Jersey State Library

CHAPTER 285

AN ACT to regulate the construction, operation, installation and maintenance of any sign or signs composed of either neon, helium, argon, C, or any other similar gas, enclosed in a glass tubing, and which is electrically heated for the purpose of creating light, and providing penalties for violation of the provisions hereof.

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

Regulating
construction of
neon, etc.,
signs.

To conform to
regulations of
underwriters,
etc.

Wiring and
material used.

1. Any sign or signs composed of either neon, helium, argon, C, or any other similar gas, enclosed in a glass tubing, and which is electrically heated for the purpose of creating light, shall be so constructed that the installation of wires, glass tubing, transformers and the construction of the sign boxes for connection to an electric circuit or system be done in a manner which will make the use of electricity safe for persons and property. Conformity with the latest regulations of the National Board of Fire Underwriters for electric wiring, construction of sign boxes, glass tubing and transformers or with electrical wiring, construction of sign boxes, glass tubing and transformer standards approved by the American Engineering Standards Committee or by the United States Bureau of Standards for electrical wiring, construction of sign boxes, glass tubing and transformers, or with electrical wiring, construction of sign boxes, glass tubing and transformer standards of cities, towns and villages shall be prima facie evidence that such electrical wiring, construction of sign boxes, glass tubing and transformers comply with the requirements. All electrical wiring material, materials for the construction of the sign boxes, glass tubing and transformers for attachment to or installation on any electric current

or system must be of such material, design and construction as to guard against fires or damages to persons and property. Conformity with the electrical wiring material, materials for the construction of the sign boxes, glass tubing and transformer standards of the Underwriters' Laboratories, Inc., as indicated by lists of inspected electrical wiring materials, materials for the construction of the sign boxes, glass tubing and transformers or with the electrical wiring material, materials for the construction of the sign boxes, glass tubing and transformer regulations of the National Board of Fire Underwriters, or with other electrical wiring material, materials for the construction of the sign boxes, glass tubing and transformer standards approved by the American Engineering Standards Committee or by the United States Bureau of Standards for electrical wiring material, materials for the construction of the sign boxes, glass tubing and transformer shall be prima facie evidence that such electrical wiring materials, materials for the construction of the sign boxes, glass tubing and transformer materials comply with the requirements. All electrodes to be enclosed in an approved fireproofed housing, all high-tension wire secured at intervals not more than two feet apart to fireproof posts at least two inches distant from any metal, all glass tubing mounted on fireproof posts at least one and one-half inches from face of sign, and which shall not have or allow any exposed electric arc or gap, unless it be enclosed in an approved fireproofed housing. No outside jumper shall be used in connection with the temporary or permanent repair of such sign or signs, such sign or signs shall be equipped with a device or devices which shall eliminate the use of any outside jumper for making temporary or permanent repair and which shall allow the sign or signs to continue to burn when a unit or tubing is broken, and which shall relieve the transformer of underload and overload. Such sign or signs shall be approved in a city, borough, town,

To conform to certain standards.

Electrodes enclosed.

Outside jumper prohibited.

Signs approved.

Violation a
misdemeanor.

Fine.

township or village, by the board, department, bureau, body or officer having supervision of such signs, gas and/or electricity. Any person, firm, corporation or association violating any of the provisions of this act shall be guilty of a misdemeanor, punishable by a fine not exceeding five hundred dollars (\$500.00), or by imprisonment for not more than six months, or both.

2. This act shall take effect immediately.

Approved June 23, 1933.

CHAPTER 286

AN ACT to incorporate the borough of Island Beach in the county of Ocean.

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

Borough of
Island Beach
incorporated.

1. The inhabitants of that portion of the townships of Berkeley, Lacey and Ocean, in the county of Ocean, contained within the territorial limits hereinafter set forth, are hereby constituted and declared to be a body politic and corporate, in fact and in law, by the name of borough of Island Beach and shall be governed by the general laws of this State relating to boroughs.

2. The territorial limits of said borough shall be as follows:

Territorial
limits—
description.

Beginning at a point in the center line of Central avenue extended, at a distance of two thousand eight hundred and thirty-five (2,835) feet southerly from a marble monument at the intersection of the center line of Fourteenth avenue with the center line of Central avenue as laid down on a "Plan of Seaside Park," filed in the clerk's office of Ocean county, December 6, 1884, thence at right angles to said Central avenue extended (1) eastwardly to the

low water mark of the Atlantic ocean, and again from said beginning point at right angles to said Central avenue extended, (2) westwardly to the low water mark of Barnegat bay, said last two courses being a straight line running from ocean to bay at right angles to said Central avenue extended, and the course as fixed in a certain boundary line agreement between George Morris Dorrance and Jonas H. Libbey by deed recorded in Book 171 of Deeds for Ocean county, page 94; thence (3) extending southerly from the course of said boundary line, between the low water mark of the Atlantic ocean on the east and the low water mark of Barnegat Bay on the west, to the low water mark on the north side of Barnegat inlet.

3. This act shall not become operative until its provisions shall be submitted to the voters of the above described territory at a special election to be held within the said territory, and at said election adopted by a majority of the legal voters residing within the said territory, and voting thereon on the day of said special election. Said special election shall be held within said territory within ninety days from the passage of this act, and between the hours of seven o'clock A. M. and eight o'clock P. M. of the day fixed for such election, and at a place within said territory to be fixed by the clerk of the township of Berkeley, in the county of Ocean. The clerk of the township of Berkeley shall cause public notice of the time and place of the holding of the said election to be given by advertisements, signed by himself, and set up in at least five public places within said described territory and published in at least one newspaper circulating therein, at least ten days prior to such election, and the said clerk shall provide for the electors voting at such election ballots to be printed or written, or partly written and partly printed, upon which ballots shall be printed the proposition to be submitted to the voters, with instructions, in the following form:

Referendum.

Special election.

Notice given.

Marking ballot.

If you favor the proposition printed below make an X mark in the square to the left of and opposite the word "Yes." If you are opposed thereto make an X mark in the square to the left of and opposite the word "No."

Proposition.

	Yes.	Shall an act entitled "An act to incorporate the borough of Island Beach in the County of Ocean," be adopted?
	No.	

Counting votes.

If the voter makes an X mark in black ink or black pencil in the square to the left of and opposite the word "Yes" it shall be counted as a vote in favor of such proposition.

If the voter makes an X mark in black ink or black pencil in the square to the left of and opposite the word "No" it shall be counted as a vote against such proposition.

And in case no mark shall be made in the square to the left of and opposite the word "Yes" or "No" it shall not be counted as a vote for or against such proposition.

Time and place of election.

Such election shall be held at the time and place so appointed, and shall be conducted by the officers of the election district of said township of Berkeley, and which conducted the general election next preceding the holding of such election in said district, but no special form of ballot and no envelope need be used by any voters at said election. The officers holding said election shall, within two days after such election, make a return to the township committees of the townships of Berkeley, Lacey and Ocean of the result of such election by statements in writing and under their hands, and the same shall be entered at length upon the minutes of said township committees, and upon its adoption by a majority of the electors, as aforesaid, and not otherwise, this act shall in all respects be operative.

Return by election officers.

The register of voters within said described territory to be used in the conduct of such special election shall be prepared and made up by the boards of registry and election of the said townships of Berkeley, Lacey and Ocean which conducted the general election next preceding the holding of such election in said townships; *provided*, that said lists, for the purpose of this election, shall be revised so as to include all and only such voters of said townships who may then reside within the territory comprised within the limits of the borough created by this act. And for that purpose the said boards shall meet at such place or places within said described territory, and at such time as shall be designated by the clerk of the township of Berkeley, at least one week preceding such special election. Notice of the time and place so designated for such meeting shall be given by the clerk of the township of Berkeley by posting notice thereof in at least five of the most public places in said described territory at least five days prior to said meeting. Said meeting of the boards of registry and election for the making up of said new register of voters shall begin at one o'clock in the afternoon and continue until nine o'clock on the evening of the day fixed for that purpose, and said boards shall insert in said new register the names of all persons who are legal voters within said territory at the time of the passage of this act and who will appear in person before and establish to the satisfaction of the majority of said boards that they are entitled to vote at said special election by reason of being inhabitants and citizens residing in said territory at the time of the passage hereof, or who shall be sworn by the written affidavit of a voter residing in said territory to be entitled so to vote. A separate affidavit shall be required for each person so registered, which shall contain the address of the affiant and shall be signed by him, and on the following day, one copy of said register shall be mailed to the chairman of the county board of elec-

Register of voters.

Proviso.

Meeting.

Notice.

Compiling register of voters.

Separate affidavit for each voter.

tions of Ocean county, to be filed by said board, and one copy shall be retained for the use of the board of election of the township of Berkeley herein designated and directed to hold said special election.

Result of election certified.

4. Immediately after the statement of the result of such election shall be made to the township committees of said townships of Berkeley, Lacey and Ocean, another copy of said statement, certified by the clerk of the township of Berkeley, shall be filed by him in the office of the county clerk of the county of Ocean.

Special election to create a governing body.

5. Within ten days after a copy of the statement of said election has been filed with the county clerk of the county of Ocean, and in case it is shown by said statement that this act has been adopted by the voters of said territory as aforesaid, the said county clerk shall call another special election to be held within said territory within thirty days from the date of the filing of the said statement in his office for the purpose of electing a mayor, six councilmen and such other officers as are required or permitted to be elected by law to hold office until the first day of January following said special election, which election shall be held between the hours of seven o'clock A. M. and eight o'clock P. M. on a day and at a place within said territory to be fixed by said county clerk; and of the time, place and purpose of said special election said county clerk shall give public notice by advertisement, signed by himself, and set up in at least five public places within said territory, and published in at least one newspaper circulating therein, at least five days prior to such election. Said county clerk shall provide for the electors voting at such election, ballots, to be printed or written, or partly printed and partly written, on which shall appear the names of all candidates for said offices who shall have been nominated by petition of at least five voters residing within said territory and appearing on the said election register used at the special election for the adoption of this act.

Notice of election.

Ballots.

Petitions making nominations for any of said offices shall be filed with the said county clerk within twenty days from the date of the filing with the said county clerk of the statement showing the adoption of this act, and at least three days prior to said election. Such election shall be held at the time and place or places so appointed by the said county clerk, and shall be conducted by the said officers of the said election district of the said township of Berkeley, but no special form of ballot and no envelope need be used for any voters at said election. The register of voters to be used at said election shall be the same as that used for the special election provided for in section three and four hereof.

Petitions of nominations.

Time and place of election.

Register of voters.

The officers holding said election shall within two days after said election make return thereof to the county clerk of the county of Ocean of the result of such election, and the officers elected at said election, on the filing of said return, shall be and become the officers of the said borough, and shall continue in office until the first day of January following said special election and until other officers have been elected by the voters of said borough and shall have qualified as required by law.

Returns.

6. This act shall take effect immediately.

Approved June 23, 1933.

CHAPTER 287

AN ACT to amend an act entitled "An act concerning banks, trust companies and savings banks having shares of capital stock," approved April twelfth, one thousand nine hundred and thirty-three.

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

Section 7
amended.

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

Reorganization
to resume
business.

7. Any such bank, trust company or savings bank which has not been permitted or licensed by the Commissioner of Banking and Insurance, or by the Secretary of the Treasury, if said bank or trust company is a member bank of the Federal Reserve System, to perform all of its usual banking functions, may be reorganized for the resumption of its normal and usual banking business by the issuance of preferred stock as hereinabove provided, or otherwise. Any reorganization plan may provide for the issuance of preferred stock to all of the depositors and other creditors of such bank or trust company or savings bank, and may provide that each creditor and depositor must subscribe at least a certain percentage of his claim for said stock.

Reorganization
plan.

Fair plan;

Any reorganization plan shall become effective (1) when the Commissioner of Banking and Insurance shall be satisfied that the plan of reorganization is fair and equitable as to all depositors, other creditors and stockholders and is in the public interest and shall have approved the plan subject to such conditions, restrictions and limitations as he may prescribe, and (2) when, after such notice of such reorganization as the Commissioner of Banking and Insurance may require, (a) depositors and

Notice of
reorganization;

other creditors of such bank, trust company or savings bank representing at least seventy-five per centum (75%) of its total deposits and other liabilities as shown by the books thereof, and (b) stockholders owning at least two-thirds of its outstanding capital stock as shown by the books thereof, shall have consented in writing to the plan of reorganization; *provided, however*, that claims of depositors or other creditors which under existing law are entitled to full and immediate payment, even though said bank, trust company or savings bank is operating on a restricted basis, shall not be included among the total deposits and other liabilities of said bank, trust company or savings bank in determining the seventy-five per centum (75%) thereof as above provided.

Proviso.

2. This act shall take effect immediately.

Approved June 23, 1933.

CHAPTER 288

A SUPPLEMENT to an act entitled "An act to create a sewerage district to be called Hackensack Valley sewerage district, to authorize the appointment and define the powers and duties of the commissioners therefor, to provide a plan for the prevention of the pollution of the Hackensack river and its tributaries and to authorize the raising and expenditure and payment of moneys necessary for this purpose," approved April fifteenth, one thousand nine hundred and thirty.

WHEREAS, By an act of the Legislature entitled "An act to provide for the purification of the waters of the Hackensack river," approved March twenty-sixth, one thousand nine hundred

Preamble.

and twenty-six, provision was made to prevent the further pollution of the Hackensack river after the first day of May, one thousand nine hundred and thirty, which last mentioned date by subsequent legislation has been extended to May first, one thousand nine hundred and thirty-four; and

Preamble. WHEREAS, The commission appointed in pursuance of the act to which this is a supplement has made and submitted to the boards of chosen freeholders of the counties of Bergen and Hudson and the governing bodies of each of the municipalities in the counties of Bergen and Hudson being wholly or partly within the drainage area of the Hackensack river and its tributaries a report and recommendations as to the most feasible plans or methods for the relief and prevention of the pollution of the Hackensack river and its tributaries; and

Preamble. WHEREAS, The municipalities directly affected have been unable by reason of economic and financial conditions to finance and carry out the necessary work to accomplish such purpose; and

Preamble. WHEREAS, The prevention of pollution and the reasonable purification of said Hackensack river and its tributaries materially affects conditions in New York harbor and New York bay and is a matter of State interest;

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

Commission abolished.

1. Upon the appointment of the commission hereinafter provided for, the commission heretofore appointed in accordance with the act to which this is a supplement is hereby abolished. Members of the commission so abolished shall forthwith turn over all of the books, records, maps, reports and other papers and documents in their possession to the new commission.

Appointment of commissioners.

2. The Governor shall with the advice and consent of the Senate appoint four commissioners, two thereof, neither of whom shall belong to the same

political party, shall be residents of the county of Hudson, and two, neither of whom shall belong to the same political party, shall be residents of the county of Bergen. One of the members of such commission shall be appointed for one year, one for two years, one for three years and one for four years. At the expiration of the terms of the first appointees members shall be appointed for the term of four years in the same manner as the original appointments are made. Successors having the same qualifications as to political party and residence shall be appointed for the term of four years in the same manner as the original appointments. All members shall serve until their successors are appointed. All vacancies shall be filled by the Governor with the advice and consent of the Senate for the unexpired term only. In case any commissioner shall remove out of the county for which he was appointed his term shall forthwith cease.

Terms.

Hold over.

Vacancies.

3. Said commissioners are hereby constituted a body politic corporate, with perpetual succession, under the name of "Hackensack River Sewerage Commission" with power to sue and be sued, to adopt and use a corporate seal, to act as an agency for the counties of Bergen and/or Hudson and any of the several municipalities of either of said counties for the purpose of acquisition, construction, operation and maintenance of the work determined to be necessary and proper for the relief and prevention of the pollution of the Hackensack river and its tributaries to any extent which may be authorized by contracts made between said commission and said counties, or either of them, or any of the said municipalities in said counties.

Hackensack
River Sewerage
Commission
created.

Purposes.

4. Said counties of Bergen and Hudson, or either of them, and/or the several municipalities of each of the said counties are hereby authorized, either directly or by or through the Hackensack River Sewerage Commission, to do and perform all things which may be necessary or proper to

Authorized
to be included
in Public
Works
Program.

Intention of
act.

have included in the Comprehensive Program of Public Works, authorized by section two hundred and two of the "National Industrial Recovery Act," the works necessary and proper for the relief and prevention of the pollution of the Hackensack river and its tributaries and the purification of the same, including such system or systems of sewage collection and disposal within the drainage area of said Hackensack river and its tributaries as may be desirable or proper, to provide for the construction and financing, or aid in the construction and financing thereof, as provided in section two hundred and three of said "National Industrial Recovery Act" and for such purposes, or any of them, to enter into such contract or contracts with the United States Government, or any of its agencies, including the Federal Emergency Administrator of Public Works, created by section two hundred and one of said "National Industrial Recovery Act" as may be deemed proper, including contracts to acquire by purchase, or to lease any such property or works which may be acquired or constructed by the United States or any of its agencies, including said Federal Emergency Administrator of Public Works. It is the intention hereof that the said counties, or either of them, and the several municipalities acting independently or through the agency of the Hackensack River Sewerage Commission, shall have full authority and power to do all things necessary or proper to secure any advantage or advantages, aid or aids which may be possible under and by virtue of the provisions of the said "National Industrial Recovery Act," or any other act of Congress, for the purpose of acquiring the necessary property and doing the work necessary and proper for the relief and prevention of the pollution of the Hackensack river and its tributaries and the purification thereof, including the construction of such sewerage system or systems, disposal plant or plants as may be deemed necessary or proper in connection therewith.

5. No suit, proceeding or action of any kind shall be instituted or brought to enforce the terms and provisions of the act entitled "An act to provide for the purification of the waters of the Hackensack river," approved March twenty-sixth, one thousand nine hundred and twenty-six, until after May first, one thousand nine hundred and thirty-five.

Legal proceedings.

6. This act shall take effect immediately.

Approved June 26, 1933.

CHAPTER 289

A. SUPPLEMENT to an act entitled "A further supplement to an act entitled 'An act concerning municipal and county finances,' approved March twenty-eighth, one thousand nine hundred and seventeen," approved May second, one thousand nine hundred and thirty-two.

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

1. In addition to the powers conferred by the provisions of the act to which this act is a supplement, the governing body of each municipality and of each county is authorized and empowered to issue and sell its "tax anticipation notes," "tax anticipation bonds," "tax revenue notes," "tax revenue bonds" and other evidence of indebtedness in denominations of ten (10), twenty-five (25), fifty (50), one hundred (100), two hundred and fifty (250), five hundred (500) and one thousand (1,000) dollars each. Whenever in the opinion of the governing body of any municipality or of any county it is necessary in order to pay for past due services, wages and salaries and other past due obligations for materials and supplies fur-

Additional powers conferred.

"Scrip" for services rendered.

nished, and other past due obligations, including obligations of any municipality to its school system either for salaries past due or services, materials and supplies already provided, in some form other than cash, said governing bodies are hereby authorized and empowered to issue acknowledgments of indebtedness commonly known as "scrip" in denominations to be fixed by such governing bodies.

Sale of scrip. 2. Such "tax anticipation notes," "tax anticipation bonds," "tax revenue notes," "tax revenue bonds," and other evidence of indebtedness and such acknowledgments of indebtedness commonly known as "scrip" may be issued and sold from time to time and in such manner and under such conditions as the municipality or the county shall by resolution provide, and shall bear interest at the rate not to exceed six per centum (6%) per annum.

Rate. 3. The said "tax anticipation notes," "tax anticipation bonds," "tax revenue notes," "tax revenue bonds," and other evidence of indebtedness, and such acknowledgments of indebtedness commonly known as "scrip," issued hereunder, or pursuant to the provisions of the act to which this act is a supplement, may be accepted from any holder or bearer thereof by the municipality or the county issuing the same in payment and discharge of taxes, assessments and other charges, which may be due to the municipality or the county issuing the same.

Receivable for taxes. 4. The various municipalities in this State in any county wherein such "scrip" may be issued for the payment of county indebtedness shall accept the same at par and accrued interest in payment of municipal taxes; *provided, however*, that no such municipality shall be required to accept in total any amount of said "scrip" which may exceed the taxes and lawful interest thereon due from said municipality to the county for county purposes.

Accepted at par. 5. This act shall take effect immediately.

Proviso. Approved June 26, 1933.

CHAPTER 290

AN ACT concerning municipal and county finances and validating certificates of indebtedness commonly known as "scrip" heretofore issued by any county or municipality.

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

1. Any certificates of indebtedness commonly known as "scrip" heretofore issued by any county or municipality, are hereby validated and confirmed as to their legality and any payments in discharge of tax assessments and other charges of any character heretofore satisfied by the receipt of said certificates of indebtedness commonly known as "scrip" be and the same are hereby validated, ratified and confirmed. Validating issue of scrip.

2. This act shall take effect immediately.

Approved June 26, 1933.

CHAPTER 291

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

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

1. It shall be unlawful for five years from the passage of this act for any person to hunt for, pursue, capture, kill, injure or destroy any quail Closed season for quail.

- in the counties of Warren, Passaic, Bergen, Sussex, Morris, Essex, Hudson, Union, Somerset or Hunterdon, under a penalty of twenty dollars for each quail hunted for, pursued, captured, killed, injured or destroyed; *provided*, that the provisions of this act shall not apply to a licensee operating under the terms of chapter one hundred and fifty-three of the laws of one thousand nine hundred and thirty-three or to any other person or persons authorized by said licensee to shoot quail on the lands described in such license.
- Penalty.**
- Proviso.**
- Enforcement.** 2. This act shall be enforced by the persons authorized, and in accordance with the provisions of an act entitled "An act to provide a uniform procedure for the enforcement of all laws relating to fish, game and birds, and for the recovery of penalties for violations thereof," approved March twenty-ninth, eighteen hundred and ninety-seven, and the acts amendatory thereof and supplemental thereto.
3. This act shall take effect immediately.
Approved June 26, 1933.

CHAPTER 292

AN ACT to amend an act entitled "An act respecting the salaries or compensation of officers and employees of and persons holding positions under the government of this State," approved June tenth, one thousand nine hundred and thirty-two.

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

Section 1
amended.

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

Deductions
from salaries
of State em-
ployees.

1. The treasurer of this State is hereby authorized and directed to deduct from the salary or

compensation to be paid to any officer or employee of or person holding a position under the government of this State, except when forbidden by the Constitution of this State, beginning with the first day of July, one thousand nine hundred and thirty-three, and ending on the thirtieth day of June, one thousand nine hundred and thirty-four, the following sums, any act of the Legislature, general or special, to the contrary notwithstanding, to wit:

One per centum on any amount up to and including twelve hundred dollars; Rates of deductions.

Two per centum where the salary or compensation exceeds twelve hundred dollars but does not exceed eighteen hundred dollars;

Three per centum where the salary or compensation exceeds eighteen hundred dollars but does not exceed twenty-four hundred dollars;

Five per centum where the salary or compensation exceeds twenty-four hundred dollars but does not exceed three thousand dollars;

Seven per centum where the salary or compensation exceeds three thousand dollars but does not exceed thirty-six hundred dollars;

Nine per centum where the salary or compensation exceeds thirty-six hundred dollars but does not exceed forty-five hundred dollars;

Ten per centum where the salary or compensation exceeds forty-five hundred dollars.

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

2. The moneys thus deducted from salaries or compensation shall be credited to and form part of the general State fund. Use of sums deducted.

3. This act shall take effect on the first day of July, one thousand nine hundred and thirty-three. Act effective.

Approved June 26, 1933.

CHAPTER 293

AN ACT to amend an act entitled "An act to provide for a State budget system and its operation," approved April twentieth, one thousand nine hundred and thirty-one.

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

Section 2
amended.

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

Budgeting.

2. The intent of this act is to provide for the budgeting of all State revenues and expenditures, whether or not they involve free treasury funds or prededicated funds. Free treasury funds are such State funds as have not been prededicated by statute or otherwise encumbered. Dedicated funds are such State funds as have been prededicated by statute for a specific purpose or purposes. The ultimate purpose of this act is to afford legislative control over the expenditure of dedicated funds as well as free treasury funds, and to provide a comprehensive budget of all State funds.

Free funds.

Dedicated
funds.

Purpose.

Section 4
amended.

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

Requests for
appropriations.

4. On or before October fifteenth in each year, each department of the State government, board, commission, officer or other State agency, hereinafter called spending agency, other than those agencies specifically provided for in section eighteen of the act to which this act is an amendment and which section becomes section sixteen thereof under the provisions of this act, shall file with the State Budget Commissioner a request for appropriation or permission to spend, as the case may be, which shall specify and itemize all expenditures of every name and nature proposed to

be made by such spending agency from the free treasury funds or from dedicated funds during the next ensuing fiscal year. Said request shall be made by the officer, hereinafter called request officer, who shall be designated by each spending agency for that purpose; *provided, however*, that the professional licensing and examining boards or commissions, consisting of the State Board of Architects, the State Board of Optometrists, the State Board of Embalmers and Funeral Directors, the State Board of Registration and Examination in Dentistry, the State Board of Examiners of Nurses, the State Board of Medical Examiners, the State Board of Public Accountants, the Board of Pharmacy of the State of New Jersey, the State Board of Professional Engineers and Land Surveyors, the State Board of Veterinary Medical Examiners and the Board of Commissioners of Pilotage shall, for the fiscal year one thousand nine hundred and thirty-four-thirty-five be self-sustaining and that there shall be granted permissions to spend for each of such boards or commissions for that fiscal year the full revenues which shall be collected by each of them. In the case of the judiciary the request officer shall be the clerk of the Court of Errors and Appeals, under the direction of the Chancellor and the Chief Justice of the Supreme Court, and in the case of the Legislature the request officers shall be the Clerk of the House of Assembly and the Secretary of the Senate respectively. Said request shall be made on forms to be furnished by the State Budget Commissioner, subject to such rules and regulations as he shall prescribe from time to time, and shall show in detail:

(a) The several purposes and itemized amounts for which appropriations or permissions to spend are requested, without deductions for estimated revenues or dedicated funds allocated to such spending agency;

(b) A statement exhibiting, for the last preceding fiscal year, the amounts of the annual and sup-

Request officer.

Proviso.

Certain boards self-sustaining.

Request officers for certain budgets.

Request shown in detail.

Purposes and itemized amounts;

Comparative statement;

plemental appropriations, transfers of appropriations, allotments from the State emergency fund, and dedicated funds received, if any, and of all expenditures made thereunder, and the unexpended balance, if any, and the extent to which the same is obligated or encumbered;

Estimated revenues;

(c) A statement exhibiting for the next ensuing fiscal year all estimated revenues, the estimate of revenues for the current year, and the actual receipts for the last completed fiscal year.

Relative to projected expenditures.

In case an appropriation is requested for a project which is not or cannot be completed within the next ensuing fiscal year, the request shall set forth, in detail, a complete description of the whole project and the estimated and detailed cost thereof and shall show separately the part of the project which has been completed, if any, and the actual cost thereof, the part remaining to be completed, and the estimated cost thereof, and the part proposed to be completed within the ensuing fiscal year and the estimated cost thereof.

Section 5 amended.

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

Comptroller's report to Budget Commissioner.

5. On or before October fifteenth in each year, the Comptroller shall prepare, certify and transmit to the State Budget Commissioner a report as of June thirtieth last preceding, of the financial conditions and operations of the State, including:

Balance sheet;

(a) Balance sheet of all assets and liabilities;

Revenues and expenditures of free funds;

(b) Statement of revenues and expenditures of free treasury funds for the last preceding fiscal year, showing the balance at the beginning of the year, the amount of revenue earned during the year detailed as to sources, the amounts expended during the year detailed as to appropriations, the continuing appropriations in force, and all amounts lapsing into the general State treasury from the appropriation accounts of the last fiscal year;

Dedicated funds;

(c) Statement of revenues and expenditures of the several dedicated funds for the last preceding

fiscal year showing the several balances at the beginning of the year, the amount of revenue earned or received during the year detailed as to sources, the amounts expended during the year detailed as to permissions to spend and the un-pended balances at the end of the year;

(d) Statement of estimated balance of all free treasury funds as of the close of the current fiscal year, showing the basis of the calculation thereof; and on December thirtieth of each year the Comptroller may revise such estimate for inclusion in the Governor's budget message;

Estimated bal-
ance of free
funds;

(e) Statement of estimate of the several dedi-cated funds at the close of the current fiscal year, showing the basis of the calculation thereof; and on December thirtieth the Comptroller may revise such estimate for inclusion in the Governor's budget message;

Estimated ded-
icated funds;

(f) Statement of revenues estimated to be available for all free treasury funds for the next ensuing fiscal year, detailed as to sources. On December thirtieth of each year the Comptroller may revise such estimate for inclusion in the Gov-ernor's budget message;

Revenues
available for
free fund;

(g) Statement of revenues estimated to accrue to each of the several dedicated funds for the next ensuing fiscal year, detailed as to sources. On De-cember thirtieth of each year the Comptroller may revise such estimate for inclusion in the Gov-ernor's budget message;

Revenues
available for
dedicated
funds.

(h) Statement of revenues and expenditures of the several boards and agencies of the State gov-ernment which boards or agencies receive and dis-burse funds directly, as taken from the reports rendered by such boards and agencies and verified by the State auditor;

Statement of
revenues and
expenditures
by boards, etc.;

(i) Such other information as the State Budget Commissioner shall request.

Sundry
information.

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

Section 8
amended.

Governor's
budget mes-
sage based
upon report.

8. The Governor shall examine and consider all requests for appropriations, together with the findings and recommendations of the Budget Commissioner, and shall formulate his budget recommendations which shall be transmitted to the Legislature as a budget message on the second Tuesday of January in each year, excepting such years as the Governor shall be inaugurated, when he shall do so on or before February fifteenth following the commencement of his term. Said budget message shall embody the proposed complete financial program of the State government for the next ensuing fiscal year and shall set forth in columnar form detailed as to each source of anticipated revenue and the purposes to which the recommended appropriations shall apply for each spending agency in substantially the following form:

Budget mes-
sage to
show:

Estimated
funds;

REVENUES

Free Treasury Funds:

Free treasury;

(a) An estimate of all free treasury funds to be on hand on the first day of July next ensuing which are to be available for appropriations, supported by the calculations used in arriving at the estimated figures;

Anticipated
revenues;

(b) The estimate of the anticipated revenues from the several sources of free treasury funds applicable to the budget period, together with the actual amount earned and the actual amount received from each source during the last completed fiscal year and the estimate of the revenues from each source for the current fiscal year;

Dedicated Funds:

Dedicated;

(a) An estimate of the amount of each of the several dedicated funds to be on hand the first day of July next ensuing, except such funds as are provided for under section sixteen of the act to which this act is an amendment and which was designated as section eighteen of the act to which

this act is an amendment prior to the passage of this amendatory act in which case the estimates shall be as of January first of the current year, which are to be available for the purpose to which such funds are dedicated, supported by the calculations used in arriving at the estimated figures;

(b) The estimate of the anticipated revenues of each of such dedicated funds applicable to the budget period together with the amount earned and the actual amount received from each source during the last completed fiscal year and an estimate of the revenue from each source for the current fiscal year;

Anticipated
dedicated;

Federal Aid Funds:

(a) An estimate of all Federal aid funds on the first day of July next ensuing which will be available for the several purposes to which Federal aid is allotted, excepting in the case of funds for highway purposes, which shall be estimated as of January first of the current year;

Federal aid;

(b) An estimate of the anticipated revenues from the several sources of Federal aid funds applicable to the budget period, together with the actual amount received from each source during the last completed fiscal year and an estimate of the revenues from each source for the current fiscal year.

Anticipated
Federal
aid;

Trust Funds:

An estimate of the anticipated revenues from the several trust funds applicable to the budget period.

Trust;

Sinking Funds:

An estimate of the anticipated revenues from the several sinking funds applicable to the budget period.

Sinking.

APPROPRIATIONS

Recommendations:	The total of the appropriations recommended for the ensuing fiscal year in substantially the following form:
Details:	Detailed Budget:
Free funds;	(a) An itemized statement of all appropriation requests payable from free treasury funds;
Dedicated funds;	(b) An itemized statement of all requests for permission to spend dedicated funds;
Governor's recommendations;	(c) An itemized statement of the amounts recommended by the Governor with respect to items (a) and (b) above;
Current appropriation;	(d) An itemized statement of all amounts appropriated and permissions granted for the current fiscal year with respect to items (a) and (b) above;
Appropriation for last preceding year;	(e) An itemized statement of all amounts appropriated and permissions granted for the last preceding fiscal year with respect to items (a) and (b) above, detailed as to annual and supplemental appropriations, transfers of appropriations, State emergency fund allotments, and permissions to spend, as the case may be, and showing also total disbursements, reserves, lapses and free uncommitted balances;
Sundry information.	(f) In addition, such recapitulation of revenues and appropriations as may more fully show comparisons and costs of the several departments.
Section 9 amended.	5. Section nine of the act of which this act is amendatory be and the same is hereby amended to read as follows:
Governor may recommend new sources of revenue.	9. The Governor may recommend in connection with his budget message and under separate head new or additional sources of revenue and set forth in connection therewith his recommendation as to the purpose or purposes to which such proposed new or additional revenues may be appropriated. The total of the recommendations in the budget shall not be in excess of the estimate of all treasury

funds available for disbursement during the fiscal year to which such recommendations are applicable.

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

Section 10 amended.

10. All applications for appropriations for purposes not included in the budget message shall be made in the first instance to the State Budget Commissioner, subject to such rules and regulations as he may from time to time prescribe. He shall certify and transmit forthwith such applications to the Governor, together with his findings, comments, and recommendations thereon. The Governor shall transmit to the chairman of the Joint Appropriation Committee such applications as he shall approve in whole or in part, with his recommendations thereon; *provided, however*, that the Governor shall not approve and recommend appropriations in excess of the total anticipated and available revenues of the State, as certified by the Comptroller in his report.

Applications not included in budget message.

Proviso.

7. Section eleven of the act of which this act is amendatory be and the same is hereby repealed.

Section 11 repealed.

8. Section twelve of the act of which this act is amendatory shall become section eleven.

Section 12 to become Sec. 11.

9. Section thirteen of the act of which this act is amendatory shall become section twelve.

Sec. 13 to become Sec. 12.

10. Section fourteen of the act of which this act is amendatory shall become section thirteen.

Sec. 14 to become Sec. 13.

11. Section fifteen of the act of which this act is amendatory be and the same is hereby repealed.

Section 15 repealed.

12. Section sixteen of the act of which this act is amendatory shall become section fourteen and is hereby amended to read as follows:

Section 16 to be Sec. 14 amended.

14. In any case wherein it appears to the satisfaction of the Governor that any appropriation by any spending agency, is not in the best interests of the State, in the case of extravagance, waste or mismanagement, then he shall be and hereby is authorized and empowered to prohibit and enjoin

Governor may enjoin expenditures deemed unwise.

any such expenditure or any future expenditure under said appropriation and to prescribe the terms on which the same shall be made, if at all, by making and signing an order to that effect and serving it on the duly authorized request officer of such spending agency, and also serving a certified copy of such order upon the Comptroller and upon the State Purchase Commissioner, whereupon said order shall immediately become operative. Upon such service, future expenditures under said appropriation shall be limited by the terms of said executive order. The Governor, in such cases, shall have power to make other and further orders as may be necessary or advisable in his discretion, which orders shall become operative upon such service.

Sundry
sections
renumbered.

13. Section seventeen of the act of which this act is amendatory shall become section fifteen.

14. Section eighteen of the act of which this act is amendatory shall become section sixteen.

15. Section nineteen of the act of which this act is amendatory shall become section seventeen.

16. Section twenty of the act of which this act is amendatory shall become section eighteen.

17. Section twenty-one of the act of which this act is amendatory shall become section nineteen.

18. Section twenty-two of the act of which this act is amendatory shall become section twenty.

19. Section twenty-three of the act of which this act is amendatory shall become section twenty-one.

Approved June 26, 1933.

CHAPTER 294

AN ACT to establish a division of accounting in the office of the Comptroller of the Treasury and to provide for centralized control and uniform system of accounting for the State, its departments, institutions, boards, commissions, officers and other State agencies.

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

1. There is hereby established in the office of the Comptroller of the Treasury a division to be known as the division of accounting, upon which division, exclusively, is hereby conferred the authority and imposed the duty to prescribe and enforce a double-entry uniform system of accounting and accounting reports of all fiscal operations, for the State, its departments, institutions, boards, commissions, officers, and any and all other State agencies now in existence or hereafter created, hereinafter called accounting agencies; to keep and maintain at all times a general ledger and any and all other accounting records necessary for the centralized control of all State accounts; to prepare, certify and furnish, when and as required by law, true and complete statements of the financial condition and operations of the State and to do any and all things necessary to perform properly these duties.

Division of accounting established.

Duties.
2. The Comptroller of the Treasury shall carry out the provisions of this act and in his absence or inability to act from any cause, the Deputy Comptroller shall perform such duties.

Comptroller to carry out the provisions of act.
3. The Comptroller of the Treasury shall appoint a chief accountant, who shall keep and maintain at all times within the division of accounting all such books of accounts and other accounting records leading to and including the general ledger

Chief accountant, duties.

as may be necessary for the centralized control of all State accounts. The Comptroller shall also appoint such clerical, technical and other assistants as may be necessary, whose compensation shall be fixed in the same manner as other State employees; *provided, however*, that the chief accountant shall not be subject to any of the provisions of the Civil Service law.

4. The Comptroller of the Treasury is hereby authorized and it shall be his duty to install, keep and maintain in said department, a complete set of double-entry accounts which shall reflect, directly or through proper controlling accounts, on an accrual basis, all assets, liabilities, revenues and expenditures of the State and of all its accounting agencies. Such accounts shall reflect all accounts receivable and payable, also, all balances of all funds, and such other information as is required for a proper statement of the financial conditions and operations of the State.

5. The Comptroller of the Treasury is hereby authorized and it shall be his duty to prescribe and enforce the form, manner and content of accounts to be kept by each such accounting agency, and the form, manner and content of accounting reports and statements to be rendered to him with respect thereto. He shall provide for reports and statements to be submitted to him at least once each month which shall show the complete cash receipts and disbursements for the preceding month, the outstanding balances of accounts receivable and payable and such other information as may be necessary, in the judgment of the Comptroller. This requirement shall not be in limitation of such other reports and statements, at longer or shorter intervals, containing the same or other information, as may be necessary in the judgment of the Comptroller.

Assistants.

Proviso.

Double-entry accounts kept.

Accounts to show.

Comptroller to prescribe form and contents of accounts.

Reports and statements.

Intermediate reports.

6. The Comptroller of the Treasury shall prepare, within thirty days after the end of each month, a complete statement showing:

- | | |
|--|--|
| (a) balance sheet of all State assets and liabilities; | Monthly statement to show:
Balance sheet; |
| (b) statement of accrued revenues; | Accrued revenues; |
| (c) summary statement showing the condition of appropriations, which shall reflect the original appropriation, any supplemental appropriations, transfers to or from, allotments from the Emergency Fund, cash payments by the Comptroller, accounts payable and commitments against the unexpended balance; | Condition of appropriations; |
| (d) such other information as he may deem necessary and proper. | Sundry information. |

Such statement, certified by the Comptroller, shall be transmitted forthwith, to the Governor, and shall be and remain a public document on file in the office of the Comptroller of the Treasury, subject to inspection by any citizen of the State, who shall have the right to make or obtain copies thereof under such reasonable regulations as the Comptroller may prescribe. Copies of said statements shall be transmitted at the same time by the Comptroller to the President of the Senate, the Speaker of the House of Assembly, the chairmen of the respective appropriation committees and to the State Treasurer.

7. If the Comptroller should find that any officer or head of a department of the State government wilfully or negligently fails or refuses to keep or have kept such accounts, render such reports and/or perform such other duties as may be prescribed or directed by the Comptroller under this act, or refuses to conform to any of the provisions of this act, he shall notify such officer or head of a department in writing of such failure and the particulars thereof, and shall allow a reasonable opportunity to be heard thereon. If such failure should not be explained to the satisfaction of the

Statement filed.

Copies supplied.

In case of laxity.

Charges.

- Hearing. Comptroller, he shall prepare written charges against such officer or head of a department and submit the same to the Governor forthwith, and serve a copy thereof upon such officer or head of a department charged with such failure. Thereupon, the Governor shall fix a time and place for hearing such charges by giving not less than five days' notice thereof in writing to such officer or head of a department so charged and to the Comptroller of the Treasury. After due hearing, he shall take such action as may be necessary, in his judgment, including the removal of any officer or head of a department found guilty of such charges or any of them; *provided, however*, if the right of removal in any case is vested exclusively in the Legislature, the Governor shall transmit to the Legislature a written report of his findings with his recommendations thereon for consideration and action by the Legislature.
- Action taken.
- Proviso.
- Construing act. 8. This act shall be liberally construed, and if any section thereof shall be declared unconstitutional by any court of competent jurisdiction, it shall not thereby affect any other section thereof.
- Employees transferred. 9. All employees and persons holding positions in the office of the Department of Accounting and Auditing and assigned to duty in the accounting division are hereby transferred to the division of accounting established by this act and shall continue to hold their employment and positions notwithstanding the passage of this act, and his or her status shall be as one continuing in the employment of the State with respect of all his rights and privileges under the civil service of this State or under any pension law or retirement system, or any other law, and shall retain all such rights and privileges as may be pertinent to his or her status in the service of the State.
- Repealer. 10. All acts and parts of acts, inconsistent with this act, are hereby repealed, and this act shall take effect July first, one thousand nine hundred and thirty-three.
- Act effective.

Approved June 26, 1933.

CHAPTER 295

AN ACT creating the office of State Auditor and defining his powers and duties.

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

1. The office of State Auditor is hereby created. State Auditor.
2. The first State Auditor shall be the present Commissioner of Municipal Accounts, who shall serve until the expiration of his present term, to wit: until April ninth, one thousand, nine hundred and thirty-five, and until his successor shall be elected and qualified. All succeeding State Auditors shall be elected by the Legislature in joint meeting for a term of five years and until his successor shall be elected and qualified. The State Auditor shall receive annual compensation of seven thousand five hundred dollars (\$7,500.00), to be paid out of the State Treasury as other officers are paid. He shall appoint such necessary assistants and clerical help as shall be required to administer the affairs of his office. Present Commissioner of Municipal Accounts to be Auditor.
Succeeding Auditors, term.
Compensation.
3. All employees and persons holding positions in the present Department of Accounting and Auditing and assigned to State auditing work are hereby transferred to the State Auditor's Department, and such persons shall continue to hold their employment and positions notwithstanding the passage of this act, and his or her status shall be as one continuing in the employment of the State with respect of all his or her rights and privileges under the civil service of this State or under any pension law or retirement system, or any other law, and shall retain all such rights and privileges as may be pertinent to his or her status in the service of the State. Assistants.
Employees transferred.
4. The State Auditor shall have the authority, and it shall be his duty personally, or by any of Duties.

Assistance.	his duly authorized assistants, to examine and audit all such accounts, reports and/or statements and to make independent verifications of all assets, liabilities, revenues and expenditures of the State and of all of its accounting agencies. The officers and employees of each accounting agency shall assist the State Auditor when and as required by him, for the purpose of carrying out the provisions of this act. Such examination shall extend, also, to a complete audit and verification of all moneys handled for the account of the State government by all county and other officials who are now or hereafter may be charged with the duty of collecting fees or other moneys for or on behalf of the State, and for this purpose the books, papers and documents of all such officials are hereby required to be laid open and exposed on demand, to the examination of the State Auditor or any of his duly authorized assistants. The State Auditor shall report in writing to the Governor the findings of any special condition disclosed by his audit of the accounts of the State and of each accounting agency, at least once in every two years. Such reports shall be made by him to the Governor within thirty days after the conclusion of every audit or investigation made or caused to be made by him. The State Auditor shall report, forthwith, to the Governor any and all instances of malfeasance, misfeasance or nonfeasance which may be disclosed by any audit or investigation of said accounts. Any State officer or employee charged with the custody of State funds whose accounts are found by the State Auditor to be inaccurate shall be automatically suspended from having any further connection with such funds until the audit is completed and the findings reported to the Governor. Immediately upon receipt of such report from the State auditor, the Governor shall fix a time and place for hearing such charges as the State auditor may bring by giving not less than five days' notice thereof in writing to such officer or head of a department so charged and to the
Extent of audit.	
Report.	
Time of report.	
To report malfeasance, etc.	
Suspension.	
Hearing.	

State auditor. After due hearing, he shall take such action as may be necessary, in his judgment, including the removal of any officer or head of a department found guilty of such charges or any of them; *provided, however*, if the right of removal in any case is vested exclusively in the Legislature, the Governor may suspend from further duty any such officer or head of a department so charged and shall transmit to the Legislature at the earliest possible date a written report of his findings with his recommendations thereon for consideration and action by the Legislature.

Action to be taken.

Proviso.

5. If the State Auditor shall find that any officer or head of a department of the State government willfully or negligently fails or refuses to keep or have kept such accounts, render such reports and/or perform such other duties as may be prescribed or directed by the Comptroller, or fails or refuses to comply with the provisions of this act, he shall notify such officer or head of a department in writing of such failure and the particulars thereof, and shall allow a reasonable opportunity to be heard thereon. If such failure should not be explained to the satisfaction of the State Auditor, he shall notify the State Comptroller of such failure and the State Comptroller shall take such action against such officer or head of a department as he may be authorized to do under any law or laws of this State.

Failure of department to keep certain accounts.

Action by Comptroller.

6. After the taking effect of this act no State department, board, commission or other agency of the State government shall employ auditors for the purpose of auditing the books and accounts of any such department, board, commission or other State agency, but they shall rely entirely on the State Auditor for the performance of such duties, unless permission shall be given in writing so to do by both the Governor and the State Auditor. The provisions of this section are not intended to include counties or municipalities.

State Auditor to do all State auditing.

Application of act.

7. This act shall be construed liberally and shall be held to include the auditing of any and every

Construing act.

department, board, agency, account or fund held directly or in trust for the State government by any State officer, employee of the State government, or county or municipal officials.

Repealer.

Act effective.

8. All acts and parts of acts inconsistent with this act be and the same are hereby repealed, and this act shall take effect July first, one thousand nine hundred and thirty-three.

Approved June 26, 1933.

CHAPTER 296

AN ACT vesting in the State Auditor all the powers and duties heretofore exercised and performed by the Commissioner of Municipal Accounts.

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

Powers and
duties of
State Auditor.

1. All the powers and duties heretofore exercised and performed by the Commissioner of Municipal Accounts are hereby vested in and shall be exercised by the State Auditor.

Employees
transferred.

2. All employees and persons holding positions in the office of the Commissioner of Municipal Accounts are hereby transferred to the State Auditor's Department and such persons shall continue to hold their employment and positions notwithstanding the passage of this act, and his or her status shall be as one continuing in the employment of the State with respect of all his or her rights and privileges under the civil service of this State or under any pension law or retirement system, or any other law, and shall retain all such rights and privileges as may be pertinent to his or her status in the service of the State.

Act effective.

3. This act shall take effect July first, one thousand nine hundred and thirty-three.

Approved June 26, 1933.

CHAPTER 297

AN ACT regarding the expenses incurred in apportioning certain utility taxes known as the utility franchise taxes and the utility gross receipts tax, and making an appropriation therefor.

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

1. Before making the apportionment of the taxes on utilities using public highways, known as the franchise tax, provided for in the act entitled "An act for the taxation of all the property and franchises of persons, copartnerships, associations or corporations using or occupying public streets, highways, roads or other public places, except municipal and corporations taxable under the act entitled 'An act for the taxation of railroad and canal property,' approved April tenth, one thousand eight hundred and eighty-four, or any of the supplements or amendments thereto, and except corporations taxable under the act entitled 'An act for the taxation of the property and franchises of street railroad corporations using or occupying public streets, highways, roads, lanes or other public places in this State,' approved May twenty-third, one thousand nine hundred and six," being chapter one hundred and ninety-five of the laws of one thousand nine hundred, approved March twenty-third, one thousand nine hundred; and provided for in the act entitled "An act for the taxation of the property and franchises of street railroad corporations using or occupying public streets, highways, roads, lanes or other public places in this State," being chapter two hundred ninety of the laws of one thousand nine hundred six, approved May twenty-third, one thousand nine hundred six;

Expenses of auditing and apportioning to be deducted.

Sources of
reduction of
expenses.

Expenses
certified to
taxpayers.

Deducting
expenses of
1933 and
1934.

and the taxes in lieu of personal property tax imposed on certain utilities known as the gross receipts tax, provided for in the act entitled "An act for the taxation of the gross receipts of street railway, traction, gas and electric light, heat and power corporations using or occupying public streets, highways, roads, or other public places, in lieu of taxation of certain property of such corporations," being chapter twenty-five of the laws of one thousand nine hundred and nineteen, approved April first, one thousand nine hundred and nineteen; as the several acts above mentioned are amended and supplemented; the State Tax Commissioner shall deduct from the gross amount of the several taxes the expenses of auditing and verifying the reports of the corporation or utility subject to such tax, and the expenses of making the apportionment between the municipalities entitled thereto, including the expenses of determining the respective values of utility property in each of the several districts, as such expenses may have been authorized in any appropriation bill and/or any other appropriate law, or are authorized in this act; apportioning such expenses between the several corporations in proportion to the relative expenses incurred in connection with the tax imposed on each of such corporations, or utilities, and apportioning any general expenses which cannot be so allocated in proportion to the amounts of the several taxes payable by the respective corporations or utilities, in order that the final apportionment of such taxes to the municipalities may be subject to and less by, an equitable share of such expenses; and he shall certify such expenses to the respective taxpayers, which shall then make payment thereof to the State Tax Commissioner on the same day as they are required by law to pay the shares apportioned to the municipalities.

2. Such expenses incurred during the State fiscal year ending June thirtieth, one thousand nine hun-

dred and thirty-three, in connection with such taxes, not exceeding eleven thousand dollars (\$11,000.00), shall be deducted from the apportionment of such taxes for the calendar year one thousand nine hundred and thirty-four, in addition to the sum deducted therefrom for the expenses incurred during the State fiscal year beginning July first, one thousand nine hundred and thirty-three, and shall be payable by the respective taxpayers to the State Tax Commissioner at the same time as the latter expenses are payable.

3. There is hereby appropriated for the State fiscal year beginning July first, one thousand nine hundred and thirty-three, to meet the expenses of the State Tax Department in such fiscal year in carrying out the provisions of the several acts hereinbefore recited, and in making the apportionments therein provided for, as directed in this section to be deducted, the sum of twenty-three thousand dollars (\$23,000.00) or so much thereof as may be necessary. Appropriation.

The amount so expended to be reimbursed to the State out of the amounts collected by said State Tax Commissioner under this section. Reimbursement.

4. This act shall take effect July first, one thousand nine hundred and thirty-three. Act effective.

Approved June 26, 1933.

CHAPTER 298

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

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

Section 2
amended.

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

Kinds of
licenses:

2. The licenses issued under this act shall be of the following kinds:

Residents'
hunting and
fishing;

First. A license issued to persons who are citizens of the United States above the age of fourteen years and who actually and bona fide reside in this State at the time of the application for such license and who have actually and bona fide resided in this State for at least one year immediately prior thereto. This license shall be designated as the residents' hunting and fishing license and shall authorize the holder thereof to hunt and fish. The fee for this license shall be three dollars, together with an issuance fee of ten cents. This license shall be invalid from the date of its issue when issued to any person not entitled thereto hereunder.

Fee;

Invalid;

Residents'
hunting;

Second. A license issued to persons who are citizens of the United States above the age of fourteen years and who actually and bona fide reside in this State at the time of the application for such license and who have actually and bona fide resided in this State for at least one year immediately prior thereto. This license shall be designated as the residents' hunting license and shall authorize the holder thereof to hunt only. The fee for this license

Fee;

shall be two dollars, together with an issuance fee of ten cents. This license shall be invalid from the date of its issue when issued to any person not entitled thereto hereunder.

Third. A license issued to persons who are citizens of the United States above the age of fourteen years and who actually and bona fide reside in this State at the time of the application for such license and who have actually and bona fide resided in this State for at least one year immediately prior thereto. This license shall be designated as the residents' fishing license and shall authorize the holder thereof to fish only. The fee for this license shall be two dollars, together with an issuance fee of ten cents. This license shall be invalid from the date of its issue when issued to any person not entitled thereto hereunder.

Fourth. A license issued to persons above the age of fourteen years, not entitled to a resident's license, authorizing such person to hunt and fish. This license shall be designated as the non-residents' and aliens' hunting and fishing license. The fee for this license shall be ten dollars, together with an issuance fee of fifty cents.

Fifth. A license issued to any person above the age of fourteen years not entitled to a resident's license, authorizing such person to fish only. This license shall be designated as the non-residents' and aliens' fishing license. The fee for this license shall be five dollars, together with an issuance fee of fifty cents.

The licensee shall also wear in a conspicuous place on his outer clothing, a button to be furnished by the person issuing the license, such button shall bear a number corresponding to the number of the license delivered to the applicant and such other matter as may be determined by the Board of Fish and Game Commissioners.

Every license issued under this act shall be void after the thirty-first day of December next succeeding its issuance.

Invalid;

Residents'
fishing;

Fee;

Invalid;

Nonresidents'
and aliens'
hunting and
fishing;

Fee;

Nonresidents'
and aliens'
fishing;

Fee.

License
worn in a
conspicuous
place.

License void.

Licenses valid. Every non-residents' fishing license issued under this act shall be valid and operative only on such days of the week in the open season for angling in the State of New Jersey, as any fishing license issued to residents of the State of New Jersey by the State of residence of the applicant for the New Jersey non-residents' fishing license shall be valid and operative.

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

Licenses and buttons procured. 3. The licenses and buttons above mentioned shall be procured from any county, city, borough, town, township or village clerk, or from any salaried fish and game warden of this State. Such license shall state the name, age, occupation and place of residence of the licensee, and shall contain such other facts and statements as may be required by the Board of Fish and Game Commissioners. It shall also contain the signature of the licensee, written in ink, and the official seal of the clerk issuing said license, when issued by a clerk; and when issued by a fish and game warden of this State, it shall be countersigned by such fish and game warden. The form of the license and button shall be determined, and the license blanks and buttons prepared by the Board of Fish and Game Commissioners of this State, and by such Board furnished to the clerk of each county, city, borough, town, township and village, and to each salaried fish and game warden. Additional license blanks and buttons shall be furnished by the said board to such clerks and salaried wardens upon request as required. It shall be the duty of the applicant for a license to report to the person issuing the same, all fish, birds, animals and vermin killed by him during the previous calendar year, and it shall be the duty of the issuing agency to fill out this report on the blank provided, before issuing a license to the applicant. Every applicant for a license shall prove to the satisfaction of the clerk, or fish and game warden,

Additional blanks.

Report of game killed.

Form of license and button.

to whom application is made for a license, that he is entitled to the license for which application is made.

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

Section 5 amended.

5. On or before the tenth day of each month, every county, city, borough, town, township or village clerk and every salaried fish and game warden of this State shall send the fees collected for all licenses issued during the preceding month, except the issuance fees, which may be retained by him, also every license blank and button that shall have been spoiled during the preceding month, to the Board of Fish and Game Commissioners, together with a list showing the serial number of each license issued and paid for, and the name and residence of the person to whom such license was issued and the number of spoiled license blanks returned.

Monthly return of fees, etc., by issuing authority.

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

Section 6 amended.

6. On or before the twentieth day of each month, the Board of Fish and Game Commissioners shall send to the State Treasurer all fees received by them for licenses reported issued by clerks and wardens during the preceding month, and also every spoiled license blank and corresponding button returned to them by said clerks and wardens. Such Board shall also send at the same time to the State Treasurer a schedule showing the number of spoiled license blanks remitted, the serial number of each license issued and paid for, and the name and residence of each person to whom each license has been issued during the preceding month.

County clerk to make monthly return to State Treasurer.

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

Section 8 amended.

8. On or before the tenth day of January in each year the clerk of each county, city, borough, town, township or village and each salaried warden shall send to the office of the Board of Fish and Game

Annual return of unused blanks, etc.

Commissioners all return stubs of licenses issued during the preceding year ending December thirty-first, all unused license blanks and unused buttons and all return stubs of license blanks spoiled during said year. Such return stubs and unused license blanks and buttons shall be placed by each clerk and each salaried warden in three separate packages, each of which packages shall contain the return stubs and unused license blanks and buttons of one kind of license only. Each of such packages shall be plainly marked with the name and address of the clerk or salaried warden sending the same and with the kind of license contained therein. With such packages, each clerk and salaried warden shall also send a statement of the total amount received by him for the issuance of licenses during said year and the total amount theretofore remitted to the Board of Fish and Game Commissioners during the preceding year ending December thirty-first, together with a tabulated statement showing the number of license blanks received during said year, the number of licenses issued during said year, the number of license blanks received but not used during said year, and the number of license blanks spoiled during said year.

Annual
statement.

Section 9
repealed.

6. Section nine of the act to which this act is amendatory be and the same is hereby repealed in its entirety.

Section 11
repealed.

7. Section eleven of the act to which this act is amendatory be and the same is hereby repealed in its entirety.

Act effective.

8. This act shall take effect January first, one thousand nine hundred and thirty-four.

Approved June 26, 1933.

CHAPTER 299

A SUPPLEMENT to an act entitled "An act to authorize and regulate the issuance of bonds and other obligations and the incurring of indebtedness by county, city, borough, village, town, township, or any municipality governed by an improvement commission," approved March twenty-second, one thousand nine hundred and sixteen.

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

1. Any municipality that has heretofore or shall hereafter enter into a joint contract for the construction of a joint municipal trunk line sewer and/or the construction of a joint municipal sewage disposal plant and appurtenances thereto, may exceed by not more than three per centum of the average of the three next preceding assessed valuations of the taxable real property, including improvements of said municipality, its net bonded debt limit as prescribed by the act to which this act is a supplement, for indebtedness incurred or authorized by said municipality for its share of the cost of such construction.

May exceed
by three per
centum bonded
debt limit.

2. Any such municipality may in any annual or supplemental debt statement hereafter filed deduct so much of the indebtedness incurred or authorized by it for its share of the cost of such sewer construction as the indebtedness incurred or authorized by it for that purpose may exceed the seven per centum debt limitation prescribed by the act to which this act is a supplement, as of the time for which any annual or supplemental debt statements may hereafter be filed. Such deduction, however, shall not exceed by more than three per centum the average of the three next preceding assessed

Deduction
from debt
statement.

Not to exceed
three per
centum.

valuations of the taxable real property, including improvements of said municipality, as set forth in the supplemental debt statement required to be filed at the time the indebtedness was authorized.

Repealer.

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

4. This act shall take effect immediately.

Approved June 26, 1933.

CHAPTER 300

AN ACT to amend an act entitled "An act to establish in this State boards of health and a bureau of vital statistics, and to define their respective powers and duties," approved March thirty-first, one thousand eight hundred and eighty-seven.

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

Section 2
amended.

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

Powers and
duties of the
board.

2. That the said State board shall take cognizance of all matters affecting health and life among the citizens of this State, shall make sanitary investigations and inquiries in respect of the people, the causes of diseases and especially of epidemics and the sources of mortality, and the effects of localities, employments, conditions and circumstances on the public health; they shall also make investigations and inquiries into the sanitary condition of any State, county, city or township almshouse, asylum, prison, penitentiary, jail, reform school, school house or other public building, and of tenements, manufactories and workshops; the said State board shall also make investigations and

Sanitary
conditions.

Toilet, etc.,
facilities.

inquiries into the sanitary condition of all sleeping quarters, rest rooms, wash rooms, toilets and toilet facilities, eating rooms and restaurants that are provided by railroads for the use of their employees at any point within the State; the said State board shall also constitute a State bureau of vital statistics who shall, as such board, cause to be made such tabular classification, and such index and transcription of the vital facts shown by the certificates of marriages, births and deaths now by law returned to the Secretary of State, as may be useful to the said board or to the officers thereof in preparing for diffusion among the people of the State such facts as may bear upon public health; the said board shall fix and determine the amounts to be paid for the classification, index and transcription above required, which amounts shall not exceed the sum of four cents for each certificate returned to the Secretary of State, and shall be paid out of the annual appropriations made to said State board as hereinafter provided.

Statistical information.

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

Section 5 amended.

5. That the said State board may appoint inspectors and assign them to such duties as the interests of the public health in any part of the State may require, and to aid in the execution of the laws relating thereto; and they may require the said inspectors to investigate the local epidemics, nuisances, needs for drainage, neglect of sanitary law, the condition of school houses, tenements, manufactories and workshops, of public buildings belonging to the State, or to any county or city therein, and of the persons confined or employed therein; and they also may require said inspectors to investigate the condition of all sleeping quarters, rest rooms, wash rooms, toilets and toilet facilities, eating rooms and restaurants that are provided by railroads for the use of their employees at any point within the State; and the State board, its agents and appointees shall have the same right of

May appoint inspectors and assign duties.

Certain investigations.

Pay of inspectors.

inspection in regard to all matters affecting the public health as has been or may be conferred upon local boards of health; the inspectors appointed by the State Board of Health shall be paid by the board out of the moneys appropriated therefor such sum as may be fixed and determined by the board.

Approved June 26, 1933.

CHAPTER 301

AN ACT to supplement an act entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three," approved May sixth, one thousand nine hundred and twenty-nine.

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

To designate
high schools.

1. Excepting school districts which have heretofore designated high schools located outside said districts for the children thereof to attend and which school districts are referred to and are regulated in this particular in and by the act to which this act is a supplement, any school district heretofore or hereafter created which lacks or shall lack high school facilities within said district for the children thereof may designate any high school or schools of this State as the school or schools which the children of such district are to attend. After any such district shall so designate a high school or schools which the children of the district are to attend, said district may not change the designation

Not to
change.

and name of the school or schools of any other district for said children to attend unless good and sufficient reason exists for such change and unless the Commissioner of Education approves such change of designation; *provided, however*, that in the event the said commissioner refuses to approve an application of a district to make a new designation, the district may appeal from such determination to the State Board of Education and, in its discretion, that body may affirm the determination of the commissioner, or may approve the change of designation sought. The boards of education of the districts containing such high schools shall determine the tuition rate to be paid by the boards of education of the districts sending pupils thereto; *provided, however*, that such amount shall in no case exceed the actual cost per pupil, and the board of education of the district in which such child shall reside shall issue an order for said amount, signed by the president and district clerk or secretary of the board of education, in favor of the custodian of the school moneys of the school district in which such child shall attend school, which order shall be paid by the custodian of the school moneys of the first-mentioned district out of any moneys in his hands available for the current expenses of said district.

2. The board of education of any school district having a high school now designated for the children of another school district to attend or which shall be hereafter designated may, in the event that the Commissioner of Education approves an application of a district to make a new designation, appeal from such determination to the State Board of Education and in its discretion that body may affirm or deny the application.

3. This act shall take effect immediately.

Approved June 26, 1933.

CHAPTER 302

AN ACT relative to the sale and conveyance of cemetery lands not used for burial purposes.

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

Conveyance
for municipal
use.

1. The owner or owners of land heretofore dedicated or appropriated in any manner to cemetery purposes may, and are hereby authorized and empowered to, convey such land, or any part thereof, not at the time of such conveyance actually used for burial purposes, to any municipal or governmental corporation for use for other than cemetery purposes; *provided, however*, that any lands so conveyed shall in each case constitute a compact parcel or area within the limits of which no burials have been or shall have been made and within which there shall be no lot, the title to which shall then be in any other owner than the grantor in any such proposed deed.

Proviso.

2. This act shall take effect immediately.

Approved June 26, 1933.

CHAPTER 303

AN ACT to amend the title and body of an act entitled "An act providing for the licensing and bonding of commission merchants, dealers and brokers, receiving, buying, soliciting or negotiating the sale of perishable agricultural commodities from or on behalf of a grower or growers thereof residing in this State, and the licensing of the agent or agents of commission merchants, dealers or brokers, and to punish any person, firm, association, partnership, corporation or agent violating the provisions hereof," approved April fourteenth, one thousand nine hundred and thirty, as said title was changed and amended by act approved April twenty-eighth, one thousand nine hundred and thirty-one.

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

1. An act entitled "An act providing for the licensing and bonding of commission merchants, dealers and brokers, receiving, buying, soliciting or negotiating the sale of perishable agricultural commodities from or on behalf of a grower or growers thereof residing in this State, and the licensing of the agent or agents of commission merchants, dealers or brokers, and to punish any person, firm, association, partnership, corporation or agent violating the provisions hereof," approved April fourteenth, one thousand nine hundred and thirty, as said title was changed and amended by act approved April twenty-eighth, one thousand nine hundred and thirty-one, be and the same is hereby changed and amended to read as follows:

Title amended.

New title.	An act providing for the licensing and bonding of commission merchants, dealers and brokers, receiving, buying, soliciting or negotiating the sale of perishable agricultural commodities from or on behalf of a grower or growers thereof residing in this State, or from or on behalf of any agricultural co-operative association, and further providing for the licensing of the agent or agents of commission merchants, dealers or brokers, and to punish any person, firm, association, partnership, corporation or agent violating the provisions hereof.
Section 1 amended.	2. Section one of the act of which this act is amendatory and supplemental be and the same is hereby amended to read as follows:
Definitions:	1. Definitions as used in this act.
Secretary;	The term "secretary" means the Secretary for Agriculture;
Perishable commodity;	The term "perishable agricultural commodity" means any fruit or vegetable of every kind, whether frozen or packed in ice;
Growers;	The term "grower or growers" means any person, firm, association, partnership or corporation engaged in the business of growing or producing any perishable agricultural commodity in this State, or any agricultural co-operative association organized pursuant to the provisions of an act entitled "An act to provide for the incorporation and regulation of co-operative agricultural associations either with or without capital stock," approved February twenty-eighth, one thousand nine hundred and twenty-four.
Commission merchant;	The term "commission merchant" means any person, firm, association, partnership or corporation engaged in the business of soliciting or receiving any perishable agricultural commodity for sale on commission on behalf of the grower or growers thereof.
Dealer;	The term "dealer" means any person, firm, association, partnership or corporation engaged in the business of buying any perishable agricultural commodity from the grower or growers thereof for the purpose of shipping or for sale, resale or manufacture.

The term "broker" means any person, firm, association, partnership or corporation engaged in the business of soliciting or negotiating the sale of any perishable agricultural commodity on behalf of the grower or growers thereof.

Broker;

The term "agent" means any person, firm, association, partnership or corporation receiving, buying, soliciting or negotiating the sale of any perishable agricultural commodity from the grower or growers thereof for or on behalf of any commission merchant, dealer or broker.

Agent.

This act shall not, however, be construed to apply to any transaction in which the grower receives in cash at the time of the transaction full payment of the amount due him, or to any duly incorporated agricultural co-operative association in its dealings with its members.

Application of act.

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

Section 2 amended.

2. On and after July first, one thousand nine hundred and thirty-one, no person, firm, association, partnership or corporation shall engage in or carry on the business of commission merchant, dealer or broker unless such person, firm, association, partnership or corporation be duly licensed as hereinafter provided; *provided, however*, that nothing in this act contained shall be construed to apply to any agricultural co-operative association which deals only with its members and organized pursuant to the provisions of an act entitled "An act to provide for the incorporation and regulation of co-operative agricultural associations either with or without capital stock," approved February twenty-eighth, one thousand nine hundred and twenty-four.

License required.

Proviso.

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

Section 3 amended.

3. Each such person, firm, association, partnership or corporation before engaging in such business shall, on or before June first, one thousand

Application for license.

Form of application.

nine hundred and thirty-one and on or before June first annually thereafter, file an application with the secretary, on a form prescribed by him, for a license to transact such business. The application shall state the nature of the business, the kind or kinds, of perishable agricultural commodities which the applicant proposes to handle, the full name or names of the person or persons applying for the license, and if the applicant be a firm, association or partnership, or corporation, the full name of each member of such firm, partnership or association, or officers of such corporation, and the name of the local agent or agents of the person, firm, association, partnership or corporation, the city, town or municipality and street address, if any, or post-office address, where such business is to be conducted, and such other facts as the secretary shall prescribe. The application shall be accompanied by a good and sufficient surety bond executed in favor of the secretary in his official capacity, by a surety company duly authorized to transact business in this State in the sum of at least three thousand dollars, conditioned for the payment of all moneys due and owing by such licensee to such grower or growers during the period that such license is in force. Such bond shall be executed upon a form prescribed by the secretary and shall be subject to his approval as to form and sufficiency. The applicant shall further satisfy the secretary of his or its character, financial responsibility and good faith in seeking to engage in such business. Upon the filing and approval of such application and bond the secretary shall thereupon issue to such applicant or applicants or their agent on payment of a license fee of two dollars, a license entitling the applicant or applicants or the agent of such to conduct the business of receiving, buying, soliciting or negotiating the sale of perishable agricultural commodities on behalf of the grower, at the place named in the application, which license shall expire on the thirtieth day of June next following its date of issuance;

Bond.

Form of bond.

License issued.

Fee.

License expires.

provided, however, that nothing in this act contained shall be construed to apply to any agricultural co-operative association which deals only with its members and organized pursuant to the provisions of an act entitled "An act to provide for the incorporation and regulation of co-operative agricultural associations either with or without capital stock," approved February twenty-eighth, one thousand nine hundred and twenty-four.

Proviso.

No agent shall receive, buy, solicit or negotiate the sale of any perishable agricultural commodity in this State on behalf of any commission merchant, dealer or broker unless such agent has been designated by a duly licensed commission merchant, dealer or broker to so act and unless such commission merchant, dealer or broker has notified the secretary in his application for license or given notice in writing of such designation and has requested the secretary to issue to such agent an agent's license.

Agents soliciting, etc.

The secretary may require a licensee to file an additional bond, to be executed as above provided, in a sum to be determined by the secretary, but the maximum amount of such bond shall not exceed twenty-five thousand dollars.

Additional bond.

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

Section 4 amended.

4. Upon default of any licensee in the payment of any money due to any grower such grower may file with the secretary upon a form prescribed by him, a verified statement of his claim. If such grower or growers shall have reduced his claim to judgment a transcript of such judgment shall be filed with the secretary. Such statement may be filed at any time during the period of the license and within ninety days from the termination of such period, for debts contracted during such licensed period. After the expiration of ninety days from the termination of any licensed period the secretary shall, by proper action, wherein all such creditors and the surety or sureties upon the bond or bonds given as herein provided for and the

Claim filed upon default by licensee.

Judgment filed.

Time of filing.

Judgment enforced ratably.

licensee shall be parties, proceed to determine the amount due each creditor and the judgment rendered in such action shall be enforced ratably for such creditors against the surety or sureties on the bond or bonds. If any grower shall have reduced his claim to judgment such judgment shall be presumptive proof of the amount due such creditor in any action brought by the secretary as herein provided. Every bond given pursuant to the provisions hereof shall be applicable to the payment of all claims arising during the licensed period for which such bond or bonds shall continue. Claims not filed within ninety days from the termination of any licensed period shall not be received, acted upon or paid and shall not participate in the proceeds of any bond. The secretary may bring an action in any court of competent jurisdiction against the licensee or surety or sureties on the bond or bonds for the recovery of any money due and owing to a grower or growers as hereinbefore provided; *provided, however*, that nothing in this act contained shall be construed to apply to any agricultural co-operative association which deals only with its members and organized pursuant to the provisions of an act entitled "An act to provide for the incorporation and regulation of co-operative agricultural associations either with or without capital stock," approved February twenty-eighth, one thousand nine hundred and twenty-four.

Judgment presumptive proof.

Bond applicable to payment of all claims.

Suit to recover.

Proviso.

Section 5 amended.

Penalty for violation.

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

5. Any person, firm, association, partnership, corporation or agent that shall engage in the business of commission merchant, dealer or broker, as herein defined, without first having obtained a license as herein provided or shall violate any provision of this act shall be subject to a penalty of one hundred dollars for the first offense and five hundred dollars for the second and each subsequent offense, to be sued for and recovered with costs in a summary proceeding in the name of the

secretary for agriculture, of the State of New Jersey; *provided, however*, that nothing in this act contained shall be construed to apply to any agricultural co-operative association which deals only with its members and organized pursuant to the provisions of an act entitled "An act to provide for the incorporation and regulation of co-operative agricultural associations either with or without capital stock," approved February twenty-eighth, one thousand nine hundred and twenty-four. Proviso.

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

7. The secretary or an assistant whom the secretary may designate shall have the power to investigate upon the verified complaint of any interested person, or upon the verified complaint of any agricultural co-operative association organized pursuant to the provisions of an act entitled "An act to provide for the incorporation and regulation of co-operative agricultural associations either with or without capital stock," approved February twenty-eighth, one thousand nine hundred and twenty-four, or of his own motion, the record of any person, firm, association, partnership or corporation applying for or holding a license as commission merchant, broker, dealer or agent, and for such purpose may examine the ledgers, books of account, memoranda or other documents of any such person, firm, association, partnership or corporation and may take testimony thereon under oath, but information relating to the general business of any such person, firm, association, partnership or corporation, disclosed by such investigation and not relating to the immediate purpose thereof, shall be deemed of a confidential nature by the secretary or assistant whom he may designate. Investigation upon complaint.

When any such verified complaint is filed with the secretary he shall give a hearing thereon and a copy of the complaint, with a notice of the time and place of hearing, which notice shall be served either personally or by registered mail direct to Hearing.

- his place of business or last known residence address, with postage fully prepaid, at least ten days prior to the time fixed for hearing. In the hearing of any complaint the secretary or assistant whom he may designate may sign and issue subpoenas, administer oaths, examine witnesses, take depositions, receive evidence and require by subpoena the attendance and testimony of witnesses and the production of such accounts, records and memoranda as may be material for the determination of the matter alleged in such complaint. The secretary or assistant whom he may designate shall render a decision either dismissing such complaint or specifying the facts which he deems established at such hearing.
8. Section ten of the act of which this act is amendatory and supplemental be and the same hereby is amended to read as follows:
10. Every person, firm, association, partnership or corporation licensed under the provisions of this act, and carrying on or conducting business under such license, shall post in a conspicuous place in or at the place of business of such licensee a copy of such license, to be furnished by the secretary, to be kept and exposed for inspection by any person who may properly make such inspection. The licensee and each of his agents shall at all times when receiving, buying, soliciting or negotiating the sale of perishable agricultural commodities carry an agent's license which shall be exhibited to growers or to the officers of any agricultural co-operative association which deals only with its members and organized pursuant to the provisions of an act entitled "An act to provide for the incorporation and regulation of co-operative agricultural associations either with or without capital stock," approved February twenty-eighth, one thousand nine hundred and twenty-four, when negotiating business with them, or to the secretary or assistant whom he may designate when requested so to do.
9. This act shall take effect immediately.
- Approved June 26, 1933.

Issuing
process.

Decision.

Section 10
amended.

License
displayed.

Agents to
display
license.

CHAPTER 304

AN ACT to validate and confirm reinstatements of charters of corporations heretofore made.

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

1. All reinstatements of charters of corporations by the Governor heretofore made, after the same have been forfeited for nonpayment of taxes, are hereby validated and confirmed. Validating reinstatements.
 2. This act shall take effect immediately.
- Approved June 26, 1933.

CHAPTER 305

AN ACT to amend an act entitled "An act to revise and amend 'An act for the taxation of railroad and canal property,' approved April tenth, one thousand eight hundred eighty-four," approved March twenty-seventh, one thousand eight hundred eighty-eight.

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

1. Section twelve of the act of which this act is amendatory, as amended by chapter eleven of the laws of one thousand nine hundred and thirty-three, is hereby amended so that the same shall read as follows: Section 12 amended.
12. The State Tax Commissioner shall sit on the second Monday of January in each year at the State House, Trenton, for the purpose of reviewing his assessments under this act, made as of Janu- Reviewing assessments.

any first of the previous year, and may adjourn from time to time till he shall have finished the hearings. Any railroad or canal company or the Attorney-General on behalf of the State and of the taxing districts, claiming that error has been made in the assessment of property under this act, may, on or before the second Monday of January as aforesaid, file a complaint specifying the grounds of complaint and the relief sought, which shall be in such form and contain such further information as may be from time to time prescribed by the rules promulgated by the State Tax Commissioner for the better understanding and determination of the complaint. The State Tax Commissioner shall review the said assessment and correct the same as shall appear just. The Attorney-General shall attend the hearings of the State Tax Commissioner on said review, in person or by such deputy as he may appoint for that purpose. If the complaint is made by a railroad or canal company, a copy of the complaint and notice of application for hearing thereon shall be served upon the Attorney-General five days before the filing of such complaint by leaving a copy of the complaint and notice at his office, and, if the complaint is made by the Attorney-General, a copy of the complaint and notice of application for hearing thereon shall be served upon the railroad or canal company five days before the filing of such complaint by leaving a copy of the complaint and notice at its principal office in this State. The State Tax Commissioner on said review shall have the power to issue subpoenas and examine witnesses and call for the production of books and papers, and he shall be entitled to use his personal knowledge and judgment as to the value of property. The hearings provided for by this section and the determination shall be completed before the first day of April following the filing of the complaint.

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

Complaint.

Form of complaint.

Review of assessment.

State counsel.

Notice of complaint.

Subpoenas.

Completing proceedings.

Section 13 amended.

13. Any railroad or canal company or the Attorney-General on behalf of the State or, in respect to second class property, the authorities of the taxing district, desiring to contest the final determination of the State Tax Commissioner under section twelve of this act, or the validity or amount of the tax levied under this act, or any railroad or canal company or the Attorney-General on behalf of the State and of the taxing districts claiming that there has been illegal discrimination in the assessment of any property or in the levying or imposing of the tax thereon under this act or that there has been illegal discrimination in the assessment of property under this act as compared with the assessment of property generally under the act entitled "An act for the assessment and collection of taxes" (Revision of 1918), may, on or before the third Monday of June following the levying or imposing of the tax, file a written complaint with the State Board of Tax Appeals, specifying the grounds of complaint and the relief sought, which shall be in such form and contain such further information as may be from time to time prescribed by the rules of the State Board of Tax Appeals for the better understanding and determination of the complaint. If the complaint is made by a railroad or canal company, a copy of the complaint and notice of application for hearing thereon shall be served upon the Attorney-General five days before the filing of such complaint by leaving a copy of such complaint and notice at his office, and in respect to second class property in any taxing district, a copy of the complaint and notice of application for hearing thereon shall be served upon the authorities of such taxing district by leaving a copy of such complaint and notice at the principal office of the authorities of such taxing district, and if the complaint is made by the Attorney-General or the authorities of any taxing district, a copy of the complaint and notice of application for hearing thereon shall be served upon the railroad or canal company five days before the filing of such com-

Illegal discrimination.

Written complaint.

Notice.

plaint by leaving a copy of such complaint and notice at its principal office in this State.

Review by
Board of
Tax Appeals.

The State Board of Tax Appeals shall meet on the third Monday of June in each year at the State House, Trenton, for the purpose of fixing a time and place for the hearing of any complaint filed under this section. The Attorney-General shall appear on behalf of the State before the State Board of Tax Appeals in person or by such deputy as he may appoint and designate for that purpose. If it shall be made to appear upon such hearing that any such assessment or tax is illegal, excessive, insufficient, or that there has been illegal discrimination in the assessment, the State Board of Tax Appeals shall correct, adjust and equalize the assessment and tax of such property.

Correction of
assessment.

Filing
complaint.

In the year one thousand nine hundred and thirty-three, any complaint under this section may be filed with the State Board of Tax Appeals on or before the second Monday of July, and said State Board of Tax Appeals shall meet on the second Monday of July in the year one thousand nine hundred and thirty-three for the purpose of fixing a time and place for the hearing of any complaint so filed, anything in this act to the contrary notwithstanding.

Proceedings
concluded.

The State Board of Tax Appeals shall conclude its hearing on or before the fifteenth day of October following the filing of the complaint, and, between November first and November fifth following, shall certify to the State Tax Commissioner its final determination, and the State Tax Commissioner shall forthwith certify to the State Comptroller all changes and corrections in the assessment and tax.

Contesting
decision.

If any railroad or canal company or if the Attorney-General on behalf of the State or, in respect to second class property, if the authorities of any taxing district shall desire to contest the final determination of the State Board of Tax Appeals, such contest shall be made by certiorari, *provided* the application therefor shall be made within three

Proviso.

months from the date of the certification to the State Tax Commissioner of the final determination of the State Board of Tax Appeals.

If the writ shall be allowed to any railroad or canal company, it shall pay to the State Treasurer, as a condition for prosecuting the writ, the amount of the taxes then not in substantial controversy. If the company and the Attorney-General or, in respect to second class property, the authorities of the taxing district, as the case may be, are unable to agree on the amount of taxes then not in substantial controversy, such amount shall be determined by the court or justice by whom the writ is allowed, either directly or by a reference to a Supreme Court Commissioner. Upon the payment of the amount of taxes then not in substantial controversy, the payment or collection of the remainder of the taxes shall be stayed until the final determination by the Supreme Court on the writ of certiorari, notwithstanding any law to the contrary. If it shall be made to appear before the Supreme Court on the writ of certiorari that the final determination of the State Board of Tax Appeals in respect to any such assessment or tax in controversy is illegal, excessive, insufficient, or that there has been illegal discrimination in the assessment, the Supreme Court shall correct, adjust and equalize such assessment and tax or refer same back to the State Tax Commissioner who shall correct, adjust and equalize the assessment and tax in accordance with the instructions or decision of the court.

In any suit or proceeding, except on such complaint before the State Board of Tax Appeals or on such certiorari, the certificate and report of the State Tax Commissioner shall be conclusive and shall have the force and effect of a judgment of a court of record having competent jurisdiction and the proceeding whereon such certificate and report are founded, shall not be inquired into; no assessment or tax shall be set aside for misnomer

Writ allowed upon payment of taxes.

Amount of taxes.

Payment stayed.

Correction of assessment.

Proceedings.

Fee per folio.

the owner of the property assessed but the name may be corrected at any time by the State Tax Commissioner, the State Board of Tax Appeals or the court; the prosecutor of the writ of certiorari shall pay eight cents per folio to the State Tax Commissioner and the State Comptroller for returns made by them of proceedings under this act.

3. This act shall take effect immediately.

Approved June 26, 1933.

CHAPTER 306

AN ACT to supplement an act entitled "An act to revise and amend 'An act for the taxation of railroad and canal property,' approved April tenth, one thousand eight hundred eighty-four," approved March twenty-seventh, one thousand eight hundred eighty-eight.

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

Time of
filing
complaint.

1. Any railroad or canal company or the Attorney-General on behalf of the State or, in respect to second class property, the authorities of the taxing district, claiming that error has been made in the assessment of property under the act to which this act is a supplement which has been assessed as of January first, one thousand nine hundred and thirty-two, may on or before the second Monday of July, one thousand nine hundred and thirty-three, file a written complaint with the State Board of Tax Appeals, under section thirteen, without proceeding under section twelve of the act to which this act is a supplement.

2. This act shall take effect immediately.

Approved June 26, 1933.

CHAPTER 307

AN ACT to amend an act entitled "A supplement to an act entitled 'An act to revise and amend "An act for the taxation of railroad and canal property," approved April tenth, one thousand eight hundred and eighty-four,' which act was approved March twenty-seventh, one thousand eight hundred and eighty-eight," approved March fifth, one thousand nine hundred and eighteen.

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

1. Section three (as amended by Pamphlet Law one thousand nine hundred and twenty-two, chapter four) of the act of which this act is amendatory be and the same is hereby amended to read as follows:

Section 3
amended.

3. On or before the tenth day of December following the completion of his valuation in each year the State Tax Commissioner shall serve upon the treasurer of each railroad and canal company or leave at his office a statement of the assessed valuation of the property of such company in the State and of the separate valuation of the property of such company in each taxing district and shall certify the value of the real estate used for railroad or canal purposes in each taxing district in this State, separately valued and assessed under the provisions of subdivision two (2) of section three (3) of the act to which this act is a supplement (commonly known as second class railroad or canal property), to the county boards of taxation in the several counties and to the assessors in the several taxing districts in which said property is situated. The value of such property so certified shall be included in the amount of ratables to be taxed in

Statement of
assessed value
served.

Value
certified
included in
taxes on
railroad
property.

the several taxing districts, and the necessary tax rate and the amount of the ratables for such districts shall be ascertained by the county board of taxation in each county and certified to the State Tax Commissioner on or before the first day of April in each year, whereupon the State Tax Commissioner shall include in the taxes to be assessed by him upon railroad and canal property, a tax upon the property described in this section at the rate in each taxing district that is so as aforesaid certified to said Tax Commissioner by the county boards of taxation, and said property shall not be subject to any other tax.

No other tax.

2. This act shall take effect immediately.

Approved June 26, 1933.

CHAPTER 308

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

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

Section 701
amended.

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

Inmates to be
employed in
productive
capacity.

701. The inmates of all correctional and charitable, hospital, relief and training institutions within the jurisdiction of the State Board shall be

employed in such productive occupations as are consistent with the health, strength and mental capacity of the person so employed, and shall receive such compensation therefor as the State Board shall determine; *provided, however,* that such compensation for inmates of correctional institutions may be in the form of cash or remission of time from sentence, or both. In case of remission from the time of sentence such remission shall not exceed one day for each week of sentence; *and provided, further,* that remission of time so granted as compensation shall in no way affect deductions for good behaviour or provided by law.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved June 26, 1933.

CHAPTER 309

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

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

1. From and after the passage of this act it shall be unlawful for any person who is not a registered pharmacist of this State, or an apprentice employed in a pharmacy under the immediate personal supervision of a registered pharmacist, to compound, dispense, fill or sell prescriptions of physicians, dentists, veterinarians or any other medical practitioners licensed to write prescriptions for drugs and medicines.

Pharmacist registered.

2. The term "prescription" as used in this act shall be taken to mean an order for drugs and/or medicines or combinations or mixtures thereof,

"Prescription" defined.

written and, or signed by a duly licensed physician, dentist, veterinarian or other medical practitioner licensed to write prescriptions intended for the treatment or prevention of disease in man or animals. The term "prescription" shall also include orders for drugs and/or medicines or combinations or mixtures thereof transmitted to pharmacists through word of mouth, telephone, telegraph or other means of communication by a duly licensed physician, dentist, veterinarian or other medical practitioner licensed to write prescriptions intended for the treatment or prevention of disease in man or animals, and such prescriptions received by word of mouth, telephone, telegraph or other means of communication shall be recorded in writing by the pharmacist and the record so made by the pharmacist shall constitute the original prescription to be filed by the pharmacist, as provided for in section three of this act.

**Prescription
filed.**

3. It shall be the duty of the registered pharmacist compounding, dispensing, filling or selling a prescription to place the original written prescription in a file kept for that purpose and to affix to the container in which the prescription is dispensed, a label bearing the name and address of the pharmacist, the date on which the prescription was compounded and an identifying number under which the prescription is recorded in his files, together with the name of the physician, dentist, veterinarian or other medical practitioner prescribing it and the directions for the use of the prescription by the patient, as directed on said prescription of the physician, dentist, veterinarian or other medical practitioner licensed to write prescriptions.

Violation.

4. It shall be deemed a violation of this act if a prescription when compounded, filled, dispensed or sold, and before any of the contents of said prescription shall have been used or removed, is found to contain more or less than the quantity of the several and/or combined ingredients ordered in writing by the prescriber, or if the prescription

compounded, filled, dispensed or sold shall contain ingredients other than those ordered in writing by the prescriber; *provided*, that the addition of such inert ingredients as are required in the art of compounding shall be permissible, but that such ingredients shall in no manner be used to replace the several or combined constituents ordered in writing by the prescriber, without the prescriber's permission.

Proviso.

5. The Board of Pharmacy of the State of New Jersey shall have power to make rules and regulations for the enforcement of this act, including the establishing of tolerances to allow for deviations from the amounts of ingredients prescribed due to manipulative procedures and/or deterioration.

Enforcement.

6. Any person violating this act shall forfeit and pay a penalty of not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00) for the first offense, not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00) for the second offense, and not less than one hundred dollars (\$100.00) for the third and each subsequent offense, which penalty shall be sued for and recovered by and in the name of the Board of Pharmacy of the State of New Jersey in accordance with the procedure directed in section four of chapter one hundred twenty-six, Pamphlet Laws of one thousand nine hundred and thirty-two, entitled "A further supplement to an act entitled 'An act to regulate the practice of pharmacy in this State,' approved March nineteenth, one thousand nine hundred and one."

Penalty for violation.

7. This act shall take effect immediately.

Approved June 26, 1933.

CHAPTER 310

A SUPPLEMENT to an act entitled "An act for the establishment of an employees' retirement system for the employees of the State of New Jersey," approved March thirty-first, one thousand nine hundred and twenty-one.

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

Vice-
chairman.

1. The board of trustees created by the act to which this act is a supplement may elect from among its members a vice-chairman, who shall have all the power and authority of the chairman in the event of the death, absence or disability of the chairman.

2. This act shall take effect immediately.
Approved June 26, 1933.

CHAPTER 311

AN ACT to amend an act entitled "An act providing for the appointment of fire marshals in counties of the third class of this State and defining his powers and duties," approved March fourteenth, one thousand nine hundred and twenty-four, as amended by an act approved March twenty-ninth, one thousand nine hundred twenty-six.

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

Section 2
amended.

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

2. The fire marshal shall act in advisory capacity to all the fire companies in his said county, and shall conduct investigations in his said county with a view of eliminating fire hazards, and upon his recommendation the board of chosen freeholders shall have power to enforce such recommendations and abate such fire hazards; and said fire marshal shall have the further power, subject to the approval of the board of chosen freeholders to regulate the use, storage, sale and disposal of inflammable or combustible materials, and to provide for the protection of life and property from fire, explosions and other dangers; to provide for inspections of buildings, docks, wharves, warehouses and other places, and any goods and materials therein contained; to provide for the removal or destruction of any building, wall, chimney or structure which is or may become dangerous to life, or property, or which might tend to extend a conflagration.

Powers and duties of fire marshal.

Before any proceeding is taken pursuant to the provisions hereof, it shall be the duty of said fire marshal to cause notice of the contemplated removal or destruction of any such building, wall, chimney or structure, to be given to the owner or owners, any land affected thereby; such notice shall contain a description of the property affected, sufficiently definite in terms to identify the same as well as a description of the manner in which such removal or destruction is to be carried out, and a notice that unless such building, wall, chimney or structure is removed or destroyed within thirty days after the service of such notice, that the fire marshal will proceed with such removal or destruction or cause the same to be proceeded with pursuant to the authority of this act. Such notice may be served upon the owner or owners resident in such county, in person, or by leaving the same at their usual place of residence with a member of their family above the age of fourteen years; in case any such owner shall not reside in any such county, notice may be served upon him personally

Notice of removal or destruction.

Service of notice.

or mailed by registered mail to his last known post office address, or it may be served upon the occupant of the property or upon the agent of the owner in charge thereof; in case the owner of any such property is unknown or service cannot for any reason be made as above directed, notice thereof shall be published at least once, not less than thirty days before the proposed removal or destruction, in a newspaper circulating in the municipality, wherein said building or structure is situate, there may be inserted in said advertisement notice to the owner or owners of several different parcels of land. Notice to infant owners, or owner or owners of unsound mind, shall be served upon their guardians. Where lands are held in trust service shall be made upon the trustee. Where lands are held by two or more joint tenants, tenants in common or tenants by the entirety, service upon one of such owners shall be sufficient and shall be deemed and taken as notice to all. Proof of service of such notices shall be filed within ten days thereafter with the officer having charge of the record of tax liens in the municipality wherein such property may be situate, but failure to file the same shall not invalidate the proceedings if service has actually been made as herein provided. When any such removal or destruction shall have been undertaken and completed by such fire marshal, an accurate account of the cost and expense thereof shall be kept, and a true statement under oath or affirmation, shall be filed by such fire marshal with the chief financial officer of the municipality wherein the property is situate and the same shall be a lien upon the real estate whereon such building or structure was located; *provided, however*, that nothing in this act shall be construed to conflict with the ordinances existing in any borough or city, or which may hereafter be adopted by any borough or city, relating to the removal of fire hazards or nothing therein shall be deemed to or shall give such fire marshal any powers or jurisdiction for the prevention, ex-

Notice to
minors,
trustee, or
tenants.

Proof of
service.

Costs.

Proviso.

tinguishing, investigations or reporting of fire in the forests, brushlands, wildlands or woodlands in the State now or hereafter delegated by law to the Department of Conservation and Development of the State or to its agents.

2. This act shall take effect immediately.

Approved June 26, 1933.

CHAPTER 312

A SUPPLEMENT to an act entitled "An act for the payment of a bonus to each soldier, or a dependent or dependents thereof, who served in the military or naval forces of the United States during the war between the United States and the German Empire and its allies," approved May sixth, one thousand nine hundred and twenty-nine.

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

1. For the purpose of further carrying out the provisions of the act to which this act is a supplement, and concluding final payments pursuant to said act, there is hereby appropriated the sum of forty thousand dollars (\$40,000.00), or so much thereof as may be necessary. All applications for claims and all payments shall be made in accordance with the provisions of the act to which this act is a supplement.

Appropriation for soldiers, etc., bonus.

Claims.

2. This act shall take effect immediately.

Approved June 26, 1933.

CHAPTER 313

AN ACT to amend an act entitled "An act for the relief of the unemployed and dependents in the several counties and municipalities of this State and making appropriations therefor," approved October thirteenth, one thousand nine hundred and thirty-one.

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

Section 6
amended.

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

Distribution of
relief funds.

6. The funds appropriated to the State Director of Emergency Relief are to be employed by him and expended for the relief of the unemployed and dependents of this State and shall be distributed to such counties and municipalities as the State Director of Emergency Relief shall deem advisable. The State Director of Emergency Relief may prescribe the conditions for the distribution and use of such funds allotted to any county or municipality. The State Director of Emergency Relief, in his discretion, may require any county or municipality to furnish a portion of the cost of relief as a condition to the granting of State aid or may assume the entire cost of the relief of unemployed and dependents in such county or municipality. Where any State funds are granted the State Director of Emergency Relief is hereby given full power and authority to prescribe all rules and conditions under which any emergency relief program for the relief of the unemployed and dependents shall be administered. All grants of State funds heretofore made by the said State Director of Emergency Relief to counties for the relief of unem-

Conditions of
distribution.

May require
county to
furnish por-
tion of cost
of relief.

Power of
director.

Validating
previous
grants.

ployed and dependents are hereby ratified and confirmed.

2. This act shall take effect immediately.

Approved June 26, 1933.

CHAPTER 314

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

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

1. In case a person charged with the crime of murder in this State is undergoing imprisonment in any other State, territory or district of the United States for a term less than imprisonment for life, and the Governor of this State shall make demand for the return to this State of the person so charged, it shall be lawful for the Governor to agree with the executive authority of such other State, territory or district that if such person so charged be acquitted or shall be convicted of the crime of manslaughter, or any degree of murder the punishment for which is less than death or imprisonment for life, such person so charged shall be returned immediately to such other State, territory or district, at the expense of this State. This act shall be subject to the provisions of the Constitution of the United States controlling, and the acts of Congress enacted in pursuance thereof. The costs incident to the return of such person shall be borne by the county in which such person so charged was tried for the crime of murder; *pro-*

Extradition
agreement.

Subject to
constitution.

Costs.

Proviso.

vided, however, that the provisions of an act entitled "An act to amend an act entitled 'A supplement to an act entitled "An act relating to courts having criminal jurisdiction and regulating proceedings in criminal cases"' (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,' which said supplement was approved March nineteenth, one thousand nine hundred and twenty-seven," approved April third, one thousand nine hundred and twenty-eight, with respect to the imposition of sentence shall not be applicable to a proceeding had under this act.

2. This act shall take effect immediately.

Approved June 26, 1933.

CHAPTER 315

AN ACT to amend an act entitled "A supplement to an act entitled 'An act to provide for the proper construction, grading and drainage of the unimproved township and borough roads of the State and to provide State aid therefor,' approved March twentieth, one thousand nine hundred and sixteen," which supplement was approved April thirtieth, one thousand nine hundred and twenty-nine, approved June fourteenth, one thousand nine hundred and thirty-two.

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

Section 4
amended.

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

Municipality
to share cost
of repair.

4. The State Highway Commission or the said boards of chosen freeholders shall require the mu-

municipalities receiving aid under this act to contribute or pay such sum or sums towards such repairs as it or they may determine which shall not be less than ten per centum of the cost thereof; *provided, however,* that the board of chosen freeholders are authorized to agree with a municipality to contribute a portion of the cost thereof to the municipality.

Proviso.

This act shall apply to funds allotted for the year one thousand nine hundred and thirty-three and each year thereafter.

Application of act.

2. This act shall take effect immediately.

Approved June 26, 1933.

CHAPTER 316

A FURTHER SUPPLEMENT to an act entitled "A supplement to an act entitled 'An act to provide for the proper construction, grading and drainage of the unimproved township and borough roads of the State and to provide State aid therefor,' approved March twentieth, one thousand nine hundred and sixteen," approved April thirtieth, one thousand nine hundred and twenty-nine.

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

1. The State Highway Commission or the boards of chosen freeholders, as the case may be, shall require the municipalities receiving aid under the act to which this act is a further supplement to contribute, or pay such sum or sums towards the repair of any such unimproved township or borough roads, as it or they may determine, which shall not be less than one-tenth of the cost thereof, and shall include the amount contributed for the calendar year one thousand nine hundred and thirty-three.

Municipality to contribute towards repairs.

2. This act shall take effect immediately.

Approved June 26, 1933.

CHAPTER 317

AN ACT to authorize municipalities to create a recreation commission, and to authorize said commission to acquire lands and other property for recreational purposes, and to construct buildings necessary for said purposes, and to raise the money therefor, and to operate and lease the same in whole or in part, and to prescribe the powers and duties of such commission.

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

Municipalities
empowered to
create
recreation
commission.

Purpose.

1. The governing body of every municipality in this State shall have the power to create a commission of three persons to be known and designated as the recreation commission of (name of municipality) with power and authority to arrange and provide for the giving of indoor and outdoor exhibitions, concerts, games, contests and sporting events and to charge and collect a reasonable admission fee for each person admitted to any of the aforesaid exhibitions, concerts, games, contests and sporting events; and for the purpose of arranging and providing for the giving of the aforesaid exhibitions, concerts, games, contests and sporting events, the said commission shall have the power to purchase or otherwise acquire, in its own name, any lands, either improved or unimproved, in fee or otherwise, as may be necessary, and to improve or cause the same to be improved, and to lay out or cause to be laid out all necessary roads, paths, tracts and boulevards and to construct or cause to be constructed on the lands so acquired such buildings or other structures as may be deemed necessary to enable the said commission to properly and adequately arrange and provide for the giving of the aforesaid exhibitions, concerts, games, contests and sporting

events, and to improve, maintain and police the same; and for the purpose of enabling the said commission to carry out the objects of this act it shall be lawful for the said commission to borrow money and incur other indebtedness and to issue its bonds therefor pursuant to the provisions of an act entitled "An act to authorize and regulate the issuance of bonds and other obligations, and the incurring of indebtedness by county, city, borough, village, town, township or any municipality governed by an improvement commission," approved March twenty-second, one thousand nine hundred and sixteen, and the acts amendatory thereof and supplemental thereto; *provided*, that the bonds so issued shall not be the obligations of the municipality creating such commission but shall be the obligations of the commission and the said bonds shall constitute a lien on the property acquired by the said commission pursuant to this act; *and provided, further*, that if the said commission shall obtain the moneys needed by it for the purposes of effectuating the objects of this act from any agency of the State or Federal government, it shall be lawful for the said commission to sell its bonds directly to such State or Federal agency, and the proceeds of the sale of the said bonds, after deducting expenses for negotiating the same and for engraving, and all other expenses connected with their issue and sale, shall be paid over to the said commission; and any such commission as is created under this act, in addition to the powers and duties hereinabove prescribed, shall also have the power and authority to lease, let, rent or hire to any person or persons, corporation or corporations, the lands and buildings, or any part thereof, acquired by the said commission pursuant to this act, together with the privilege of using the same for the giving of indoor and outdoor exhibitions, games, contests and sporting events, for such periods of time, and upon such terms and conditions, as the said commission may prescribe.

Commission
may borrow
money.

Proviso.

Proviso.

Additional
powers.

- Term of office. 2. The commissioners appointed to the recreation commission in any municipality shall hold office for such period of time and receive such compensation as may be prescribed by the governing body of such municipality.
- Rules and regulations. 3. The commission shall have power to make all needful rules for its regulation and to generally supervise and control all activities sponsored or arranged and provided for by it under this act.
- Quorum. Two commissioners shall constitute a quorum and may do all needful and proper acts with the same force and effect as if the entire commission so acted.
4. This act shall take effect immediately.
- Approved June 26, 1933.

CHAPTER 318

A SUPPLEMENT to an act entitled "An act for the relief of unemployed and dependents in the several counties and municipalities of this State and making appropriations therefor," approved October thirteenth, one thousand nine hundred and thirty-one.

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

- Advance funds for relief of children, etc. 1. The State Director of Emergency Relief shall have the power and it shall be his duty to advance from funds under his jurisdiction such relief as in his judgment may be required for the relief of children committed to the care and supervision of the State Board of Children's Guardians and of aged persons committed to the care and supervision of the county welfare boards. This relief to be granted under such regulations as may be prescribed by the State director.
- Conditions. 2. This act shall take effect immediately.
- Approved June 26, 1933.

CHAPTER 319

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

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

1. From and after the passage of this act it shall be unlawful for any nonresident male person above the age of fourteen years to take or attempt to take fish at any time by the method commonly known as angling, with hand line or rod and line, in the Delaware river throughout its entire length within the jurisdiction of New Jersey, or in any inland tidal water of the State, unless he first shall have procured a "Non-Residents' and Aliens' fishing license" as prescribed in section two of the act to which this act is a supplement; *provided, however,* that nothing in this act contained shall apply to fishing in the Delaware bay, or bays or waters of the Atlantic ocean within the jurisdiction of the State.

License to fish in Delaware river.

Nonresidents' license.

Proviso.
2. Every nonresident fishing license issued under this act shall be valid and operative only on such days of the week in the open season for angling in the State of New Jersey as any fishing license issued to residents of the State of New Jersey by the State of residence of the applicant for the New Jersey nonresident fishing license shall be valid and operative.

Validity of license.
3. Any person who shall violate any provision of this act shall be liable to a penalty of twenty dollars (\$20.00) for each offense. This act shall be enforced by the persons authorized by and in accordance with the provisions of an act entitled

Penalty for violation.

Enforcement.

“An act to provide a uniform procedure for the enforcement of all laws relating to fish, game and birds and for the recovery of penalties for violations thereof,” approved March twenty-ninth, one thousand eight hundred and ninety-seven, and the supplements thereto and amendments thereof.

4. This act shall take effect immediately.

Approved June 26, 1933.

CHAPTER 320

AN ACT to amend an act entitled “A further supplement to an act entitled ‘An act to authorize and regulate the issuance of bonds and other obligations and the incurring of indebtedness by county, city, borough, village, town, township or any municipality governed by an improvement commission or any municipality governed by a board of commissioners,’ approved March twenty-second, one thousand nine hundred and sixteen, and constituting chapter two hundred and fifty-two of the Pamphlet Laws of one thousand nine hundred and sixteen, as amended, approved April twenty-seventh, one thousand nine hundred and thirty-three.

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

Section 1
amended.

1. Section one of the act entitled “A further supplement to an act entitled ‘An act to authorize and regulate the issuance of bonds and other obligations and the incurring of indebtedness by county, city, borough, village, town, township or any municipality governed by an improvement commission or any municipality governed by a board of com-

missioners,' approved March twenty-second, one thousand nine hundred and sixteen," and constituting chapter two hundred and fifty-two of the pamphlet laws of one thousand nine hundred and sixteen, as amended, approved April twenty-seventh, one thousand nine hundred and thirty-three, is hereby amended to read as follows:

1. Any county or municipality may refund its notes, bonds, or installments of bonds, including interest thereon, or any part thereof, issued since March twenty-second, one thousand nine hundred and sixteen, and maturing up to and including the year one thousand nine hundred and thirty-four, by the issuance of refunding bonds of such county or municipality pursuant to the provisions of the act to which this act is a supplement, and such refunding bonds shall bear interest at a rate not exceeding six per centum (6%) per annum, payable semi-annually or otherwise as the governing body may determine, and shall be general obligations, and the full faith and credit of the county or municipality shall be pledged for the payment of the principal and interest thereof as the same become due; *provided*, that unless all such refunding bonds shall mature within ten years from their date, they shall be issued to mature in annual installments the first of which shall mature not more than five years from the date of the bonds and the last of which shall mature not more than ten years from the date of the bonds and no annual installments shall be more than fifty per centum (50%) in excess of the amount of the smallest prior installment. Such refunding bonds may be issued as a single issue to refund bonds of one or more issues for different purposes, or such refunding bonds may be issued in two or more series, but if bonds are issued to refund bonds or notes that are deductible in ascertaining any limit of indebtedness and also bonds or notes that are not so deductible, no part of such refunding bonds shall be deductible in ascertain-

May issue
refunding
bonds.

Rate of
interest.

Proviso.

Details of
issue.

Reduction in bond limit.	ing any limit of indebtedness. In the event that any such bonds to be refunded are authorized to be deducted in ascertaining any limitation of indebtedness, the bonds refunding such bonds and interest thereon may likewise be deducted.
Bonds exchangeable.	At the option of the governing body, such refunding bonds or any part thereof may be exchanged directly with the holders of the bonds to be refunded upon the surrender and cancellation of like principal amounts of such outstanding bonds; <i>provided</i> , that if the refunding bonds bear a date prior to the date of the bonds to be refunded, accrued interest shall be paid to the county or municipality from the date of the refunding bonds to the date of the bonds to be refunded, but the refunding bonds may bear a higher rate of interest than the bonds to be refunded. Notwithstanding any of the provisions of the act to which this act is a supplement, any action required to be taken by such governing body for the purpose of issuing said bonds may be taken by resolution and it shall not be necessary to adopt any ordinance for the purpose of authorizing the issuance of said bonds.
Proviso.	
Action by resolution.	
Section 2 added.	2. Said act is further amended by adding thereto a new section, to read as follows:
Notes, bonds, etc., not refunded.	2. Notes, bonds, or interest thereon shall not be refunded pursuant to this act if there shall be on hand moneys which are required by law to be used for the payment of such notes, bonds or interest, unless such moneys are on deposit in a bank or trust company and the governing body of such county or municipality shall have determined by resolution adopted by the vote of not less than two-thirds of the members of such governing body that it would be contrary to the interests of such county or municipality to withdraw such moneys from such bank or trust company. In the event that the governing body of any county or municipality shall adopt such a resolution, such moneys shall, when withdrawn from deposit, be paid into the
Moneys withdrawn paid into sinking fund.	

sinking fund of such county or municipality and shall be used solely for the payment of the bonded debt of such county or municipality.

3. This act shall take effect immediately.

Approved June 26, 1933.

CHAPTER 321

AN ACT to amend an act entitled "An act providing for the regulation of vehicles, animals and pedestrians on all public roads and turnpikes, and prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act, and penalties for said violations, and granting authority to towns, cities, boroughs and townships, under certain restrictions for the adoption of ordinances further regulating vehicles, pedestrians and animals, and designating the authorities to enforce its provisions, and defining their powers and their authority" (Revision of 1928), being chapter two hundred and eighty-one, laws of one thousand nine hundred and twenty-eight.

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

1. Article twelve, section two, of the act to which this act is an amendment be and the same is hereby amended to read as follows:

Article II,
section two
amended.

2. Shape: The shape of signs shall conform to the following specifications:

Shape:

(a) Stop signs shall be of such shape as may be approved by the State Highway Commission;

Stop sign;

(b) Railroad grade crossing signs shall be circular;

Railroad
sign;

- Slow sign; (c) Slow signs indicating conditions inherent in the street and requiring caution shall be diamond shaped;
- Caution; (d) Caution signs indicating conditions adjacent to the street shall be square shaped;
- One-way;
Detour; (e) One-way and detour signs shall be arrow shaped;
- Direction. (f) Direction, information and restriction signs shall be rectangular.
2. This act shall take effect immediately.
Approved June 26, 1933.

CHAPTER 322

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

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

- Kidnaping. 1. Any person who shall threaten or attempt to kidnap or steal or forcibly take away any man, woman or child, or threaten or attempt to send or carry such man, woman or child to any other point within this State, or into another State, territory or country, or who shall threaten or attempt to force, persuade or entice any child within the age of fourteen years to leave his father, mother or guardian or other person or persons entrusted with the care of such child, or to secrete or conceal the said child and his procurers, shall be guilty of a high misdemeanor and punished by imprisonment at hard labor for a term not exceeding thirty years
- Penalty. or by a fine not exceeding five thousand dollars (\$5,000.00), or both, in the discretion of the court.

2. Any person who, with intent to extort from any person any money or other thing of value shall by speech, writing, printing, drawing or by any other method either directly or indirectly threaten to kidnap or steal or forcibly take away any man, woman or child, or who shall directly or indirectly demand, either orally or in writing, any sum of money, or other thing of value whatsoever, on a threat to kidnap, steal or forcibly take away any man, woman or child, or who shall directly or indirectly threaten to kill or to do any bodily injury to any man, woman or child unless a sum of money be paid, shall be guilty of a high misdemeanor and punished by imprisonment at hard labor for a term not exceeding thirty years, or by a fine not exceeding five thousand dollars (\$5,000.00), or both, in the discretion of the court.

Intended
extortion.

Threatening.

Penalty.

3. Nothing herein contained shall be construed to repeal or limit any of the provisions of an act entitled "An act for the punishment of crimes" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight, or to repeal or limit any of the provisions of an act entitled "A further supplement to an act entitled 'An act for the punishment of crimes' (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight," which said supplement was approved April first, one thousand nine hundred and eight.

Crimes' act
not affected.

4. This act shall take effect immediately.
Approved June 26, 1933.

CHAPTER 323

AN ACT authorizing the treasurer of this State to pay, on the certificate of the Attorney-General, a sum not exceeding ten thousand dollars (\$10,000.00) for the purpose of defraying the cost of examination and report to the Legislature on the work of the Commission to Revise and Consolidate Public Statutes.

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

Appropriation to meet examination of work of revision commission.

1. The treasurer of this State is hereby authorized to pay, on the certificate of the Attorney-General, out of any moneys in the treasury of the State, such sum of money, not exceeding ten thousand dollars (\$10,000.00), as shall be necessary to defray the cost of examination and report to the Legislature on the work of the Commission to Revise and Consolidate Public Statutes of this State.

2. This act shall take effect immediately.

Approved June 26, 1933.

CHAPTER 324

AN ACT to amend an act entitled "A supplement to an act entitled 'An act to incorporate associations not for pecuniary profit,' approved April twenty-first, one thousand eight hundred and ninety-eight," approved February twenty-seventh, one thousand nine hundred and one.

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

Section 1 amended.

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

1. It shall be lawful for the trustees of any association incorporated under the authority of the act to which this is a supplement to record with the clerk of the county in which its original certificate of incorporation was recorded, and file with the Secretary of State an amended certificate, duly signed and acknowledged by the said trustees as required for certificates of incorporation under the act to which this is a supplement, modifying, changing or altering its original certificate of incorporation, in whole or in part, which amended certificate shall take the place of the original certificate of incorporation; *provided, however,* that such amended certificate of incorporation shall have been first submitted to the membership of such association, at a general or special meeting of the association, and the execution, recording and filing thereof authorized by a majority vote at such meeting or authorized at such meeting by such vote as the certificate of incorporation or by-laws may prescribe, but not less than a majority vote; which facts required by this proviso shall be verified by the oaths of the president and secretary of such association in writing annexed to such amended certificate; and the certificate of the Secretary of State that such certificate and verification have been filed in this office shall be taken and accepted as evidence of such change or alteration in all courts and places; *and providing further,* that nothing herein shall permit the insertion of any matter not in conformity with the act to which this is a supplement, and that this act shall not in any manner affect any proceedings pending in any court.

Amending
certificate of
incorporation.

Proviso.

Verification.

Proviso.

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

Repealer.

3. This act is to take effect immediately.

Approved June 26, 1933.

CHAPTER 325

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

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

Voting.

1. Every member of a corporation incorporated under the act to which this act is a supplement shall have one vote unless otherwise provided by the certificate of incorporation or the by-laws.

Number of
votes per
member.

2. The certificate of incorporation or by-laws of any such corporation may provide that at all elections of trustees each member shall be entitled to as many votes as shall equal the number of votes to which he is entitled by law or under the provisions of the certificate of incorporation or by-laws multiplied by the number of trustees to be elected, and that he may cast all of such votes for a single trustee, or may distribute them among the number to be voted for, or any two or more of them as he may see fit. This right, when exercised, shall be termed "cumulative voting".

Cumulative
voting.

Repealer.

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

Approved June 26, 1933.

CHAPTER 326

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

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

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

Section 1
amended.

1. Any five or more persons, societies, associations, corporations or clubs who or which shall desire to associate themselves for any lawful purpose other than for pecuniary profit, may make, sign and acknowledge before any person authorized to take the acknowledgment and proof of deeds in this State and file in the office of the Secretary of State and record in the office of the clerk of the county in which the principal business of the corporation is to be conducted, a certificate in writing in which shall be stated the name or title by which such corporation is to be known in law, the purpose for which it is formed, the place where it is to be located, or its business conducted, the number of trustees, which shall not be less than three, and the names of the trustees selected for the first year of its existence; *provided*, that in case the purposes, objects or business of said corporations are to be carried on in whole or in part outside of the State, said corporation shall maintain an office in this State, with a resident agent in charge thereof during the business hours, upon whom process against said corporation may be served; *and provided, further*, that in that case the said certificate shall set forth the location of said office and the name of said agent; *and provided, further*, that under this act no certificate of in-

Formation of
associations.

File certificate.

Statement of
purposes, etc.

Proviso.

Office and
agent.

Proviso.

Proviso.

corporation relating to eleemosynary or charitable institutions, other than aid societies of properly organized and accredited churches and fraternal societies organized for aid and relief of their members, shall be filed as herein prescribed before first having been certified to and approved by the Commissioner of Charities and Corrections.

Section 4
amended.

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

Trustees.

4. The business of the association shall be conducted by the trustees, subject to the by-laws which shall be passed by the members. The trustees shall be governed by a majority vote of those present at any duly convened regular or special meeting, unless otherwise provided by the by-laws. The trustees shall be elected by the members or as the certificate of incorporation or the by-laws shall provide, and shall hold office for one year, or such term as the by-laws provide, and until their successors shall be elected; at least one trustee shall be a resident of this State; there shall be a president, secretary and treasurer, to be chosen by the trustees, unless the by-laws provide for the election of any of them by the members; either the president or secretary may be eligible to the office of treasurer if the by-laws so provide; whenever trustees, managers or directors shall be elected, a certificate under the seal of the corporation, giving the names of those elected and the term of their office, shall be filed in the office of the clerk of the county in which the original certificate was filed; vacancies shall be filled in the manner provided in the by-laws; and upon filling any vacancy a like certificate shall be filed; there shall be paid to the county clerk a fee of twenty-five cents (\$0.25) for filing and indexing each certificate and to the Secretary of State, a fee of one dollar (\$1.00) upon filing each certificate.

Selection of
trustees.

Term.

Officers.

Certificate
of election
filed with
county clerk.

Vacancies.

Filing fees.

Section 11
amended.

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

11. Whenever in the judgment of any corporation, organized under the provisions of this act, it shall be deemed advisable and most for the benefit of such corporation that the same should be dissolved, it shall and may be lawful for such corporation, within ten days after the adoption of a resolution to that effect by said corporation, to cause written or printed notice of the adoption of such resolution to be mailed to each and every member of said corporation, residing in the United States, and also within ten days to cause a like notice to be published in one or more newspapers published and circulated in the county wherein such corporation shall have its place of meeting, at least four weeks successively, once a week, next preceding the time appointed for the same, of a meeting of such members of said corporation, to be held at the usual place of meeting of said corporation, in such county, to take action upon such resolution, and which meeting may, on the day so appointed, by the consent of the majority of the said members present, be adjourned from time to time for not less than one week at any time, of which adjourned meeting notice by advertisement in such paper shall be given; and if at any such meeting two-thirds of all the members then present shall consent by resolution that such dissolution shall take place, then and in such case such corporation shall upon filing a certificate of such consent, duly attested by their secretary, in the office of the Secretary of State, and receiving from him a certificate that such certificate of consent has been filed, be dissolved, and the said corporation shall cause such certificate to be published four weeks successively, at least once in each week, in one or more of the newspapers published and circulated in the county in which such corporation has had its place of meeting; *provided*, that the Secretary of State shall not issue the certificate of dissolution hereinbefore mentioned until satisfied by due proof that the requirements aforesaid have been fully complied with by such corporation; *and provided*,

Dissolution.

Notice given to members.

Publication.

Consent.

Certificate of consent to be filed.

Proviso.

Proviso.

further, that no distribution of the assets of any corporation affected by this act shall be made until the debts of such corporations shall have been fully satisfied, nor shall any property be diverted from any trust created by the donor or grantor. After all debts have been fully satisfied, the assets of the corporation shall be distributed in accordance with the by-laws of the corporation. In the absence of any such provisions, the assets shall be distributed per capita among the membership.

Repealer.

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

Approved June 26, 1933.

CHAPTER 327

AN ACT authorizing and empowering counties and municipalities bordering on the Atlantic ocean to construct and maintain seawalls, bulkheads, jetties and other approved devices necessary and proper to prevent coast erosion, and thus protect the property of this State within such counties and municipalities, and to provide for the payment of the cost of such construction and maintenance.

Preamble.

WHEREAS, The coast and seashore of this State situate in the several counties and municipalities bordering on the Atlantic ocean in many cases and in many locations had been and is likely to be further damaged by erosion, thereby causing a great destruction of riparian lands and other taxable property of great value; and

Preamble.

WHEREAS, Such encroachment by the Atlantic ocean can be checked and prevented by the construction and maintenance of seawalls, bulkheads, jetties and other approved devices; therefore,

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

1. The several counties and municipalities of this State bordering on the Atlantic ocean are authorized and empowered to borrow from any agency of the Federal government such sum or sums, which together with any sum or sums to be raised by any such county or municipality, as the case may be, shall be used for the construction and maintenance of seawalls, bulkheads, jetties and other approved devices to prevent further encroachment by the Atlantic ocean and to protect against coast erosion; *provided, however,* that no such county or municipality, as the case may be, shall incur any indebtedness in excess of seventy per centum (70%) of the cost of any such construction and maintenance; *and provided further,* that any obligations or other evidence of indebtedness so incurred by any such county or municipality, for the purposes of this act, shall not be subject to or included within the debt limit of any such county or municipality.

Right to borrow from Federal government.

Purpose.

Proviso.

Amount.

Proviso.

2. This act shall take effect immediately.

Approved June 26, 1933.

CHAPTER 328

AN ACT authorizing and empowering counties, cities, towns, townships, boroughs, villages and other municipalities of this State to construct and maintain public works and improvements, and jointly with Federal agencies to provide for the payment of the cost of such construction and maintenance.

WHEREAS, The Federal Government by the establishment of Federal agencies has authorized counties and municipalities within the several

Preamble.

States to undertake and complete public works and improvements; and

Preamble. WHEREAS, In order to further promote the general welfare it is appropriate and desirable that such works and improvements be undertaken in this State; therefore,

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

Works of improvement in counties.

1. Any county of this State, pursuant to the provisions of an act entitled "An act concerning counties," approved March fourth, one thousand nine hundred and eighteen, and the acts amendatory thereof and supplemental thereto, is authorized to undertake and complete any work or improvement authorized to be done under said acts, or any other law of this State relating to counties; and further,

Municipal improvements.

2. Any city, town, township, borough, village or other municipality may, pursuant to the provisions of an act entitled "An act concerning municipalities," approved March twenty-seventh, one thousand nine hundred and seventeen, and the acts amendatory thereof and supplemental thereto, and pursuant to any other law of this State concerning municipalities, undertake and complete any public work or improvement; *provided, however,* that no county, city, town, township, borough, village or other municipality shall incur any indebtedness for any public work or public improvement in excess of seventy per centum (70%) of the total cost of any such construction and maintenance.

Proviso.

Amount.

Balance from Federal sources.

3. Any such county, city, town, township, borough, village or other municipality is authorized and empowered to obtain the balance of such sum from any Federal agency created for such purpose.

Securities issuable.

4. Any such county, city, town, township, borough, village or other municipality, may issue its notes, bonds, obligations or other evidence of indebtedness for any public work or public improvement contemplated by this act, but in the computation of the debt limit the said bonds, notes, obliga-

Not included in debt limit.

tions or other evidence of indebtedness so issued shall be exempt in any computation of the said debt limit as aforesaid.

5. This act shall take effect immediately.

Approved June 26, 1933.

CHAPTER 329

AN ACT to amend an act entitled "An act to amend an act entitled 'A further supplement to an act entitled "An act for the punishment of crimes" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,' which supplementary act was approved March eleventh, one thousand nine hundred and twenty-four," approved March twelfth, one thousand nine hundred and twenty-five, approved April eleventh, one thousand nine hundred and thirty-two.

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

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

Section 2
amended.

2. Any person desirous of obtaining a permit to carry a revolver, pistol or other firearm, pursuant to the provisions of this act, shall in the first instance make application therefor either to the chief police official of the municipality in which the applicant resides or to the sheriff of the county wherein the applicant resides. If such application is approved by the chief police official or by the sheriff, as the case may be, the applicant shall then present such application, so approved as aforesaid, to the justice of the Supreme Court presiding in the county, or to a common pleas judge of the county in which the applicant is resident, who, after in-

License to
carry weapons

Application

Approval.

investigation, which shall include the name and address of the manufacturer of such revolver, pistol or other firearm, also any and all of the manufacturer's identification numbers, letters and marks and a complete description of the kind and type of revolver, pistol or other firearm which said applicant intends to carry pursuant to the provision of this act; *provided, however,* that one permit shall be sufficient for such revolvers, pistols or other firearms of the applicant, and also the taking of the finger prints of the applicant and the comparison of the same with any and all records of finger prints in the municipality and county in which the applicant is a resident, and also the records of the supervisor of the State Bureau of Identification of this State and the National Bureau in the Department of Justice in Washington, D. C., and being satisfied of the sufficiency of the application, and of the need of such person carrying concealed upon his person, a revolver, pistol or other firearm, shall issue a permit therefor, which permit so issued shall be subject to revocation at any time thereafter by the justice of the Supreme Court presiding as aforesaid, or by the judge of the court of common pleas. A permit so issued pursuant to the provisions of this act is sufficient authority for the holder thereof to carry concealed upon his person a revolver, pistol or other firearm in all parts of the State of New Jersey. All permits issued pursuant to the provisions of this act shall expire on the thirty-first day of December subsequent to the date of issue, and may thereafter be annually renewed in the same manner and subject to the same provisions by which the original permit was obtained. An applicant for a permit, pursuant to the provisions of this act, shall at the time of the granting of the same pay to the clerk of the county in which he resides, and in which the application is made, a license fee of one dollar. The prosecutor of the pleas of any county, the chief police official of any municipality and/or any citizen may apply to the

Proviso.

Finger prints.

Permit issued

Authority.

Expiration and renewal.

License fee.

Revocation.

justice of the Supreme Court, or a judge of the court of common pleas of the county wherein such permit was issued, at any time for a revocation of a permit heretofore issued, and the justice of the Supreme Court, presiding as aforesaid, or a judge of the court of common pleas are authorized and empowered, after hearing upon notice, to revoke any permit, so as aforesaid issued. No person whose permit has been revoked pursuant to the provisions hereof, shall thereafter be issued any permit under the provisions of this act. Any violation of this act shall be deemed a high misdemeanor and punished accordingly.

Revoked
permit not
renewed.

Penalty.

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

Repealer.

Approved June 26, 1933.

CHAPTER 330

AN ACT to amend an act entitled "An act concerning municipal finances," approved April twenty-eighth, one thousand nine hundred and thirty-one.

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

1. Article one, section one hundred and two, of the act of which this act is an amendment be and the same is hereby amended to read as follows:

Section 102
amended.

102. Upon the filing of said order, together with said petition, the municipal finance commission, which is hereby created, shall have and exercise with respect to such municipality the powers and duties prescribed by this act. The Attorney-General, the State Tax Commissioner, and the Commissioner of Municipal Accounts shall constitute

Municipal
finance
commission
created.

Assistant.	such municipal finance commission hereinafter sometimes designated as the "commission." Each member of said commission may designate an assistant in his department to serve in his stead during his absence or inability to act.
Section 103 amended.	2. Article one, section one hundred and three, of the act of which this act is an amendment be and the same is hereby amended to read as follows:
Resolution declaring inability to meet obligations.	103. Any municipality may file with a justice of the Supreme Court a certified copy of a resolution adopted by the governing body of the municipality, reciting in general terms that due to unusual conditions the municipality is not in a position to meet its obligations when due, in spite of the endeavors of its officers, and petitioning that the municipal finance commission shall function in said municipality.
Investigation.	Upon the filing of such petition and upon such notice to the municipal finance commission as said justice may direct, it shall be lawful for said justice of the Supreme Court to make a summary investigation into the facts and for that purpose
Subpœna.	he shall have the power to subpœna witnesses and call before him any officers of said municipality.
Order issued.	If it shall be established to the satisfaction of said justice that said municipality is so unable to meet its obligations, he may make an order to that effect and file the same, together with the said petition, in the office of the clerk of the Supreme Court. Upon the filing of such order, the commission authorized in the preceding section of this act shall function in the said municipality with all the powers and duties conferred by this act.
Section 209 amended.	3. Article II, section two hundred and nine, of the act of which this act is an amendment be and the said is hereby amended to read as follows:
Commission's consent to issue bonds, etc.	209. In order to conserve the financial resources of the municipality, its governing body without the assent in writing of said commission shall pass no ordinances or resolutions authorizing the issuance of notes or bonds of any kind or character or creating any obligation or indebtedness of the municipi-

pality, except tax anticipation or tax revenue notes or bonds for the current year. Nor shall such governing body, without like consent, include in any annual budget or tax ordinance amounts for local expenditures in excess of the like amounts for the preceding annual budget, exclusive of appropriations for the purpose of raising the principal and interest on the public debt. After an appropriation has been approved by the commission, the actual expenditure thereunder shall be made by the municipal authorities; *provided, however*, that no claims whether under appropriations approved by the commission, or included in the annual budget or tax ordinance, or otherwise, shall be passed for payment by the officers of such municipality until the auditor shall have certified that the same have been examined by him and found to be within appropriations theretofore duly made by the municipality, and that there is or will be available in an appropriate account, sufficient ready funds for such payment.

Amount in budget.

Expenditures by municipal authorities.

Proviso.

4. Article II of the act of which this act is an amendment be and the same is hereby amended by inserting therein a new section to be numbered two hundred and nine-a and to read as follows:

Section 209-a added.

209-a. Whenever any municipality in which the commission is functioning has been or shall be in default for twelve months in the payment of interest on any of its bonds or notes or other written evidence of indebtedness (except where the same is under litigation as to its validity, or where the validity thereof has been denied by formal notice given by the municipality, and no suit, action or proceeding to enforce the same has been commenced by the holder); or whenever any such municipality has been or shall be in default for six months in the payment of any part of its regular pay roll, or in the payment of any sums due from the annual tax levy to the State, county or school district, then in any event no subsequent budget or tax ordinance or appropriation for local school

Municipalities in default.

Exception.

Budget limited.

purposes shall include any amounts in excess of such limits as may be fixed by the commission, exclusive of appropriations for the purpose of raising the principal and interest on the public debt, and exclusive of appropriations to create a reserve fund under the provisions of section two hundred eleven of this act.

Section 211
amended.

5. Article II, section two hundred and eleven, of the act of which this act is an amendment be and the same is hereby amended to read as follows:

May levy
taxes ad
valorem for
sinking fund.

211. Any municipality in which the commission is functioning shall have the power to levy taxes ad valorem upon all taxable property therein for the purpose of paying the principal of and/or interest on any notes, bonds or other obligations or indebtedness of such municipality issued under this or any other law and shall have the power to provide a reserve fund for the payment of said principal and interest, which fund shall be under the immediate jurisdiction of the sinking fund commissioners or of a financial officer, of the municipality, as the commission shall approve. The full faith and credit of any such municipality shall be deemed to be pledged for the punctual payment of the principal of and interest on all notes and bonds issued pursuant to this act. No money shall be withdrawn from said reserve fund or sinking fund for investment or otherwise without the approval of the commission.

Security
pledged.

No money
withdrawn
without
approval.

Section 212
amended.

6. Article II, section two hundred and twelve, of the act of which this act is an amendment be and the same is hereby amended to read as follows:

Empowered to
compromise
tax.

212. The governing body of any municipality in which the commission is functioning shall have power to compromise and adjust the whole or any part of any special assessments or taxes delinquent to the municipality; *provided, however*, that nothing in this section shall be construed to impair or affect in any way whatsoever the existing rights and remedies of any holder or holders of a certificate or certificates of tax sale, representing any

Proviso.

tax title or titles to lands in such municipality sold on account of delinquent taxes and/or delinquent assessments. No claims of the municipality for taxes or assessments, and interest thereon, in excess of five hundred dollars, shall be compromised without the assent in writing of the Municipal Finance Commission. All moneys received by the municipality by compromise or adjustment of taxes or special assessments shall, if the commission so provide, be paid only to the account of the reserve fund referred to in section two hundred and eleven hereof.

Assent in writing.

Paid into reserve fund.

7. Article III of the act of which this act is an amendment is hereby amended by inserting a new section to be numbered three hundred and two-a and to read as follows:

Section 302-a added.

302-a. All warrants, checks or other instruments for the withdrawal or transfer of funds of the municipality shall be submitted to such auditor for his countersignature and no banking institution in which funds of the municipality has heretofore been or shall hereafter be deposited shall honor warrants or checks drawn thereon unless the countersignature of such auditor shall appear on the face of such instruments.

All warrants, etc., countersigned by auditor.

8. Article III-A, section three hundred and fifty-one, of the act of which this act is an amendment be and the same is hereby amended to read as follows:

Section 351 amended.

351. Whenever the municipal finance commission shall function in any municipality and so long as it shall continue so to do, no judgment, decree, levy or execution against such municipality or the property thereof for the recovery of the amount due on any bonds, notes or other obligations of the municipality, in the payment of which such municipality has defaulted, shall be enforced until otherwise specially ordered by the Supreme Court or a justice thereof in an appropriate proceeding for such purpose, after notice to the commission, and the enforcement of any such judgment, decree, levy or

Judgment, etc., stayed.

execution shall be and it hereby is stayed until otherwise specially ordered as aforesaid.

Section 352
amended.

9: Article III-A, section three hundred and fifty-two, of the act of which this act is an amendment be and the same is hereby amended to read as follows:

Action, etc.,
stayed.

352. Whenever the municipal finance commission shall function in any municipality and so long as it shall continue so to do, no action or proceeding of any kind either direct or ancillary, by way of mandamus or otherwise shall be brought against such municipality or any public officers for the assessment, levy or collection of taxes by or for such municipality and any and all actions or proceedings therefor shall be and they hereby are stayed; except that first, the Supreme Court or a justice thereof, after notice to the commission, may authorize one or more creditors of such municipality to bring and maintain an action or proceeding therefor in the Supreme Court, which shall be brought for the benefit of themselves and all other creditors of such municipality and in which all other creditors of such municipality shall have the right to intervene and assert their claim and in which all other creditors of such municipality may, and said commission shall, be made parties in such manner and upon such notice as the Supreme Court shall approve; and except that, second, the municipal finance commission may bring and maintain an action or actions by way of mandamus or by any other appropriate proceeding or proceedings for the assessment, levy or collection of taxes by such municipality for the payment of principal and/or interest of the indebtedness of the municipality found to be outstanding as provided in section two hundred and one of this act.

Supreme Court
may authorize
action after
notice.

Commission
made party
to action.

10. Article IV, section four hundred and three, of the act of which this act is an amendment be and the same is hereby amended to read as follows:

Section 403
amended.

403. The commission hereby created shall continue in force in such municipality, and shall exercise the powers and perform the duties herein conferred, until all bonds or notes or other indebtedness of the municipality which has fallen due, and all bonds or notes which will fall due within one year, and the interest thereon, have been paid or funded or refunded, or the payment thereof in cash adequately provided for by a cash reserve, excepting tax anticipation or tax revenue notes or bonds of the current year, at which time its authority under this act shall cease. Thereafter the Commissioner of Municipal Accounts shall have the power to continue the employment of the auditor as provided for in section three hundred one and to exercise the powers of the commission under section two hundred nine, until the gross and net debt of such municipality, including notes or bonds issued under this act, is within all statutory limits, at which time his authority under this act shall cease.

Commission
to function.

Auditor
continued.

11. Article IV, section four hundred and six, of the act of which this act is an amendment be and the same is hereby amended to read as follows:

Section 406
amended.

406. This act shall take effect immediately, and, as to the subject matters hereof, shall supersede the provisions of all other laws.

Act effective.
To supersede
other laws.

12. This act shall take effect immediately.

Approved June 27, 1933.

CHAPTER 331

AN ACT to supplement an act entitled "An act concerning municipal finances," approved April twenty-eighth, one thousand nine hundred and thirty-one, constituting chapter three hundred and forty of the laws of one thousand nine hundred and thirty-one.

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

Petition filed.

Plan submitted.

Creditors made parties.

May assert rights.

Allegations.

1. Whenever, pursuant to the act of which this act is a supplement, the municipal finance commission, hereinafter sometimes referred to as the "commission," shall function in any municipality, then, upon the verified petition of any creditors of such municipality made on behalf of themselves and all other creditors of the municipality for the approval of a plan of adjustment or composition of the claims of all creditors or of a class or classes of them similarly situated, which plan shall be submitted with and made a part of the petition, the Supreme Court by a justice thereof may take jurisdiction of the subject matter and order the filing of the petition in the office of the clerk of the Supreme Court. The municipality and the commission shall be made parties to such proceeding. All creditors of the municipality shall be made parties thereto by notice to be published and given in such manner as the Supreme Court by its justice may direct. Any creditor of the municipality may appear and assert his rights. In the petition the creditors shall allege that the municipality is or will be unable to pay in full according to their terms the claims proposed to be adjusted or composed and perform its public functions and preserve the value of property subject to taxation; that the adjustment or composition proposed in the plan is substantially measured

by the capacity of the municipality to pay, is in the interests of all the creditors affected thereby, and is not detrimental to other creditors of the municipality.

2. In any such proceeding, after hearing on the plan proposed or on the plan as modified by order and if such plan as proposed or modified is approved in writing by creditors representing eighty-five per centum (85%) in amount of the indebtedness affected thereby and by the municipality and the commission, the Supreme Court by a justice thereof may by order authorize and approve such adjustment or composition if the court by its justice determines (1) that the municipality is unable to pay in full according to their terms the claims proposed to be adjusted or composed, and perform its public functions and preserve the value of property subject to taxation, (2) that the adjustment or composition is substantially measured by the capacity of the municipality to pay, (3) that it is in the interest of all the creditors affected thereby, and (4) that it is not detrimental to other creditors of the municipality.

3. The plan of adjustment or composition so authorized and approved shall forthwith and without any further action of any kind be binding upon all the creditors included in such plan, whether or not they appear in such proceeding, and insofar as said plan provides for the substitution of any new bonds, notes, or other obligations of the municipality in place of any outstanding bonds, notes or other obligations or claims then outstanding, such substitution shall be effectual from and after such date as may be fixed in such order.

4. After the institution of any proceeding provided for by this act and pending the determination thereof, the Supreme Court by a justice thereof may by order continue the stay provided by the act of which this act is a supplement. In the event that a plan shall be authorized and approved pursuant to this act, the court shall retain jurisdiction

Approval
of plan of
adjustment:

Unable to
pay:

Capacity
to pay:

Interest of
creditors:

Not detri-
mental to
other
creditors.

Plan binding
upon all
creditors.

Stay
continued.

To retain
jurisdiction.

of such proceeding and thereafter no creditor whose claim is included in such adjustment or composition shall be authorized to bring any action or proceeding of any kind or character for the enforcement of his claim except with the permission of the Supreme Court and then only to recover and enforce the rights given to him by such adjustment or composition.

Approval of
plan limited.

5. Notwithstanding any provisions of this act, the municipal finance commission shall not approve any adjustment or composition, or plan presented pursuant to this act, which provides for the reduction in the principal amount of any outstanding notes or bonds of the municipality.

Approved June 27, 1933.

CHAPTER 332

A SUPPLEMENT to an act entitled "An act to revise and amend 'An act for the taxation of railroad and canal property,' approved April tenth, one thousand eight hundred eighty-four," approved March twenty-seventh, one thousand eight hundred eighty-eight.

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

Extending
time for
filing
complaint.

1. Any railroad or canal company which, inadvertently, failed to file a written complaint with the State Board of Taxes and Assessment on or before the third Monday of June, one thousand nine hundred and thirty-one, to have reviewed the one thousand nine hundred and thirty-one State assessment of its railroad or canal property, pursuant to section twelve of an act to which this act is a supplement, claiming that said assessment for

one thousand nine hundred and thirty-one is excessive, or failed to file a written complaint with the State Tax Commissioner on or before the third Monday of June, one thousand nine hundred and thirty-two, to have reviewed the one thousand nine hundred and thirty-two State assessment of its railroad or canal property, pursuant to section twelve aforesaid, claiming that said assessment for one thousand nine hundred and thirty-two is excessive, may, on or before the second Monday of July, one thousand nine hundred and thirty-three, file a written complaint with the State Tax Commissioner for each or either of said years, setting forth the reason why such complaint was not duly filed, and specifying that said assessment of its railroad or canal property for said year is excessive. Upon the filing of such complaint, the State Tax Commissioner shall fix a time and place for the hearing thereof, and five days' notice in writing of the time and place so fixed for such hearing shall be served upon the Attorney-General. The Attorney-General shall attend the hearing on such complaint, in person or by such deputy as he may specially deputize. Upon the hearing of such complaint, the State Tax Commissioner shall have the power to issue subpoenas and examine witnesses and call for the production of books and papers, and he shall be entitled to use his personal knowledge and judgment as to the value of the property. The State Tax Commissioner shall conclude his hearing on such complaint within one month, and shall thereupon certify to the Comptroller of the State all corrections which he shall make in such assessment. The taxes on the corrected assessment shall become due and payable immediately upon certification to the Comptroller of the State, and, if not paid within ten days thereafter, same shall be in default, and the Attorney-General may proceed to collect the same as provided in section fourteen of the act to which this act is a supplement.

2. This act shall take effect immediately.

Approved June 27, 1933.

Reason for
not filing.

Hearing.

Notice.

Subpoenas.

Hearing and
corrections.

Taxes due.

CHAPTER 333

AN ACT concerning corporations for raising and breeding and improving the breed of horses.

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

Incorporation.

1. Any number of persons, not less than five, may become a corporation for the purpose of raising and breeding and improving the breed of horses, with all the general powers of corporations created under the laws of this State, by making, signing, acknowledging and filing a certificate which shall contain:

- Name: The name of the proposed corporation.
- Objects; The objects for which it is to be formed, including a statement as to whether it is proposed to exercise the particular powers conferred by section three of this act, and specifying whether it is proposed to conduct trotting or running or steeplechase race meetings.
- Capital stock; The amount and description of the capital stock.
- Shares; The number of shares of which the capital stock shall consist, each of which shall not be less than five nor more than one hundred dollars.
- Office; The location of its principal business office.
- Duration; Its duration, which shall not exceed fifty years.
- Directors; The number of its directors, not less than five nor more than thirteen, who shall each be a stockholder having at least five shares of stock.
- Addresses; The names and post office addresses of the directors for the first year.
- Subscribers. The post office addresses of the subscribers and a statement of the number of shares of stock which each agrees to take in the corporation.
- Certificate approved by commission. No certificates of incorporation under this section wherein the right to conduct running or steeplechase race meetings is claimed shall hereafter be filed without the approval of the State

racing commission indorsed therein or annexed thereto, stating that, in its opinion, the purposes of this act and the public interests will be promoted by such incorporation, and that such incorporation will be conducive to the interests of legitimate racing.

2. Restriction Upon Commencement of Business. Restrictions.
 No corporation organized under the provisions of this act shall engage in the prosecution or management of its business until the whole of its capital stock shall have been subscribed, nor until it shall have filed in the offices where its certificates of incorporation were filed a further certificate stating that the whole of its capital stock has been in good faith subscribed, executed and acknowledged by its president or vice-president and treasurer or secretary, and verified by them to the effect that the statements contained in it are true.

3. Right to Hold Race Meetings and Races. Holding meetings and races.
 Any corporation formed under the provisions of this act, if so claimed in its certificate of organization, and if it shall comply with all the provisions of this act, and any other corporation entitled to the benefits and privileges of this act as hereinafter provided, shall have the power and right to hold one or more trotting or running race meetings in each year, and to hold, maintain and conduct trotting or running races at such meetings. Prizes and stakes. At such trotting or running race meetings the corporation, or the owners of horses engaged in such races, or others who are not participants in the race, may contribute purses, prizes, premiums or stakes to be contested for, but no person or persons other than the owner or owners of a horse or horses contesting in a race shall have any pecuniary interest in a purse, prize, premium or stake contested for in such race, or be entitled to or receive any portion thereof after such race is finished, and the whole of such purse, prize, premium or stake shall be allotted in accordance with the terms and conditions of such race.

Payment
of stock.

4. Certificate of Payment of Stock. Except as provided in this act, no corporation or association hereafter organized under this act or heretofore organized in pursuance of law for any purpose authorized by this act shall have any of the powers conferred by section three hereof until it shall have filed in the office or offices where its certificate of incorporation was filed a further certificate stating that its capital stock has been fully paid in in cash, and, if claiming the right to conduct running race meetings, that it actually maintains a race track of not less than one mile in length or circumference, the location of which shall be specified in such certificate. Such certificate shall be executed and acknowledged by its president or vice-president and its treasurer or secretary, and verified by them to the effect that the statements contained in it are true. In the case of racing courses to be used for running races or steeplechase, a license from the State racing commission must also be obtained in the manner hereinafter provided, and such license be filed with such certificate.

License.

State Racing
Commission
created.

5. State Racing Commission. There shall hereafter be a State racing commission consisting of three persons to be appointed by the Governor, by and with the advice and consent of the Senate, and who shall hold office for the term of five years, no two of whom shall be members of the same racing association, and no more than two of whom of the same political party. They shall receive no compensation for their services, but shall be paid their necessary traveling and other expenses. Such commission shall appoint a secretary, who shall serve during their pleasure, whose duty it shall be to keep a full and faithful record of the proceedings of such commission, preserve at the general office of such commission all books, maps, documents and papers entrusted to his care, prepare for service such papers and notices as may be required of him by the commission, and perform such other duties as the commission may prescribe. He shall have the

Terms.

No compen-
sation.
Expenses.
Secretary—
duties.

Subpoena.

power, under the direction of the commission, to issue subpoenas for witnesses and to administer oaths in all cases pertaining to the duties of his office. The total annual expenses of the State racing commission, including the salary of the secretary, shall not exceed the sum of five thousand dollars. Such expenses shall be paid by the several racing or steeplechase corporations or associations, owning or operating such race tracks, to be apportioned by the Comptroller, who shall, on or before the first day of December in each year, assess upon each of such corporations or associations its just proportion of such expenses, and such assessment shall be collected in the manner provided by law for the collection of taxes upon corporations. Such commission shall annually make a full report to the Legislature of its proceedings for the year ending with the first day of the preceding December, and such suggestions and recommendations as it shall deem desirable.

Expenses allowed.

Expenses paid.

Annual report.

6. License for Running Races and Steeplechases. Any corporation or association desiring to obtain the benefits of this act, if proposing to conduct a race-course or race meeting for running races or steeplechases, may annually apply to the State racing commission for a license to conduct running races and race meetings or steeplechases and steeplechase meetings, as the case may be. If, in the judgment of such commission, a proper case for the issuance of such license is shown, it may grant such license for a term of one year. Every such license shall contain a condition that all running races or race meetings conducted thereunder shall be subject to the reasonable rules and regulations, from time to time prescribed by the commission.

License for running races, etc.

Term of license.

License subject to regulations.

7. Revocation of License. If any corporation or association to which a license shall be granted shall fail or refuse to comply with the provisions of this article, or with the terms and conditions of its license, or if for any other reason the continuance of such license shall not be deemed conducive to the

License revoked.

Complaints.	interests of legitimate racing, the said commission shall have the power to cancel and revoke such license. Written notice of any complaint shall be given to such corporation or association by said State racing commission within five days after receiving such complaint, which notice shall specify a time and place of hearing thereon. If the commission cancels and revokes such license all powers exercised under this act by the corporation or association to which such license was granted shall cease and determine.
Result of revocation.	
Notices to be posted.	8. Notices to be Posted upon Grounds. Every corporation to be organized under this act or which shall be entitled to exercise any of the powers conferred by this act shall cause to be properly posted in conspicuous positions upon the grounds whereon such races are held printed notices or placards in large and legible type, which notices or placards shall be to the effect that all disorderly conduct, pool-selling, book-making or any other kind of gambling is prohibited.
Special policemen.	9. Special Policemen. For the purpose of preserving order and preventing offenses against the laws prohibiting gambling, the trustees or directors of any corporation created under the provisions of this act are hereby authorized to appoint from time to time five or more special policemen, and the same to remove at pleasure, who, when appointed, shall be police officers with the same powers within and about such grounds as are vested in constables of the county where such grounds are located, whose duty, when appointed, shall be to preserve order within and around the grounds and race-tracks of said corporation, to protect the property within said grounds, to eject or arrest all persons who shall be improperly within the grounds of such corporation or who shall be guilty of disorderly conduct, or who shall neglect or refuse to pay the fees or to observe the rules prescribed by said corporation; and it shall be the further duty of said policemen, when appointed, to prevent all violations of law with reference to pool-selling,
Powers and duties.	

book-making and other gambling, and to arrest any and all persons violating such provisions, and to convey such person or persons so arrested, with a statement of the cause of such arrest, before a magistrate having jurisdiction of such offense, to be dealt with according to law. The appointment of policemen in pursuance of this act shall not be deemed to supersede in any wise on the grounds and race-track of such corporation the authority of peace officers of the jurisdiction within which such grounds and race-track are located.

Not to supersede other peace officers.

10. Penalty for Unlawful Racing and Betting. All racing or trials of speed between horses or other animals for any bet, stake or reward, except such as is allowed by this act or by special laws, is a public nuisance; and every person acting or aiding therein, or making or being interested in such bet, stake or reward, is guilty of a misdemeanor and upon conviction is punishable by imprisonment in the county jail for a period of not more than one year; and in addition to the penalty prescribed therefor he forfeits to the people of this State all title or interest in any animal used with his privity in such race or trial of speed, and in any sum or other property betted or staked upon the result thereof.

Betting a nuisance.

Misdemeanor.

Penalty.

11. Increased or Additional Entrance Fees. A corporation or association authorized by or entitled to the benefits of this act, conducting a running or trotting or steeplechase meeting, shall have the right to charge increased or additional entrance fees for admission to any special portion or portions of the grounds of such corporation or association unless such pool-selling or book-making as is punishable by fine or imprisonment or other acts so punishable, be thereon authorized or knowingly permitted.

Additional entrance fees.

12. There shall be turned over by any corporation or association, to the State Treasurer, within thirty days of any meeting or at such other times which may be fixed by the State racing commission, ten per centum of the gross admission fees

State's share of admissions.

Use of moneys received. received by any such corporation or association during any such meeting. The revenue thereby received by the State Treasurer shall be turned over by him to either regularly incorporated hospitals caring for charity patients or to regularly incorporated homes for crippled children in this State; either of which objects shall be determined by the State racing commission and certified to the State Treasurer.

Referendum. 13. At the next general election to be held in November in the year one thousand nine hundred and thirty-three, the question of the adoption of the provisions of this act in each and every county of the State shall be submitted to the legal voters of the respective counties. Public notice thereof, as required by law, shall be given by the board of chosen freeholders of each respective county of the State by publication, not less than thirty days prior to said election, in one or more newspapers published and circulated in each said respective county, at least one of which is published in the county seat.

Notice.

Marking ballot. At the said general election there shall be printed upon each official ballot the following: 'If you favor the taking effect of the act entitled below, make an X or + mark in the square to the left of and opposite the word "yes"; if you are opposed thereto make an X or + mark in the square to the left of and opposite the word "no".'

Proposition.

	Yes.	An act concerning corporations for raising and breeding and improving the breed of horses.
	No.	

The fact and date of the approval or passage of this act, as the case may be shall be inserted in the appropriate place after the title in said ballot.

If the voter makes an \times or $+$ mark in black ink or black pencil in the square to the left of and opposite the word 'yes', it shall be counted as a vote in favor of the adoption of this act. Counting.

If the voter makes an \times or $+$ mark in black ink or black pencil in the square to the left of and opposite the word 'no', it shall be counted as a vote against the adoption of this act, and in case no mark shall be made in the square to the left of and opposite the word 'yes' or 'no' it shall not be counted as a vote for or against the adoption of this act.

A canvass and return of the votes cast in each respective county upon the question of the adoption of the provisions of this act shall be made by the board of canvassers in the same way and manner as for officers voted at such election, as other questions are submitted on referendum, and if a majority of the votes cast in any county for and against the adoption of this act shall be found to be in favor of its adoption it shall then, but not otherwise, become operative in such county. Canvass.

14. No license shall be issued by the State Racing Commission to conduct a race course or race meeting for running races or steeplechases in any county which has not adopted the provisions of this act. License not granted.

15. This act shall take effect immediately but shall remain inoperative until adopted in any county of the State as provided in section thirteen hereof. When operative.

Approved June 27, 1933.

CHAPTER 334

AN ACT to amend an act entitled "An act to amend 'An act for the assessment and collection of taxes' (Revision of 1918), approved March fourth, one thousand nine hundred and eighteen," which latter act was approved April eighth, one thousand nine hundred and nineteen.

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

Section 514
amended.

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

Seller liable
for taxes of
current year.

514. Upon the sale and transfer for a valuable consideration or the acquisition through eminent domain or similar proceedings of any real estate in this State unless otherwise provided in a written agreement between the seller and purchaser or the parties in said proceedings, or unless otherwise expressly stipulated, the seller or owner of property to be acquired shall be liable for the payment of such proportion of the taxes for the current year upon the property to be conveyed or so acquired as the time between the first day of January previous and the date of the delivery of the deed by the seller to the purchaser or the date the condemning body acquired its title bears to a full calendar year. If the amount of the taxes for the current year shall not have been determined at the time of the delivery of the deed of conveyance or the taking of its title by the condemning body, then the amount of the taxes last previously assessed against such real estate shall be used as the basis for computing the apportionment herein provided.

Computing
apportionment.

Approved June 27, 1933.

CHAPTER 335

AN ACT to amend an act entitled "An act for the apportionment of assessments for taxes and other municipal assessments, charges or liens," approved April eleventh, one thousand nine hundred and nineteen.

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

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

3. The apportionment shall be made on the written application of any person interested, or on motion of said governing body without application. Apportionment.

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

Approved June 27, 1933.

CHAPTER 336

AN ACT to amend an act entitled "An act to amend an act entitled 'An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles, fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations,' approved April eighth, one thousand nine hundred and twenty-one," approved March nineteenth, one thousand nine hundred and twenty-eight.

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

Section 17
amended.

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

Penalties for
failure to
return fines.

17. Any person who, having collected any fine for any violation of this act, shall fail within thirty days to return said fine, as provided by this act, to the Commissioner of Motor Vehicles or the proper financial officer of the county shall be subject to a penalty of not exceeding five hundred dollars, for the first offense and a penalty of one thousand dollars and imprisonment not exceeding one year or both, at the discretion of the county, upon any subsequent conviction. All municipal judges, justices and recorders having jurisdiction under the act to which this is an amendment to hear cases of violations of the provisions of said act, shall keep a record of the disposition of all complaints under said act for which a fine may be imposed to which the county is entitled on forms to be prepared and

Records
kept.

furnished by the board of chosen freeholders of such county, such record to be open to inspection by the county treasurer of such county or his duly authorized representative.

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

Approved June 27, 1933.

Repealer.

CHAPTER 337

AN ACT to amend an act entitled "An act to regulate bidding upon public work, to be furnished for or on behalf of the counties of this State, providing for prequalification and classification of bidders, fixing penalties relating thereto, and repealing acts and parts of acts inconsistent herewith," approved April twenty-eighth, one thousand nine hundred and thirty-one.

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

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

Section 1
amended.

1. Officials of the respective counties of this State may, in their discretion, require of all persons proposing to submit a bid or bids on public work, to be furnished for or on behalf of the county or any officer, board, commission, committee, department or other branch of the county government, a statement under oath in response to a questionnaire, standardized for like classes of work, to be submitted to such persons by the county official concerned. Such statements shall develop fully the

Oath taken
by bidders
upon public
works.

financial ability, adequacy of plant and equipment, organization and prior experience of the prospective bidder, and also such other pertinent and material facts as may seem desirable.

Repealer.

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

Approved June 27, 1933.

CHAPTER 338

AN ACT to amend an act entitled "An act to amend an act entitled 'An act concerning unpaid taxes, assessments and other municipal charges on real property, and providing for the collection thereof by the creation and enforcement of liens thereon' (Revision of 1918), approved March fourth, one thousand nine hundred and eighteen," which amendment is known as chapter two hundred ninety-one of the laws of one thousand nine hundred and thirty-one.

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

Section 42 amended.

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

All municipal liens included.

42. In case the certificate of sale is held by the municipality the amount required for redemption shall include all subsequent municipal liens with interest and costs; *provided, however*, that in such case with the consent of the governing body of such municipality the redemption may be made in in-

Proviso.

stallments, the first of which shall include all past due taxes with interest thereon, together with such costs as are required to be paid upon redemption, also such installment of any assessment or assessments as shall be past due, together with interest on such assessment or assessments to the date of the payment of such installment and the balance of such assessment or assessments shall in that case be paid in such installments and at such times as the same would have been payable but for a default in payment thereof or for such sale for unpaid taxes or assessments. After the payment of the first installment, as aforesaid, the municipality shall not assign such certificate or take any action to cut off or foreclose the right of redemption so long as such installments shall be paid when due and no default shall exist in the payment of municipal liens accruing subsequent to the date of the payment of said first installment; *provided, further*, in case redemption is made after the claim of the municipality under any sale for the enforcement of the taxes or other municipal liens or charges has been apportioned, the amount required for redemption shall be the charge or charges as apportioned to the subdivision being redeemed, with interest and costs, including all subsequent municipal liens thereon with interest from the date of such apportionment.

Paying by
installments.

Proviso.

Approved June 27, 1933.

CHAPTER 339

AN ACT to amend an act entitled "An act to amend an act entitled 'An act to amend an act to amend an act entitled "An act concerning district courts" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,' which amendment was approved March twenty-ninth, one thousand nine hundred and twenty-six."

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

Section 6
amended.

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

Salaries of
district court
judges based
upon
population.

6. The salaries of the judges of said court shall be fixed as follows: In cities having two hundred thousand inhabitants or over, an annual salary of six thousand dollars; in cities having between sixty thousand and one hundred and twenty-five thousand inhabitants, an annual salary of four thousand dollars; in cities having between one hundred and twenty-five thousand and two hundred thousand inhabitants, an annual salary of fifty-five hundred dollars; in cities located in counties of the first-class having between sixty thousand and one hundred thousand inhabitants, an annual salary of four thousand dollars; in cities having between twenty-five and sixty thousand inhabitants, an annual salary of thirty-five hundred dollars; in cities having between twenty-three thousand and twenty-five thousand inhabitants, an annual salary of twenty-five hundred dollars; and in cities having between seventeen thousand and twenty-three thousand inhabitants, an annual salary of two thousand dollars; and in judicial districts the population of which as ascertained by any State or Federal census is more

Salary in
judicial
districts.

than forty thousand, an annual salary of two thousand dollars; in judicial districts the population of which as ascertained by any State or Federal census is less than forty thousand, an annual salary of two thousand dollars; and in judicial districts bordering on the Atlantic ocean the population of which, as ascertained by any State or Federal census, is less than thirty thousand and more than seventeen thousand, an annual salary of twenty-eight hundred dollars; *provided*, that where courts shall be held at more than one place in a judicial district at stated periods the population of which as ascertained by any State or Federal census is more than forty thousand, an annual salary of three thousand dollars; *provided*, that in counties having a population of more than two hundred thousand, as ascertained by any State or Federal census, the salaries of the judges of said court shall be fixed as follows:

Proviso.

Proviso.

In judicial districts the population of which, as ascertained by any State or Federal census, is more than forty thousand, an annual salary of thirty-five hundred dollars; in judicial districts the population of which, as ascertained by any State or Federal census, is less than forty thousand, an annual salary of twenty-five hundred dollars.

Salary in certain districts.

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

Repealer

3. This act shall take effect immediately.

Approved June 27, 1933.

CHAPTER 340

AN ACT to amend an act entitled "An act providing for the regulation of vehicles, animals and pedestrians on all public roads and turnpikes, and prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act, and penalties for said violations, and granting authority to towns, cities, boroughs and townships, under certain restrictions for the adoption of ordinances further regulating vehicles, pedestrians and animals, and designating the authorities to enforce its provisions, and defining their powers and their authority" (Revision of 1928), approved July fourteenth, nineteen hundred and twenty-eight.

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

Section 13
amended.

1. Article XV, section thirteen, of the act to which this is an amendment be and the same is hereby amended to read as follows:

"Magistrate"
defined.

13. The word "magistrate" as used in this act shall be deemed and understood to mean and include all justices of the peace, judges of the city or district criminal court, police judges, recorders, mayors and other officers having the powers of a committing magistrate and the Commissioner of Motor Vehicles; *provided, however,* that no justice of the peace shall sit as a magistrate under this act within the corporate limits of any city within this State.

Proviso.

Money used
for road
repair.

Moneys received in accordance with the provisions of this act shall be by the magistrate, accounted for and forwarded to the proper financial officer of the county wherein the same were collected, to be used by said county as a fund for road

repairs in said county; *provided, however,* all moneys received as a result of any complaint instituted by the Commissioner of Motor Vehicles, or a member of his staff, or a member of the State police, shall be by the magistrate, accounted for and forwarded to the Commissioner of Motor Vehicles, and by him paid over to the State Treasurer of the State of New Jersey, to be used as a fund for the repair of the improved roads throughout the State, regard being had to the repair of the most important improved roads, and the distribution of the benefits of this act throughout the several counties of this State. All municipal judges, justices and recorders having jurisdiction under the act to which this is an amendment to hear cases of violations of the provisions of said act shall keep a record of the disposition of all complaints under said act for which a fine may be imposed to which the county is entitled on forms to be prepared and furnished by the board of chosen freeholders of such county, such record to be open to inspection by the county treasurer of such county or his duly authorized representative.

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

Approved June 27, 1933.

CHAPTER 341

A SUPPLEMENT to an act entitled "An act concerning the State, counties, cities, towns, townships, boroughs, villages and other municipalities of this State and regulating public employment therein," approved June sixteenth, one thousand nine hundred and thirty-two.

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

Application
of act.

1. The provisions of the act to which this act is a supplement shall not be applicable to any appointment of a temporary nature made or created by any rule or order of procedure of the Court of Chancery or the Supreme Court of this State, so as to interfere with any rule or order of procedure in said courts for the proper administration of justice therein.

2. This act shall take effect immediately.

Approved June 27, 1933.

CHAPTER 342

A SUPPLEMENT to an act entitled "An act concerning counties," approved March fourth, one thousand nine hundred and eighteen.

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

Appropriation
to
veterans' posts
lawful.

1. It shall be lawful for any county to make appropriations to post of the Grand Army of the Republic, and if there be no such post in such county,

then it shall be lawful to make appropriations to any camp of Sons of Union Veterans of the Civil War, for the proper carrying out of memorial and other patriotic holidays.

2. This act shall take effect immediately.

Approved June 27, 1933.

CHAPTER 343

AN ACT to change the name of the borough of Fairlawn, a municipal corporation of the county of Bergen, to the borough of Fair Lawn.

WHEREAS, The borough of Fairlawn, as incorporated, was spelled Fairlawn; and Preamble.

WHEREAS, The said borough has frequently been spelled Fair Lawn, and by reason thereof great confusion has existed as to the correct name of the borough; therefore, Preamble.

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

1. The borough of Fairlawn, a municipal corporation of the county of Bergen and State of New Jersey, shall hereafter be known by the name of Fair Lawn. Name changed

2. No suit, proceeding or instrument shall abate or be invalid because said borough shall be therein designated by its former name. Suits, etc., valid.

3. This act shall take effect immediately.

Approved June 27, 1933.

CHAPTER 344

AN ACT concerning banking, saving, trust, guaranty, safe deposit, indemnity, mortgage, investment, loan and building corporations of other States or foreign governments, regulating the business to be transacted by such corporations in this State and providing penalties for certain violations.

Foreign corporations, etc., to obtain certificate of authority.

1. Foreign corporation to file copy of charter, et cetera. No banking, saving, trust, guaranty, safe deposit, indemnity, mortgage, investment, loan and building corporation or association organized under the laws of any other State or of any foreign government, shall solicit or transact any business in this State until it shall have secured from the Commissioner of Banking and Insurance a certificate of authority to transact business.

Certificate issued when:

2. When certificate of authority may be issued. Any such foreign corporation desiring to secure such certificate of authority shall make application therefor to the Commissioner of Banking and Insurance, and it shall be the duty of the Commissioner of Banking and Insurance to issue such certificate of authority to transact business in this State to any such corporation when:

Copy of charter is filed:

a. Said corporation has filed in the office of the Commissioner of Banking and Insurance a copy of its charter or certificate of organization or incorporation, attested by its president or vice president and secretary or treasurer under its corporate seal, and a statement attested in like manner showing the financial condition of said corporation at the close of business on the thirty-first day of December last preceding, which statement shall be in

such form as may be prescribed by the Commissioner of Banking and Insurance, and it shall be the duty of the Commissioner of Banking and Insurance to furnish blank forms for that purpose.

b. It shall appear by the statement of financial condition hereinabove mentioned that such corporation is possessed of an actual paid in, well invested and unimpaired capital stock of at least one hundred thousand dollars (\$100,000.00).

Capital
statement,

c. Such corporation shall deposit with the Commissioner of Banking and Insurance such securities as he may prescribe amounting to at least thirty thousand dollars (\$30,000.00), in value, which securities shall be held by him in trust for the benefit of the creditors of such corporation within this State; *provided, however*, that if any such corporation shall have and keep a deposit of at least one hundred thousand dollars (\$100,000.00) in cash or securities approved by the Commissioner of Banking and Insurance of New Jersey, with any department or office of the State or country where the said corporation is organized, the Commissioner of Banking and Insurance shall not require the deposit of any securities as hereinbefore provided.

Deposit
with com-
missioner;

Proviso;

d. Such corporation shall by a duly executed instrument filed in the office of the Commissioner of Banking and Insurance constitute the Commissioner of Banking and Insurance and his successor in office, its true and lawful attorney upon whom all original process in any action or legal proceeding against it may be served, and therein shall agree that any original process against it which may be served upon such commissioner shall be of the same force and validity as though served on the company, and that the authority thereof shall continue in force, irrevocably, so long as any liability of the said corporation remains outstanding in this State.

Power of
attorney;

e. The Commissioner of Banking and Insurance shall not find that the contract under which the said corporation proposes to sell its securities in this

Lawful
contract
of selling.

State is unlawful, unfair, unjust, inequitable, or contrary to the public policy of this State, and that the policy, selling plan, selling representations, or methods of selling used by such foreign corporation or by its agents with its knowledge and consent, in conducting sales of securities within this State, is unlawful, unjust, inequitable, oppressive or against the public policy of this State or calculated to mislead a purchaser of any such securities.

Continuance
of certificate.

3. Duration of Authority. All certificates of authority to transact business in this State issued to any such foreign corporations, unless cancelled or revoked by the Commissioner of Banking and Insurance or surrendered by the holder of the same, shall continue in force until the first day of April of the following year, and shall be renewable each succeeding year before the first day of April thereof.

Renewal.

Deposit of
securities.

4. Deposit of Securities. The Commissioner of Banking and Insurance shall have authority to order a change of any of the securities deposited by any such foreign corporation with him as hereinabove provided, or any part of said securities, at any time during the continuance of the certificate of authority issued to the said corporation, and during the same period the said corporation may change said securities or any part thereof with the consent of the Commissioner of Banking and Insurance, and the corporation so depositing any such securities shall be entitled to receive the dividends or interest on the same, and upon the termination of its authority to transact business in this State it shall be entitled to the return of the said securities.

Annual report.

5. Annual Report. Every foreign corporation which shall receive a certificate of authority under this act shall file a report during the month of January in each year on a form to be prescribed by the Commissioner of Banking and Insurance, and if any such corporation shall fail to file such annual report prior to the fifteenth day of Febru-

ary in each year, or to furnish any additional report, statement, or information which may be required by the Commissioner of Banking and Insurance within ten days after notice so to do, it shall be liable to a penalty of two hundred fifty dollars (\$250.00) and costs to be sued for and collected in the name and for the benefit of the State of New Jersey; *provided, however*, that the time within which any such report shall be filed or any such report, statement or information shall be furnished to the said Commissioner of Banking and Insurance may be extended by the said Commissioner of Banking and Insurance.

Penalty.

Proviso.

6. Fees Payable. For filing a certificate of its charter or certificate of organization or incorporation every such foreign corporation shall pay a fee of twenty dollars (\$20.00); for filing original and annual reports, a fee of twenty dollars (\$20.00); for issuing or renewing a certificate of authority a fee of two hundred fifty dollars (\$250.00) annually; for issuing or renewing a certificate for each agency, an annual fee of five dollars (\$5.00); and every such corporation shall pay the reasonable costs of making any examination of its affairs as herein provided for, and the Commissioner of Banking and Insurance may maintain an action in the name of the State against any such corporation for the recovery of any such expenses or costs in the name and for the benefit of the State of New Jersey.

Fees.

7. Penalty for Noncompliance With This Act. If any such corporation or association itself or by its agents, attorneys, solicitors, surveyors, canvassers, collectors or other representatives of whatsoever designation, or any agent, attorney, solicitor, surveyor, canvasser, collector or other representative or any individual or firm, whether on behalf of such corporation or not, shall solicit, negotiate, or in any wise transact any business in this State except in the endorsement of contracts by legal process, without having complied with the requirements of this act, any such person, firm or corpora-

Penalty for violation.

tion so offending shall be liable to a penalty of two hundred fifty dollars (\$250.00) and costs of suit, to be sued for and collected by the Commissioner of Banking and Insurance in the name and for the benefit of the State of New Jersey.

Investigation.

8. Examination by Commissioner of Banking and Insurance. At any time during the continuance of any such certificate of authority the Commissioner of Banking and Insurance shall have power whenever he deems the same expedient, to require the filing of additional statements of financial condition, and he shall also have authority either himself or by his deputies or any other person or persons he may designate, to examine the affairs of any such corporation, and it shall be the duty of the officers and employees of every such corporation to exhibit its books, securities, records and accounts for such examination and to otherwise facilitate the same so far as it may be in their power so to do, and the Commissioner of Banking and Insurance or his deputies, or any person or persons so designated by him shall have power to examine under oath or affirmation the officers and employees of any such corporation relative to its business and affairs, and for that purpose the Commissioner of Banking and Insurance, his deputies or any persons so designated, shall have power to administer oaths and affirmations.

Certificate of authority cancelled.

9. When certificates of authority may be cancelled. Whenever the Commissioner of Banking and Insurance shall find that the affairs of any such corporation are in an unsound condition because of illegal or unsafe investments, or that its liabilities exceed its assets, or that the sales of securities in this State by such corporation have resulted in the establishing of a contract between the purchaser or purchasers thereof and the company issuing such securities which is unlawful, unfair, unjust, oppressive, inequitable, or against the public policy of this State, or if the said commissioner finds that the said policy, selling plan,

selling representations, or methods of selling used by any such foreign corporation or by its agents with its knowledge and consent, in conducting the sales of securities within this State is unfair, unjust, oppressive, inequitable, or against the public policy of this State, or is calculated to mislead the purchaser of such certificate, then the said Commissioner of Banking and Insurance shall have authority to cancel and revoke any certificate of authority issued to such corporation pursuant to the provisions of this act.

10. Procedure on revocation and cancellation. Before any such certificate of authority shall be cancelled or revoked under the provisions of this act, the Commissioner of Banking and Insurance shall give at least twenty days' notice by mail to the corporation whose certificate of authority is sought to be cancelled or revoked, which notice shall be sent to the address of the said corporation as shown on the records of the Department of Banking and Insurance, of a hearing at which the corporation whose certificate of authority is sought to be cancelled, or revoked may show cause why its said certificate of authority should not be cancelled or revoked.

Notice
given before
cancellation.

11. Review of action of Banking and Insurance Commissioner in failing or refusing to issue or renew a certificate of authority or in cancelling or revoking the same. In any case where the Commissioner of Banking and Insurance shall fail or neglect for the space of sixty days to act upon an application for a certificate of authority or renewal thereof, made pursuant to the provisions of this act, the applicant for such certificate of authority or renewal thereof may apply to the Supreme Court for a writ of mandamus, and the practice in any proceedings which may ensue shall be according to the practice and procedure obtaining in this State with respect to the prosecution of writs of mandamus. The judgment of the Supreme Court in any writ of mandamus prosecuted under this act

Review of
action.

shall be subject to review by the Court of Errors and Appeals in the manner now prescribed by law.

Review by
Supreme
Court.

The refusal of the Commissioner of Banking and Insurance to issue or renew a certificate of authority as hereinabove provided, or the cancellation or revocation of a certificate of authority of any such corporation by the Commissioner of Banking and Insurance may be reviewed by the Supreme Court on a writ of certiorari. No writ of certiorari to review any such refusal to issue or renew a certificate of authority or to review any such cancellation or revocation of any certificate of authority shall be allowed unless application therefor be made within sixty days from the date on which applicant shall have received notice of any such refusal to issue or renew such certificate of authority or within sixty days from the date on which any such cancellation or revocation of such certificate of authority shall become effective, nor unless notice in writing of such application shall be given to the Commissioner of Banking and Insurance together with a copy of the affidavits and proofs upon which such application for a writ is based.

Application
in sixty
days.

Notice of
application.

Notice of such application for said writ shall be served upon the Commissioner of Banking and Insurance either personally or by leaving the same at his office in the city of Trenton. In any case where the Commissioner of Banking and Insurance shall refuse to issue or renew a certificate of authority or shall cancel or revoke any such certificate of authority, the Supreme Court shall have jurisdiction to review the entire proceedings resulting in said refusal to issue or renew such certificate of authority or the cancellation or revocation of the same, including the facts and evidence upon which such refusal, cancellation, or revocation is based and to determine the matter on its merits, and to set aside, modify, or revise any finding of the said Commissioner of Banking and Insurance which shall have resulted in any such refusal, cancellation or revocation and any order in relation

Review of
entire
proceedings.

thereto. The Supreme Court in its proceedings shall not be limited to the facts or evidence presented to or considered by the Commissioner of Banking and Insurance, but shall have authority to take and consider such further evidence as it may deem proper and just. In case the finding of the said Commissioner of Banking and Insurance resulting in any such refusal, cancellation or revocation of any such certificate of authority or any order in relation thereto shall be set aside, modified or revised, the Supreme Court shall have full power by its order to direct the said Commissioner of Banking and Insurance in the case of a refusal, to issue or renew a certificate of authority and in case of cancellation or revocation, to reinstate the certificate of authority so cancelled or revoked. All of the evidence presented to the Commissioner of Banking and Insurance together with his findings and such orders as he may have issued respecting the application for any such certificate of authority, the refusal to issue or renew or the cancellation or revocation of the same, shall be certified by the Commissioner of Banking and Insurance to the Supreme Court as his return. No finding or order of the Commissioner of Banking and Insurance shall be set aside, revised or modified for any irregularity or informality in the proceedings before him unless such irregularity or informality tends to defeat or impair the substantial right of the prosecutor in certiorari. If with respect to any finding or order of the Commissioner of Banking and Insurance it shall appear equitable and just that a rehearing shall be had before the said Commissioner of Banking and Insurance, the Supreme Court may order that such a hearing be had upon such terms and conditions as are reasonable, and the said Commissioner of Banking and Insurance shall thereupon proceed to such hearing upon the testimony theretofore taken and upon which the finding or order under review was based and upon such additional testimony, if any, as may be pro-

May take further evidence.

Order.

Evidence, etc., certified.

Rehearing before commissioner.

Result of rehearing.	duced. As a result of such rehearing the Commissioner of Banking and Insurance may either revise, alter, modify or amend such finding and any order made pursuant thereto. The findings and orders of the Commissioner of Banking and Insurance made as a result of any such rehearing shall also be subject to review by the Supreme Court in the same manner as herein prescribed with respect to the original findings and orders. In any proceedings brought under this act to review the action of the Commissioner of Banking and Insurance in refusing to issue or renew a certificate of authority or in cancelling or revoking the same, the practice and procedure thereon shall be according to the practice and procedure obtaining in this State with respect to the prosecution of writs of certiorari, except as the same may be expressly changed by this act. The judgment of the Supreme Court on any writ of certiorari prosecuted under this act shall be subject to review by the Court of Errors and Appeals in the manner now prescribed by law.
Subject to review.	
Form of proceedings.	
Judgment of Supreme Court subject to review.	
Rehearing.	Whenever a judgment in the Supreme Court upon a writ of certiorari prosecuted under the provisions of this act shall be appealed to the Court of Errors and Appeals and the said Court of Errors and Appeals shall deem it equitable and just that a rehearing shall be had before the said Commissioner of Banking and Insurance said court shall remit the record and proceedings before it to the Supreme Court to the end that said court shall order that such rehearing be had before said Commissioner of Banking and Insurance upon such terms and conditions as are reasonable and as are hereinbefore provided. The findings and orders of the Commissioner of Banking and Insurance made as a result of any such rehearing shall also be subject to review in the same manner as herein prescribed with respect to the original hearing.
Terms defined.	12. Definition of terms. The term "securities" as used in this act shall be taken to mean, and in-

clude, stock certificates, shares, treasury shares, bonds, debentures, evidences of indebtedness, certificates of participation, units, undivided interests, notes, or other obligations or evidences of indebtedness or of title which constitute evidence of or are secured by title to, interest in, or lien upon any or all of the property or profits of the issuer, or any instrument issued or offered to the public evidencing or representing any right to participate or share in the profits or earnings or the distribution of assets of any business carried on for profit or other instruments in the nature thereof by whatsoever name known or called, or undivided interests in the capital, property, assets, profits or business of any person, corporation, partnership, joint stock company, declaration of trust, association or other association or individual, whether evidenced by writing or printed certificates or not.

13. Service of Process. In all suits or actions brought in any court of this State against any such foreign corporation, process may be served upon the Commissioner of Banking and Insurance by leaving a copy of the same in the office of the said Commissioner of Banking and Insurance with a service fee of two dollars (\$2.00) to be taxed in the plaintiff's costs of suit. Such service upon such Commissioner shall be deemed sufficient service upon the corporation. When any original process is served upon the Commissioner of Banking and Insurance as attorney or agent for any such foreign corporation, and a service fee of two dollars (\$2.00) paid to him, he shall forthwith notify the said foreign corporation of such service by letter directed to its secretary, or in the case of a corporation of a foreign country, to its resident manager, if any, in the United States, and shall within two days after such service forward in the same manner a copy of the process served upon him to such secretary or manager or to such other person as may have been previously designated by the company by written notice filed in the office of

Service of
processes.

Fee.

Fee.

Record
kept.

the Commissioner of Banking and Insurance. The Commissioner of Banking and Insurance shall keep a record of the service of all such process which shall show the date and hour of service.

Validating.

14. All certificates of authority heretofore issued and now in effect pursuant to the provisions of an act entitled "An act concerning banking, saving, trust, guaranty, safe deposit, indemnity, mortgage, investment, loan and building corporations of other States or foreign governments," approved June tenth, one thousand eight hundred and ninety, being chapter two hundred and fifty-one of the laws of one thousand eight hundred and ninety, shall continue in full force and virtue, but subject, however, to the provisions of this act, and the holders thereof are hereby expressly authorized to continue to transact business in this State in the same manner as though the certificates which they now hold were originally issued under the provisions of this act.

Repealer.
Proviso.

15. All acts and parts of acts inconsistent with this act are hereby repealed; *provided, however*, that nothing herein contained shall be construed to modify or repeal the provisions of chapter thirty-five of the laws of one thousand nine hundred and seven, entitled "An act prohibiting the transaction of business in this State by foreign banking, savings, trust or safe deposit corporations," approved April tenth, one thousand nine hundred and seven, nor shall this act be deemed to supersede the same.

16. This act shall take effect immediately.
Approved June 27, 1933.

CHAPTER 345

AN ACT to regulate the planting of foreign oysters or shellfish in the waters of this State.

WHEREAS, The importation and planting of oysters, seed oysters and other mollusks, commonly known as shellfish, from foreign countries into the waters of this State have introduced and threaten to introduce dangerous diseases or enemies to the native oysters and are likely, by hybridization therewith, to produce other detrimental results to the oyster industry of this State;

Preamble.

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

1. No oysters, seed oysters, or other mollusks, commonly known as shellfish, native to, or brought, either directly or indirectly, from any foreign country shall be planted or lodged in the waters of this State without permission in writing issued by the Board of Shell Fisheries for each separate shipment. Application for such permission shall be made in writing, and shall state the species of said oysters, seed oysters or mollusks, the location from which they were, or are to be, immediately taken, the source from which they were originally obtained, and the country to which their kind is native. The same information shall be shown upon a tag attached to, or upon the billing accompanying each shipment upon its arrival in this State.

Permission to plant foreign shellfish.

Application.

2. Said board is hereby authorized to issue such permission after due inspection and examination of the nature, species, quantity, source, location of proposed planting or lodging, and the condition of such oysters, seed oysters or mollusks, and after certification by the biologist of said board that the same will not, in his opinion, be detrimental to the

Permission granted.

native oysters, or to the oyster industry of this State.

Form of permission.

3. Such permission shall specify the nature, species, quantity, and proposed location of planting or lodgment of such oysters, seed oysters or mollusks, and shall apply only to the particular shipment for which it is issued.

Cost.

4. Said board shall make such charge, and collect in advance, for the issuance of such permission such sum of money as may be necessary to defray the cost of such inspection, examination and certification.

Penalty for violation.

5. Any person or corporation who shall, without such permission in writing, plant or lodge in the waters of this State any such oysters, seed oysters, or mollusks, shall be liable to a penalty of one thousand dollars (\$1,000.00), collectible by an action in debt brought, in the name and for the benefit of the State of New Jersey, by the Attorney-General at the instance of the Board of Shell Fisheries. In addition to such penalty, said board may revoke the license of any boats or vessels, licensed under the laws of this State, used or employed in the planting or lodgment, without such permission, of any such oysters, seed oysters or mollusks, and said board may also cancel the lease of any person or corporation who plants or lodges, without such permission, any such oysters, seed oysters or mollusks, upon any lands under water leased from this State.

May revoke license.

Construing act.

6. This act shall not affect the planting or lodgment in the waters of this State of any oysters, seed oysters or mollusks, commonly known as American or Eastern oysters, and scientifically known as *Ostrea virginica* Gmelin, but shall be construed to affect the planting or lodgment of all other species.

7. This act shall take effect immediately.

Approved June 27, 1933.

CHAPTER 346

AN ACT vesting the title to real estate of which George Hoppe died seized, and which is alleged to have escheated to the State of New Jersey, in Ana Linares.

WHEREAS, George Hoppe, late of the township of Woodbridge, county of Middlesex and State of New Jersey, departed this life on the twenty-second day of February, one thousand nine hundred and thirty-two, seized of the following described tract or parcel of land, hereinafter particularly described, situate, lying and being in the township of Woodbridge, county of Middlesex and State of New Jersey: Preamble.

Being known as Lots Nos. 643 and 644 fronting on the southerly line of George street, as shown on a map entitled "Map of Avenel Park, Section 1, Woodbridge Township, Middlesex County, N. J., owned and developed by the Maple Realty Company, 215 Smith Street, Perth Amboy, N. J., surveyed and mapped by Larson & Fox, Engineers and surveyors, Perth Amboy, N. J., and filed in the Office of the Clerk of Middlesex County, 1916," and further described as follows: Location.

Beginning at a point in the southerly side of George street, distant one hundred thirty-nine and twenty-one hundredths feet (139.21') easterly from the corner formed by the intersection of the easterly line of Pennsylvania avenue and the southerly line of George street, as shown on said map; thence (1) running southerly at right angles to George street, one hundred feet (100'); thence (2) running easterly fifty feet (50'); thence (3) running northerly parallel with the first described course one hundred feet (100') to Description.

a point in the southerly line of George street; thence (4) running westerly fifty feet (50') to the point or place of beginning.

Subject to restrictions.

Subject to such restrictions as may appear of record in the office of the clerk of the county of Middlesex, New Jersey; and

Preamble.

WHEREAS, The said George Hoppe left no person or persons capable of inheriting the said lands and premises and hereditaments; and

Preamble.

WHEREAS, The 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:*

Vestment.

1. All the estate, rights, 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 one George Hoppe, are hereby vested in Ana Linares, such title so as aforesaid vested under the provisions of this act is validated and confirmed.

Private act.

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

Approved June 27, 1933.

CHAPTER 347

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

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

Section 42 amended.

1. Section forty-two of article XX of the act to which this is an amendment be and the same is hereby amended to read as follows:

42. Any owner of any property assessed for benefits or awarded damages as incidental to the improvements as distinguished from damages for land to be taken under this act, may, within thirty days after confirmation of such assessment or award, appeal from the same to the Circuit Court of the county wherein such municipality is located by serving written notice of such appeal within such thirty days upon the tax collector and a duplicate upon the clerk of the governing body. A copy of such notice, together with verification of the service thereof, shall be filed in the office of the clerk of said court within one week after service thereof, or such appeal shall be considered waived. Such notice shall state the address of the appellant where notice of further proceedings may be served upon him. The hearing of such appeal shall be brought on upon order of said court at a day and place to be fixed by it, but all such appeals from assessments or awards for incidental damages under the same improvement shall be heard by the court and determined at one time. Said court shall have power to prescribe rules to regulate the practice in the taking and conduct of such appeals, and on the hearing thereof said court shall determine whether or not the assessment for benefits or award for incidental damages appealed from upon or to any parcel of land or real estate is a just and fair assessment or award, and if not, shall make an order correcting the same, or if the assessment or award is sustained, shall so order. But the determination of the court in regard to all such appeals in the case of any one improvement shall be embodied in one and the same order, and shall direct that a certified copy of the same shall be served upon the tax collector and upon the clerk of the municipality. The tax collector shall, upon receiving such certified copy of such order, note in his books any corrections or changes made thereby and report the same to the chief financial officer of the municipality. After confirmation the governing body shall still have power, upon due proof by

Notices of
appeal served.

Copy of
notice filed.

Hearing.

Court may
prescribe
rules, etc.

Certified
copy of
order served
upon collector.

Corrections.

affidavit of such error, to order by resolution the correction of any manifest error in any assessment for benefits from which no appeal has been taken, and upon the adoption of such resolution the tax collector shall note and report such correction in the same manner.

Appeal upon failure to correct.

The governing body shall correct such error within thirty days after submission to it of said proof, and on failure so to do, application may be made to the Circuit Court for such purpose and said court shall determine whether or not there is such manifest error in any assessment for benefits or award for incidental damages, and if so, it shall direct by its order the correction of such error in any assessments for benefits, and upon filing a certified copy of said order with the tax collector, he shall note and report such correction in the same manner. Any owner of any property assessed for benefits or awarded damages as incidental to the improvements as distinguished from damages for land to be taken under this act, may, within thirty days after the adoption of the resolution of the governing body correcting any manifest error in any assessment for benefits, appeal from the same to said Circuit Court in the same manner as appeals are now taken from such assessments after confirmation thereof. The said court on hearing the said appeal shall determine whether or not such manifest error has been fully and fairly corrected and that the assessment for benefits or award for incidental damages appealed from upon or to any parcel of land or real estate is a just and fair assessment or award, and if not, shall make an order correcting the same, or if the said resolution is sustained, shall so order. The tax collector upon receiving a certified copy of such order shall note in his books any corrections or changes made thereby and report the same to the chief financial officer of the municipality.

Appeal by owner.

Determination.

Constitutionality.

2. In case, for any reason, any section or provision of this act shall be questioned in any court and shall be held to be unconstitutional or invalid, the

same shall not affect any section or provision of this act, except so far as the section or provision so declared unconstitutional or invalid, shall be inseparable from the remainder or any portion thereof.

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

4. This act shall take effect immediately, but shall become inoperative after July first, one thousand nine hundred and thirty-four. Act operative.

Approved June 27, 1933.

CHAPTER 348

AN ACT to amend an act entitled "A supplement to an act entitled 'An act relating to courts having criminal jurisdiction and regulating proceedings in criminal cases' (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight," which supplement was approved April third, one thousand nine hundred and twenty-eight.

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

1. In any county of this State having less than three hundred thousand inhabitants, as shown by the last preceding Federal census, the judge of the inferior court of common pleas, sitting alone, shall constitute and may hold the court of oyer and terminer, when thereunto requested in writing by the justice of the Supreme Court within whose district said court of oyer and terminer shall be, which said request shall be filed in the minutes of said court of oyer and terminer. Judge of
common pleas
may hold
court of
oyer and
terminer.

Section 2
repealed.

2. Section two of the act to which this act is an amendment be and the same is hereby repealed.

3. This act shall take effect immediately.

Approved June 27, 1933.

CHAPTER 349

A SUPPLEMENT to an act entitled "An act to provide for the appointment of probation officers to define their duties and powers" (Revision, 1922), approved March seventeenth, nineteen hundred and twenty-two.

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

Duties.

1. It shall be the duty of the chief probation officer of the county, when requested by the Court of Chancery, to immediately investigate and furnish all necessary and available information and data concerning persons who may have become the subject of or legally interested in proceedings in the Court of Chancery directly or indirectly involving the custody of infants, and who are residents of or are temporarily found within the county for which the said probation officer was appointed.

Paying
alimony
through
officer.

2. The Chancery Court shall have power to so order alimony payments to be made through the chief probation officer who will make distribution of same as directed by the court.

Investigation
of applicants.

3. When so ordered, the chief probation officer shall cause to be investigated the financial status of applicants who are seeking relief through *forma pauperis* petitions.

Request for
investigation.

4. The Chancellor and the Vice-Chancellors or any other officer of the Court of Chancery are hereby empowered and authorized to formally re-

quest and require such investigation and information from the such probation officers in the name of the Court of Chancery, which request may be made at any time and at any stage of a pending proceeding in such court.

5. Constitutionality. If any section, subdivision or clause of this act shall be held unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of the act.

Constitutionality.

6. This act shall take effect immediately.

Approved June 27, 1933.

CHAPTER 350

A SUPPLEMENT to an act entitled "An act authorizing and regulating the use of probation and the suspension of sentence in certain courts and providing for the appointment of probation officers and defining their powers and duties" (Revision of 1929), approved April twenty-second, nineteen hundred and twenty-nine.

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

1. It shall be the duty of the chief probation officer of the county, when requested by the Court of Chancery, to immediately investigate and furnish all necessary and available information and data concerning persons who may have become the subject of or legally interested in proceedings in the Court of Chancery directly or indirectly involving the custody of infants, and who are residents of or are temporarily found within the county for which the said probation officer was appointed.

Duties.

2. The Chancery Court shall have power to so order alimony payments to be made through the

Paying alimony through officer.

chief probation officer who will make distribution of same as directed by the court.

Investigation
of applicants.

3. When so ordered, the chief probation officer shall cause to be investigated the financial status of applicants who are seeking relief through *forma pauperis* petitions.

Request for
investigation.

4. The Chancellor and the Vice-Chancellors or any other officer of the Court of Chancery are hereby empowered and authorized to formally request and require such investigation and information from the such probation officers in the name of the Court of Chancery, which request may be made at any time and at any stage of a pending proceeding in such court.

Constitu-
tionality.

5. Constitutionality. If any section, subdivision or clause of this act shall be held unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of the act.

6. This act shall take effect immediately.

Approved June 27, 1933.

CHAPTER 351

A SUPPLEMENT to an act entitled "An act relative to the Supreme Court and circuit courts" (Revision of 1900), approved March twenty-third, one thousand nine hundred.

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

Hearing on
rule to
show cause.

1. When a rule to show cause why a new trial should not be granted is allowed by the common pleas judge before whom the trial of a Supreme Court issue has been held, the hearing on said rule shall be had before said common pleas judge, and judgment shall be entered upon the decision of said common pleas judge in the same manner and shall have the same effect as if rendered by the

Supreme Court; *provided, however*, that the said common pleas judge shall, if so requested by the party applying for the rule to show cause, reserve the exceptions taken at the trial by such party, as ground of appeal. Proviso.

2. When a rule to show cause why a new trial should not be granted is allowed by the common pleas judge before whom the trial of a circuit court issue has been held, the hearing on said rule shall be had before said common pleas judge, and judgment may be entered upon the decision of said common pleas judge in the same manner and shall have the same effect as if rendered by the circuit court; *provided, however*, that the said common pleas judge shall, if so requested by the party applying for the rule to show cause, reserve the exceptions taken at the trial by such party, as ground of appeal. Hearing on rule to show cause.

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

4. This act shall take effect immediately.

Approved June 27, 1933. Repealer.

CHAPTER 352

AN ACT relating to, regulating and providing for the government of cities bordering on the Atlantic ocean.

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

1. All cities having a population under ten thousand of this State bordering on the Atlantic ocean that may adopt the provisions of this act shall have the officers and be vested with the powers and charged with the duties herein set forth. Cities affected.

Election of officials.	At the first election for the selection of municipal officers held after the adoption of this act in such cities of this State as adopt the provisions hereof and at every such election in each fourth year thereafter, there shall be elected by the duly authorized electors thereof the mayor, seven councilmen, one councilman-at-large, the city treasurer and such number of constables, justices of the peace as are now or may hereafter be provided by law; it being the intention to provide for the general election of the public officials of such city once in every four (4) years.
Intent.	
City council.	2. There shall be elected in such city by the duly authorized voters therein eight persons to be members of the city council of such city for the period hereinafter set forth. Each member of the city council shall be a citizen and resident of the ward of such city from which elected for at least two years immediately preceding his election to such city council, and a councilman-at-large who shall be a citizen and resident of the consolidated municipalities at least two years immediately preceding his election. The said city councilmen and councilman-at-large shall serve without compensation.
Requirements.	
No compensation.	
Organization.	3. The city council shall choose its officers, one of whom shall be president, and, in the absence of the president, elect a president, <i>pro tempore</i> , fix its hours and place of meeting, adjourn from time to time, determine the rules of its own proceedings and may punish or expel a member from office for misconduct or a violation of its rules; but no expulsion shall take place except by vote of all the members of city council, nor until the member sought to be expelled shall have had five (5) days' notice of the complaint against him and an opportunity to be heard in his defense. The city council shall meet and organize at their first meeting held after the adoption of this act, in the manner hereafter provided, and thereafter at such time and place as they may by resolution direct, or to which their meeting may be adjourned. The city council shall meet on the first day of January in each year
Meeting.	

at twelve o'clock noon (which meeting shall be denominated the annual meeting).

The fiscal year shall begin on the first day of January of each year and shall terminate the thirty-first day of December of the same year. Fiscal year.

City council may, upon the recommendation of the commissioner of any department of the said city, provide for assistants in the several departments. All such assistants shall be appointed by city council, and shall receive such compensation and serve for such terms as city council may prescribe. Assistants.

Should any vacancy occur in the membership of such city council, the remaining members of said council shall, within thirty days thereafter, elect a properly qualified person as herein provided to fill such vacancy to serve until the next succeeding general election in said city, at which election a member shall be elected to serve for the unexpired term. There shall also be elected in each and for each of the wards of such city such other officers and for such terms as is now or may hereafter be provided by law. Vacancy.
Other officials.

4. If any person who shall be elected or appointed to any office in said city shall not qualify according to the law for the space of sixty (60) days after such election or appointment or if any person who shall be elected or appointed to fill any vacancy in any office shall not qualify according to law for the space of thirty (30) days after such election or appointment, or if any such person shall remove from such city or in case of an officer elected from a ward shall remove therefrom, his office shall become vacant. Failure to qualify.

5. There shall be elected in such city a mayor and city treasurer. Each of said officers shall be a citizen and resident of such city for at least two years immediately preceding his election. Mayor and treasurer elected.

6. The city treasurer shall be the head of the city treasury, and shall receive all moneys belonging to the city, and shall disburse the same as directed by law, and shall keep an account of all the receipts Treasurer's duties.

- and expenditures in such manner as the city council shall direct, and shall perform such other duties appertaining to his office as may be required of him by law or by any ordinance or resolution of city council. He shall, at the close of the fiscal year, make out a true and full account of the receipts and expenditures during the year and also the state of the treasury and within twenty days thereafter deliver said account to the city clerk, who shall lay the same before the city council at its next meeting and said report may be published in pamphlet form for free distribution at least two weeks before the next election.
- Report.**
- Engineer.** 7. There may be in said city a city engineer who shall be elected by city council and who shall hold office for such term and such compensation as shall be determined by the city council.
- Solicitor.** 8. There shall be in said city a city solicitor who shall be head of the law department of the city, and who shall be a member of the New Jersey bar and licensed to practice as such; he shall be in good standing; he shall act as counsel to the mayor and city council and the several city departments under the mayor or city council of the city; he shall prosecute appeals for and defend all suits brought by or on behalf of or against the city, and shall perform such other duties as may be required by law or by the ordinances of such city; he shall receive such salary as may be provided by the city council and shall be appointed by the mayor subject to confirmation by city council for such term and such compensation as shall be determined by the city council.
- Requirements and duties.**
- Overseer of the poor.** 9. There may be elected by city council, one overseer of the poor, who shall be the head of the department of charities; he shall hold office during the pleasure of the city council and receive such compensation as the city council may from time to time prescribe by ordinance.
- Term.**
- Comptroller.** 10. There may be in said city a city comptroller, who shall be appointed by the mayor, subject to the confirmation of city council, whose term shall be for
- Term.**

such period as prescribed by ordinance and until his successor is appointed and qualified.

11. It shall be the duty of the city comptroller to sign all warrants on the city treasurer, to superintend all fiscal concerns of the city in such manner and report thereon at such time as the city council shall by ordinance direct; to keep separate accounts of appropriations made by the city council to each and every department of the city government, and to require each warrant on the treasurer to state particularly against which appropriation the said warrant is drawn; the said officer, on receiving a bill or claim against the city, shall examine the same, if it be for any purpose for which there is no appropriation, or the appropriation for which is exhausted, or to which for any cause he cannot give his approval, he shall report the fact to the city council and the warrant in such case shall not be signed except by special authority from or direction of the city council; he shall, upon the death, resignation, removal or expiration of the term of office of any officer or person, who by law, may be authorized to receive or disburse the moneys of such city for which said treasurer is acting as aforesaid, audit and examine the accounts of such officer or person and report the condition of his business to the city council; he shall, before signing any warrant on the treasurer in payment of any claim against such city, first audit the bill containing or making up such claim with a view to ascertain whether the items and calculations are correct, and after so auditing shall deliver said bill to the officer or department having control of the appropriation against which said claim is made and against which the warrant is to be drawn; if the said officer or department after examining said bill or claim shall find the same correct and that the supplies charged to said city, or the services alleged to have been rendered have been furnished and rendered as stated, and that the sum or sums demanded therefor are proper, the said officer or department shall approve the said bill or claim and

Comptroller's
powers and
duties.

Audit bills.

return the same to the treasurer for payment in the manner herein provided; the said comptroller shall, as often as he may deem necessary, or as the city council may require, suggest plans to the said city council for the improvement, advantage and better management of the finances of such city; he shall have control, under the direction and supervision of the city council, of the fiscal concerns of all departments and officers of the city, and may require at any time and from any and all of its departments and officers a full exhibit of their business and a statement and account in writing of any or all moneys and property of said city within the control or in the hands of said department and officers, and the said comptroller shall immediately in case of any default, delinquency or official misconduct report the same to the city council; and in order that he may fulfill his duties and make complete audits of the accounts he shall have power, whenever he shall see fit, to examine all books, papers and vouchers pertaining to any and all departments of the city business, and shall have free and unrestricted access to them for the purposes aforesaid; and said officer shall also be authorized whenever, in his judgment, the interest of the city shall require, to examine under oath any person presenting a bill or claim against such city for the payment of moneys and also to examine witnesses and to investigate by other evidence and inquiry all facts relating to such claim, which, in his opinion, are necessary to establish the accuracy and good faith of such claim and to ascertain the city's liability therefor; and it shall be deemed a misdemeanor for such officer to sign any warrant or order or otherwise procure the payment of any money from the city treasurer not authorized by law.

12. It shall be unlawful to pay out any of the funds of said city for fuel or supplies to any of the city departments, or for enlarging, repairing, furnishing or improving any city property, or to pay any other claims against or debt due by said city,

Suggestions.

Examination
of books, etc.

Misde-
meanor.

Paying of
bills, etc.

unless the person claiming the money so due shall first present and file with the city clerk of said city an itemized bill or claim showing the name of the person to whom the sum is due and the name of the department receiving the supplies or ordering the work done for which the claim is made or under whose jurisdiction such claim or debt shall arise; every person presenting any such bill or claim shall make an affidavit that the supplies, goods or services, itemized in said bill or claim have been duly and properly delivered or rendered to such city and that no bonus, fee or reward has been given or received by any person within the knowledge of deponent in connection with the said bill or claim, and that the said bill or claim in all respects is correct and true; the city clerk, city treasurer, or any of their assistants are hereby authorized to take such affidavit without cost.

Affidavit.

13. Whenever there shall be a vacancy in the office of mayor or whenever the mayor shall be prevented by absence from the city, sickness or any other cause from attending to the duties of his office, the acting president of city council shall act as mayor and shall possess all the rights and powers of the mayor during such vacancy and until such disability is removed; *provided, however*, that in case of death, resignation or removal from office of such mayor, the president of city council shall fill such vacancy only until the next general election following such vacancy, at which election said vacancy shall be filled for the unexpired term of such office; *and provided, further*, that in case of the death, resignation or removal from office of the mayor, within such a short time previous to any such election as to prevent a lawful nomination or nominations to fill such vacancy at such election, the president of city council shall continue to fill such vacancy until the next succeeding general election.

President of council to act as mayor in his absence.

Proviso.

Proviso.

14. In case of vacancy by death, resignation, disability, disqualification, removal from office, neglect or refusal to act, removal out of the city or ward

Vacancies, absence, etc., of office or official.

from which any such officer is appointed, or from any other cause in any appointive city or ward office, such vacancy shall be filled by appointment for the unexpired term only, and until the appointment and qualification of a successor, if any vacancy shall occur in any elective city or ward office, except mayor, the city council shall fill the same by appointment; and should such vacancy occur in any appointive city or ward office, the mayor shall fill the same by appointment, unless the original appointment was made by the city council, in which case the city council shall fill such vacancy; such appointment shall be made in the case of elective officers only until the election and qualification of their successors, and at the next election such vacancy shall be filled by election for the remainder of the unexpired term or terms; such appointees or persons elected to fill such vacancies shall, during said term, perform like service, be entitled to the same remuneration by way of salary or other compensation, and be subject to the same responsibilities as though elected at the annual election or appointed at the regular time for the full term; *provided*, that all resignations shall be sent to the mayor, and he shall report the same to the city council at its next regular meeting thereafter.

Proviso.

Quorum.

Special meetings.

15. A majority of the whole number of the members of city council shall constitute a quorum for the transaction of business, but a smaller number may adjourn from time to time; the president of city council shall be authorized to call special meetings thereof when the public good shall, in his opinion, render it necessary; it shall also be the duty of the president, or, in his absence, of the city clerk, to call a special meeting of city council on the written request of three of the members of city council.

Passing and repeal of ordinances.

16. No ordinance shall be passed or repealed by the city council except with the concurrence of a majority of all the members of said city council, and no ordinance shall be altered or repealed save by ordinance to that effect. Every ordinance shall be read three times before its final passage, except

when there has been no amendment made thereto, when the reading of the title of any ordinance may be, by unanimous consent, considered as the third reading hereof. No ordinance shall be finally passed and adopted unless at least one week has intervened between the second and third reading thereof. Every ordinance shall, after its final passage as above provided, be presented by the city clerk to the mayor for his consideration, and if the mayor shall approve it he shall sign it, and if he shall disapprove it he shall file his objections thereto with the city clerk within ten days after the same was presented to him. It shall be the duty of the city clerk to report such objections to the city council at its next stated meeting, and enter the same in full upon the journal. The city council shall thereupon proceed to reconsider the passage of such ordinance. Every ordinance which shall have been passed by city council and shall have been approved by the mayor, as above provided, or, if not so approved by the mayor, shall have remained without objection filed, as above provided, for ten days after the same was presented to him, or if disapproved by the mayor shall have been passed by a vote of five-eighths of all the members of the city council upon reconsideration, as above provided, notwithstanding his objections filed, shall be published at least once in at least one newspaper, published in or near said city and upon the day of the first publication thereof shall take effect. It shall be the duty of the mayor to return any such ordinance to the city clerk within ten days after the same shall have been presented to him, either with or without his signature. The votes upon the third reading and final passage of any ordinance and upon the reconsideration of any ordinance after objections filed by the mayor as aforesaid, shall be taken by ayes and nays, and shall be entered in full upon the journal of city council, and it shall be lawful for city council to insert in any ordinance a condition to the effect that such ordinance, when passed or approved as required by law, shall not

Final passage.

Disapproval
by mayor.Objections
reported.Recon-
sidered.Passed
ordinances.Returned in
ten days.

be published until an amount of money sufficient to pay the expense of the printing and publication thereof shall have been paid to the city clerk by or on account of such person or corporation as said city council shall deem to be especially or peculiarly benefited thereby.

Annual ap-
propriation.

17. The city council shall annually during the month immediately preceding the beginning of the fiscal year or as soon thereafter as possible, pass the annual appropriation ordinance for the different departments of the city, and no appropriation shall be exceeded, nor work contracted for, nor materials ordered, unless the cost of such work and materials can be paid for out of the appropriation of the year; except in case of extreme emergency, and then only by a vote of five-eighths of the members of the entire city council and with the approval of the mayor.

Oath.

18. Each person elected or appointed to any office in pursuance of this act or any law or ordinances of the city council shall before entering upon the duties of such office take and subscribe, before the mayor or city clerk or other officers authorized to administer oaths and affirmations to faithfully and impartially execute the duties of his office to the best of his skill and ability and such other oaths as may be required by the laws of this State; all such oaths or affirmation shall be filed with the city clerk and by him filed in his office; the city treasurer, city solicitor, constables, overseer of the poor, and such other officers as the city council may require, shall all before entering upon their duties each give bond to the city in its corporate name in such sum and such sureties as the city council shall by ordinance prescribe or as may be required by an act of the Legislature of State, conditioned for the faithful performance of the duty of their respective offices; and if at any time the city council shall deem the surety or sureties of any officer insufficient the city council shall have power to require additional sureties and the city council shall also have power to contract with any

Filed.

Bond.

Additional
sureties.

surety company authorized to do business in this State, to become surety of any or all officers required to give bonds as aforesaid, and to provide for the payment of premiums for such bonds. The form of such bonds shall be approved by the city solicitor, after which they shall be filed with the city treasurer and by him safely kept and preserved by some depository to be approved by the said city council.

19. At the first meeting of city council after organizing under the provision of this act, or within twenty days thereafter, said city council shall, by a call of the roll, elect one competent person as commissioner of public works and buildings, one as commissioner of streets and highways, but no commissioner shall be elected except by a majority vote of all the members of city council. Each commissioner so elected shall hold office for such period as prescribed by ordinance and until his successor shall be elected and qualified. They shall have such powers and perform such duties, not by this act vested in or imposed upon other officers of such city, as city council may, by ordinance, prescribe.

20. The commissioner of public works and buildings shall have a general oversight and superintendency over the city water works, sewerage disposal plants and all other buildings owned or leased by such city, in addition to such other duties as the city council may by ordinance determine.

21. It shall be the duty of every officer in such city, upon the expiration of his term of office or his removal therefrom, to immediately deliver to his successor in office, or such other person as the city council may designate, all books, records, papers, receipts, vouchers, plans, blue prints, drawings and property of every kind in his possession or under his control belonging to said city, and for a willful refusal to do so he shall be guilty of a misdemeanor.

22. The mayor shall be the head of the police and fire departments, and shall have exclusive power to appoint all policemen and firemen and all sub-

Commissioners of public works and streets.

Term.

Powers and duties.

Duties of commissioner of public work.

To deliver to successor all books, papers, etc.

Mayor to be head of police and fire departments.

ordinates in such departments, including a superintendent or a chief of police and a chief of the fire department and such captains and sergeants of the police or other police officials and such fire department officials as may be authorized by ordinance, subject to the statute laws of this State; he shall see that all such are prompt and faithful in the discharge of their duties, and shall, from time to time, make rules for the government of the police and fire departments, and take such measures as he shall deem necessary for the preservation of the peace and good order and the enforcement of the laws of the city.

Overseer of
the poor and
constables
duties.

23. The overseer of the poor and constables appointed or elected as herein provided shall respectively possess the powers and perform the duties of the like officers of any township of this State so far as such powers and duties shall be consistent with the provisions of this act.

Salaried
officers not
to receive fees.

24. No salaried officer or employee in any such city elected or appointed under this act shall receive any fee or other emolument for any service performed by him as such officer or employee, except the salary provided for by law or this act; nor shall any officer or employee, except police and firemen, take, accept or receive for his personal use, or for any member of his family, any pass, free transportation or ticket, from any steam, electric, street car company or other transportation company using or crossing any of the streets of such city.

Board of
estimate.

25. In any such city there shall be a board of estimate consisting of the mayor of such city, the comptroller or other chief financial officer of such city, as the case may be, and two members of the city council. The members selected from the city council shall be elected by the council at the first meeting held under the provisions of this act to serve from the time of their said election for the period said council shall prescribe, and until their successors shall be chosen and qualify.

Term.

26. In each year, on or before the fifteenth day of the month immediately preceding the beginning of the next fiscal year, the commissioners of the several departments of such city shall prepare and deliver to each member of said board of estimates an itemized statement, in writing, of the amount of money estimated to be necessary for the current expenses of the respective departments of such city, and for the repairing, furnishing, maintaining and operating the city hall, city water works, sewerage disposal plants and all other works and buildings and property of such city, and for all other purposes required by law or under this act; the city treasurer shall also furnish to each member of said board of estimates a written statement of the amount of unappropriated cash on hand belonging to the said city on the fifteenth day of such month in each year; and the city comptroller or treasurer shall furnish on or before the same day in each year to said board of estimates an itemized statement of the probable receipts from the coming fiscal year of such city outside of the receipts for money to be raised by taxation.

Estimate of
necessary ap-
propriation.

Amount of un-
appropriated
cash.

Estimate of
probable
receipts.

27. In each year, between the fifteenth and twentieth day of the month mentioned in the preceding section, said board of estimates shall fix and determine the amount of money necessary to be appropriated for the current expenses of the several departments of such city, and for repairing, furnishing, maintaining and operating the city hall, city water works, sewerage disposal plants, and all other works and buildings and property of such city, and for all purposes mentioned herein, except that support and maintenance of the public schools shall be determined and provided for as now required by law. The said board of estimates shall, in such month in each year, on or before the stated meeting of city council for the said month, make two certificates of said amount, signed by at least two of the said board, one of which certificates shall be delivered to the city clerk, who shall present same to the city council of such city, and the

Board to
determine
amount to be
appropriated.

Certificates of
amount sent
to council
and assessors.

other to the board of assessors of said city; said city council may, upon receipt of said notice, appropriate by ordinance the amount so certified as aforesaid, and said amount may be assessed, levied and collected according to the laws of this State.

Mayor the
chief executive
officer.

28. The mayor shall be the chief executive officer of such city, and shall possess the powers and privileges, and shall perform the duties which are specified in this act, or which may be prescribed by the laws of the State or the ordinances of such city, and shall receive such annual compensation for his services as the city council shall by ordinance fix and determine, and he shall receive no fees or other compensation whatever. He may appoint such person or persons to aid him in the discharge of his duties as may be prescribed by ordinances.

Compensation.

Assistants.

Mayor's
powers and
duties.

29. The mayor elected in such city adopting the provisions of this act shall have the power and authority to examine into the conditions of any of the departments authorized by the provisions of this act or provided for by any ordinance or resolution of city council, and for the purpose of such examination he may employ such assistant or assistants as may be necessary to conduct the aforesaid examination, and in order that he may fulfill his duties and make complete audit of the accounts he shall have power, whenever he shall see fit, to examine all books, papers, vouchers, or any documents pertaining to any and all departments of the city's business and shall have free and unrestricted access to him for this purpose.

Recommendations.

30. The mayor shall have the power and it shall be his duty to recommend to the city council at least once each year all such measures connected with the security, health, cleanliness and ornament of the city and the protection and improvement of its government and finances as he shall deem expedient; to keep the corporate seal of the city, to cause the laws of the State and the city ordinances to be fully executed and enforced in such city, and to exercise a general supervision over the official acts of all the subordinate officers of the city, and

Supervision
of sub-
ordinates.

to report any dereliction of duty of any official or to recommend his dismissal to the city council and generally to perform all such duties as may be required of him by law or the ordinances of such city; he may, under the directions of the city council, offer rewards (to be paid out of an emergency appropriation) for the detection and apprehension of the perpetrator of any offense against any city ordinance or any high crime or misdemeanor committed within the city, to be paid out of the city treasury on the conviction of the criminal; he may also, from time to time, call on any officer in such city except the city comptroller, for a written detailed report on the work of such officer's department.

Offering
rewards.

May require
report.

31. There shall be a city collector of such city, who shall be elected by city council; his compensation shall be fixed by ordinance; his term shall be for such period as prescribed by ordinance and until his successor is chosen and qualified. He shall be a citizen and resident of such city for at least two years immediately preceding his election.

Collector.

Term.

Require-
ments.

32. It shall be the duty of the city collector to receive all taxes which may be paid, and preserve in his office all duplicate assessment books which shall from time to time be delivered to him by the board of city assessors or his predecessor in office. He shall collect all assessments current and delinquent taxes, and water rents due to the city, and such proceedings shall be had by him as are now or may hereafter be prescribed by law, or the provision of this act, for the collection of such taxes and assessments, and immediately upon the election and qualification of said city collector or as soon as the same may be possible, each of the collectors of taxes of the municipalities herein consolidated and all persons having custody of any of the books, records, certificates or other documents of the said consolidated municipalities pertaining to such taxes, assessments and water rents or the collection thereof, shall deliver all of the same to the said city collector of said city then duly qualified. It

Duties of
collector.

Searches. shall be his duty, on demand to make searches for all taxes, assessments, certificates of sale, and tax deeds or conveyances for delinquent taxes, or assessments affecting any property in such city and to deliver forthwith to the applicant therefor a written certificate signed by him, certified that there are no unpaid taxes, assessments, certificates of sale or deeds of conveyances for delinquent taxes or assessments or water rents in arrears for the year or years applied for, affecting such land except such as are shown upon said certificate. The cost of said certificate shall be the sum of two (\$2.00) dollars, which shall be paid over by said applicant to said city collector upon the delivery of said certificate and by said city collector to be paid over to the city treasurer for the use of the city.

Collector's deputies. 33. The city collector shall have power to appoint one or more deputies, subject to confirmation by the city council; they shall hold office for such period as prescribed by council and shall have power to do all and every act or acts which it may be lawful for the city collector to do in connection with its said taxes, assessments or water rents, their compensation shall be fixed by ordinance of city council and each of said deputies shall give such security for the faithful performance of the duties of their respective offices as the city council shall direct.

Board of assessors. 34. There shall be in said city a board of city assessors consisting of three or more persons, as in the judgment of council shall be deemed necessary to be appointed by the mayor, subject to confirmation of the city council, on the day of the meeting and organization of the first city council under this act. Their appointment shall be for a period of two years.

Term.

Organization of assessors. 35. The board of city assessors, after being so appointed and qualified, shall meet as soon as practical thereafter and shall elect one of their members to act as president, they shall so elect a president every year; the acts of the majority of the

members shall be the acts of the board, they shall make such rules and regulations for the transaction of their business as are not inconsistent with this act or any ordinance of such city or any law of this State; the salary of such assessors shall be fixed by ordinance of city council; city council may provide a secretary for such board, define his duties and fix his compensation.

Salary.

Secretary.

36. The board of assessors shall have charge of the assessment department of said city and shall make a full and fair valuation, enumeration and assessment of all real and personal property, in said city according to law, and for the preparing of such assessment, they shall use the official maps of the respective consolidated municipalities and designate the property so assessed by lot and block number as shown thereon, and in case there should not be such a map for such purpose, then in the manner as heretofore.

Board's duties.

37. All taxes and assessments heretofore or hereafter levied, assessed or made upon any lands, tenements or real estate, situated in said city shall be and remain a first lien thereon until paid, notwithstanding any devise, descent, alienation, mortgage or other encumbrances thereof and thereon; and if the full amount of any such tax or assessment shall not be paid and satisfied, it shall and may be lawful for the city council to cause such lands, tenements or real estate, to be sold by the city collector under, and in accordance with the laws of this State providing for the collection of delinquent or unpaid taxes and assessments, and to authorize said collector to prepare and execute, certificates of such sales as in said laws provided and to deliver the same to the purchaser or purchasers.

First lien.

Sale for non payment of taxes.

38. All fees to be collected by the city collector for performing any service required or specified by law or this act, in relation to the sale of lands, tenements and real estate for unpaid taxes and assessments and for the recording and cancellation of declarations and certificates of sales, shall be the

Rate of fees.

Disposition of fees.	same as are now or may hereafter be provided by law, and all such fees shall be paid by the city collector to the city treasurer, for the use of the city, unless city council shall otherwise provide.
Ordinances relative to water, sewers, etc.	39. The city council is hereby authorized and empowered to pass and adopt such ordinances and regulations as to said council may seem proper for regulating, controlling and prescribing the manner in which any sewer or drain, water or gas mains or pipes, or other pipes and conduits, constructed by order of said council shall be used, and the manner in which connections therewith from any house, building, yard or other place shall be made, and for the keeping of the same in proper repair and providing for the cost thereof.
Assessments upon lots.	40. All assessments or taxes upon lot owners in such city, which may be made for any purpose authorized by this act or to be authorized by law, shall be made upon the lots as they shall stand recorded in the official maps of the respective consolidated municipalities; and in advertising the sale of the same for such assessments or for taxes, or in exterior liens thereon, it shall be sufficient to describe said lots by the lot and block numbers by which they are designated on the official maps of the respective consolidated municipalities, together with the name or names of the owner or owners thereof as the same appear in the tax duplicate or records of assessments; in case the name of the owner or owners is unknown and cannot be ascertained, such assessments and taxes shall be made against the lots so designated with the declaration that the owner's name is unknown.
Description upon sale.	
When owners' name is unknown.	
Reinstatement of proceedings.	41. Whenever, by reason of any informality or illegality any proceedings relative to the condemnation of lands or other property, or relative to the making of assessments for benefits, shall be set aside by judicial authority, it shall be lawful for the city council to reinstate the proceedings set aside and proceed therein the same as though the former proceedings had not been had, or the said city council may reinstate said proceedings from

the point when such informality or illegality may have been so decreed; and whenever the city council shall discover that any such proceedings shall be liable to be set aside by judicial authority, they may reinstate proceedings from the point where such informality or illegality commences, and no condemnation or assessment shall be deemed invalid in consequence thereof, but no writ of certiorari shall be allowed or issued to set aside any proceedings taken for condemnation of any land or of any interest, right, title, easement, or estate in any land, or of any other property or franchise, or to set aside any proceedings taken in making any assessment for benefits, unless the same be applied for within sixty days after the happening of the irregularity or act complained of, or within sixty days after the confirmation of any such assessment.

42. If in such city there are not public buildings or constructions, the property of the city, suitable, proper and sufficient, in the opinion of city council, to accommodate the different officers and departments of the municipal governments, or for other public and municipal uses, it shall and may be lawful for the city council of such city, by ordinance, to provide for additions to or the erection and construction of any and all such buildings, and to purchase, appropriate and condemn suitable lands and real estate therefor, and to suitably equip and furnish the same, subject, however, to the provisions of this act.

Public
building con-
struction, etc.

43. There may be in such city a building inspector, who shall be a practical builder, and who shall be elected by city council for a term of one year; his special duty shall be to enforce the laws and ordinances in effect in such city relative to the erection or construction, removal or demolition of buildings or other structures and fire escapes; and to this end said building inspector shall have authority to enter upon and inspect any place, buildings or structure for the purpose of ascertaining whether such building or structure is safe and is erected or is being erected in conformity to such

Building
inspector.

Duties.

laws and ordinances; and if said building inspector shall find that such building or structure, or any part thereof, is unsafe, or that it has been or is being erected in violation of such laws and ordinances, he shall report the facts to the Commissioner of Public Works and Buildings, who shall condemn the same, or such part thereof, and shall notify the owner, occupant, contractor or workmen engaged thereon of such condemnation, and thereupon such defective building or structure shall be immediately made safe or put in conformity with such laws and ordinances, and after the service of such notice such unsafe buildings or structure shall be immediately vacated; and all work on such building or structure shall cease, if the said commissioner shall so direct, until the defects have been remedied and corrected; *provided, however,* that if in the opinion of such commissioner such building or structure, or any part thereof, is in such a condition that it cannot be made safe or in conformity with said laws or ordinances, and he shall so declare in such notice of condemnation, then, in such case such building or structure, or defective part thereof, shall be immediately torn down or removed.

Condemning
buildings.

44. The city council may by ordinance provide that any building or structure, or any part thereof, which shall be condemned by the commissioner of public works and buildings, shall be made safe, and made to conform with the laws and ordinances relating thereto in effect, in said city, and if the said commissioner shall declare that such buildings or structures, or any parts thereof, cannot be made safe or in conformity with such laws and ordinances, may provide that the same, or such defective part thereof, be torn down and removed, and may further provide that the cost and expense of making the same safe and in conformity with such laws and ordinances, or of tearing down or removal, be made a lien upon and a charge against the lands upon which such buildings or structures are or shall be erected, and may provide for the enforcement of the collection of such cost and ex-

pense in the manner herein provided for the collection of assessments for benefits.

45. It shall be the duty of the mayor to see that the laws of the State and the ordinances of the city are faithfully executed, and to recommend to the city council such measures as he may deem necessary or expedient for the welfare of the city; he shall maintain peace and good order; he shall have power to suppress all riots and tumultuous assemblies in the city; he shall have the same power, authority and jurisdiction of bastardy, relief and removal and settlement of the poor, all breaches of the peace, all cases of vagrancy and disorderly conduct, as is conferred by law upon any justice of the peace, and may hear, try and determine according to law all suits and actions which may be brought for the recovery of any penalty prescribed for the violation of any ordinance of the city, and also to hear, try and determine according to law all offenses charged before him by complaint in writing, on oath or affirmation, to have been committed in violation of such ordinances for which the punishment is by fine or imprisonment; his court shall be a court of record, and all persons shall be amenable to punishment for contempt of said court in the same manner as in other courts of record having power to punish for contempt of court.

46. He is hereby empowered to commit any person who may be convicted before him of any breach of the peace, vagrancy, or disorderly conduct, to the city lock-up or county jail for any time in his discretion not exceeding ninety days, or to impose a fine not exceeding two hundred dollars (\$200.00) or both; upon oath, affirmation or affidavit made according to law that any person has violated any ordinance of the city, he may issue process in the nature of a summons or warrant, in his discretion, at the suit of such city against the person so charged, which process shall, when in the nature of a warrant be returnable forthwith, and when in the nature of a summons, in not less than three nor

Laws and ordinances executed.

Mayor empowered.

Power of commitment.

Limits amount of fine imposed.

May issue process.

Returnable.

Form of process. more than ten days; such process will state what ordinance is alleged to have been violated by the defendant, and on the return of such process, or at any time to which the trial may be adjourned, the said mayor shall proceed to hear the testimony and

Hearing. determine and give judgment in the matter, without the filing of any pleadings; a copy of the ordinance alleged to have been violated, certified under the hand of the clerk of such city shall be taken as full and legal proof of the existence of such ordinance and that all the requirements of law in relation to the ordering, publishing and making of the same have been complied with, unless the contrary be shown; if the mayor shall find the defendant guilty he shall give judgment for the penalty mentioned in the ordinance violated and such costs as are allowed in the justice's court for like proceedings; and he shall also, at the same time, and as a part of said judgment sentence the defendant, in default of the payment of the judgment and costs, to the city lock-up or county jail for such period as may be authorized by such ordinance, and if no time be fixed in said ordinance, then for any period not exceeding ninety days in his discretion; *provided*, that if the defendant be a corporation, execution may issue for said judgment and costs against the goods and chattels of said defendant, in all original proceedings, and in all proceedings and convictions under this act, the mayor shall demand and receive the same fees as are now by law allowed to justices of the peace for like services, the same to be paid by him into the treasury of such city for the use of the city; all proceedings before the mayor shall be as nearly as may be, regulated by the provisions of and conducted in the manner prescribed by the several acts of the Legislature in this State, in and by which the like proceedings before justices of the peace are or shall be regulated as said acts and supplements and amendments thereto shall from time to time be in force, and all suits actions and proceedings before him for the recovery of any

Judgment.

Commitment.

Proviso.

Regulating proceedings.

penalty for the violation of a city ordinance shall, as nearly as may be regulated by the provisions of and conducted in the manner prescribed in and by an act of the Legislature of this State entitled "An act constituting courts for the trial of small causes," and the several supplements and amendments thereto, as the same are and from time to time shall be in force, in so far as the same shall not conflict with this act; he shall keep a record in a book to be provided for that purpose of all the proceedings and convictions before him and under this act and shall pay over to the city treasurer of such city, all fines and penalties and fees and costs collected by him; all process, writs or warrants issued by the mayor may be directed to any police officer of said city, or any constable of said county or city, who shall have full power and authority to serve and execute throughout the county in which such city is situated, or in other counties, in like manner as process and writs of justices of the peace are served and executed.

Record kept of proceedings.

47. The city council of such city may appoint some fit person, resident in said city, to be city recorder; he shall have the same jurisdiction and power in criminal matters, cases of bastardy, relief, removal and settlement of the poor, breaches of the peace, vagrancy, and disorderly conduct, and violations of the city ordinances as is vested in the mayor, the same powers and authority to issue process, try and determine said causes and fine or imprison upon conviction and demand and receive the same fees and costs, the same to be paid into the treasury of said city by said recorder for the use of the city, his term of office and compensation shall be fixed by the city council by ordinance.

Recorder's jurisdiction.

48. The city clerk shall attend all meetings of the city council, keep a correct record of all proceedings and perform such other duties as the city council may require of him, or this act shall direct, or any other duties as required by law upon the appointment of his successor he shall deliver to him all books, papers and property of the said city

Clerk to keep record of council meetings.

in his possession; he shall have power and authority to take and administer oaths, affirmations, and affidavits in all city matters required.

Council empowered:	49. The city council of such city shall have power:
To pass, etc., ordinances;	(1) To pass, enforce, alter or repeal ordinances to take effect within the limits of such city for the following purposes:
To manage, etc., finances, property, etc.	To manage, regulate, protect and control the finances and property of the city; to ascertain, establish and alter the grade and boundaries of the streets and roads in said city and to regulate the use thereof, to declare what shall be considered nuisances in the streets, roads, lots and places in said city; to prevent and remove all obstructions, encroachments, incumbrances and nuisances in and upon any street, road or sidewalk, or other public places in said city; to prescribe the manner in which corporations or individuals shall exercise any privilege granted to them in the use of any street, road or highway, or in digging up the same for any purpose whatever; to regulate the planting and protection of shade trees in the streets and parks; to name and number the streets and houses, to provide for and enforce the removal of snow and ice from the sidewalks and gutters of streets by the owners of and occupants of the land fronting thereon, and to provide that in case of the refusal or neglect of said owner or occupant to comply with said ordinance that the council may cause the same to be done at the expense of said owner and that the cost thereof as ascertained by said council, with interest thereon, shall be a lien upon said lands until paid; to prevent horses, cattle, sheep, swine, dogs, goats and other animals from running at large in said city, and to provide for the impounding and sale of the same; to fix the fees to be paid to persons impounding animals and the fees to be paid for the redemption of said animals; to provide for the destruction of dogs running at large; to prevent immoderate or fast riding or driving on the streets or roads and public places
To regulate use of streets;	
Planting trees;	
Number streets;	
Snow and ice removal;	
Lien;	
Animals running at large;	
Traffic regulation;	

in said city; to regulate the use of the streets of the city by street railway companies; to require such companies to lay and confine their tracks according to such grades of the streets as may be established by said council, to prevent riots, disturbances, breaches of the peace and disorderly assemblages in the streets or in any house or place in said city; to prevent and suppress gaming-houses and houses of ill-fame, and to prohibit gaming for money or other valuable things; to restrain or punish indecent or disorderly conduct or drunkenness, and restrain and punish all street beggars, mendicants, tramps and common prostitutes, and to suppress vice and immorality; to provide for the maintenance of the health of the city, to establish, equip and regulate a police department, to adopt rules for its government, and fix and enforce penalties for the violation of said rules; to provide for the sewerage or drainage of the city and for the laying of pipe for the conveyance of water or gas for private and public use in the streets, highways, alleys, or beneath the sidewalks of said city, and to regulate the same; to provide means for extinguishing fires in said city from destruction by fire; to establish, equip and regulate a fire department; to provide for and regulate the lighting of streets and public places of said city, construction or purchase of suitable plants, works and machinery for supplying light for public or private use and for the maintenance and operation thereof, the protection of property from the encroachment of the sea, and the construction of public walks along any beach or ocean front, the construction and maintenance of public docks on tide-water, the erection, purchase or renting of a suitable building or buildings to be used as a city hall or lock-up for said city, and for the safe and proper keeping and care of the persons confined therein; the purchase, establishment and maintenance of public parks or squares; to license and regulate the use of stages, street cars, and other carriages and vehicles used for the transportation of passengers, baggage, merchandise,

Gambling;

Public health;

Police department;

Sewerage disposal;

Fires;

Street lighting;

Docks and wharves;

Jail;

Parks;

Licensing cabs, etc.;

and goods and chattels of every kind, also to designate and select stands and places which cartmen and all other persons engaged in carrying passengers, baggage, and merchandise shall be privileged to occupy when soliciting business, and to prevent the occupying of other places for such purposes; to license or regulate the use of street sprinklers and of all vehicles used in any business or occupation for the purpose of soliciting orders or delivering goods within the limits of the city; to license and regulate common criers, hawkers, peddlers, auctioneers, pawn brokers, news-stands, sweeps, scavengers, traveling and other street shows, street exhibitions, parades, circuses, all public places of amusement, shooting-galleries, bowling alleys, billiard saloons, organ grinders, itinerant venders of medicines, remedies and merchandise, and to fix the licensed fees to be paid therefor, which may be imposed for the purpose of revenue; *provided*, that no person or persons shall be required to take out a license in order to sell at wholesale nor to sell any produce of his farm; to regulate or prohibit within the limits of the city the discharge of guns, cannon, pistols and fire-arms of all sorts, and of air-guns, sling shots, and of all other missile-projecting devices and contrivances; to provide generally for the peace, quiet and good order of said city and the welfare and protection of persons and property therein, to construct and erect a boardwalk upon the ocean front of said city and to alter, repair and maintain the same and those already erected in said city; to repair and maintain the sewerage disposal plant in said city; to make and establish such other ordinances, regulations, rules and by-laws not contrary to the laws of the State or of the United States, as they may be deemed necessary and proper for good government, order, protection of persons and property and for the preservation of the public health, safety and prosperity of said city and its inhabitants and as they may deem necessary to carry into effect the powers and duties conferred and imposed upon

Licensing peddlers, etc.;

Proviso;
Firearms;

Other ordinances;

them by this act, or by any law of this State and the same to alter, modify, amend and repeal:

(2) To appropriate from time to time the moneys raised for city purposes as hereinafter provided, or received from any other source, such sums as may be necessary for the proper carrying into effect of the provisions of this act; and in all cases where by the provisions of this act the council shall have authority to pass ordinances on any subject, they may prescribe a penalty or penalties for the violation thereof, either by imprisonment in the city lockup or county jail, as may be designated by the council, not exceeding ninety days, or by fine, not exceeding two hundred dollars (\$200.00), and imprisonment in the city lockup or county jail, as may be designated by the council, not exceeding ninety days, in default of the payment of such fine; and it shall be lawful for the council to authorize and empower the officer before whom any person or persons offending may be brought, on conviction, to impose any fines in the discretion of such officer to the maximum fixed in such ordinance or to imprison for any term less than the term fixed therein.

50. The city council shall have the power by ordinance or resolution to appropriate and provide for raising by taxation, money for the following purposes:

- | | |
|---|-----------------------------|
| (1) For lighting the streets and public places of the city. | Lighting; |
| (2) For the support of the police department. | Police; |
| (3) For regulating, cleaning, sprinkling and keeping in repair streets and sidewalks and boardwalks. | Cleaning repairing streets; |
| (4) For maintenance of the fire department. | Fire; |
| (5) For paving, graveling, macadamizing or telfordizing the streets of the city and the laying of crosswalks therein. | Paving, etc.; |
| (6) For the relief of the poor. | Poor; |
| (7) For water for the extinguishment of fires. | Water; |

Enforcement.

Penalties.

May make appropriations for:

- Interest payments; (8) For payment of interest upon the debt of the city and such part of the principal as shall from time to time become due and payable.
- Sinking fund; (9) For any sinking fund required or deemed advisable to be raised.
- Public improvements; (10) For the payment of the cost of any public improvement in anticipation of the collection of assessment upon the property benefited, and so much of the cost of any public improvement as shall not be covered by the assessments upon the lands benefited by such improvements.
- General expense; (11) For the general incidental expenses of the city.
- Water works; (12) For the maintenance and operation of the system of water works and water supplies.
- Sewerage; (13) For the maintenance and operation of a system of sewerage and drainage, and sewerage disposal plants.
- Acquiring parks, etc.; (14) For acquiring, maintaining, regulating and protecting public grounds and parks, and public docks on tidewater.
- Beach guards, etc.; (15) For maintaining beach guards and other necessary offices upon the beachfront of said city for the protection of bathers.
- Amusements; (16) For the purpose of providing music for the public parks and other public places to which the people resort for their recreation and amusement; *provided, however,* that the total amount appropriated and provided to be raised by taxation in any one year shall not exceed a sum equal to twenty mills on a dollar of the assessed value of the property in the city for that year, exclusive, however, of all State and county taxes and all moneys raised within the city for school purposes, or to be paid on account of the principal or interest of any bonded debt.
- May borrow money. 51. The said council may borrow money temporarily, pursuant to any law of this State concerning and regulating municipal finances.
- Authority by ordinance to: 52. The city council shall have the power and authority by ordinance to:

(1) Lay out, open, widen, straighten, alter or vacate any street, avenue or section of the same (the word section in this act to be understood as meaning a part of a street or avenue bounded by two cross streets or avenues), and to take and appropriate for any such purposes any lands and real estate, upon making compensation to the owner by purchase thereof at a price agreed upon, and where an agreement as to compensation cannot be made, by the payment of damages as hereinafter mentioned and provided.

Lay out,
widen, etc.,
streets;

(2) To grade or regrade, curb or recurb, gutter or regutter, pave or repave, or otherwise improve the streets and gutters in any street, avenue or section of the same, to construct public walks along any beach or ocean front, to provide suitable protection for property from encroachment by the sea, and to cause the cost of such improvements to be assessed upon the lands fronting on the street, avenue or section thereof so improved to the benefit received; it shall be lawful to provide in one and the same ordinance for the making of more than one of the above improvements, *provided* the same be made on the same street, avenue or section thereof; *provided*, that the commissioners of assessments shall assess and return separately the damages incurred or benefits received.

To grade
streets;

Proviso;

Proviso;

(3) By general or special ordinance to provide for construction, relaying, repairing and keeping in repair the sidewalks on any and all streets, roads or public places in the city at the cost and expense of the owners of the lands in front of which the same may be so constructed, relaid or repaired.

Repair
sidewalks.

53. It shall be lawful for the city council of said city, whenever in their opinion the public good requires it, by ordinance:

May by
ordinance:

(1) To lay out and open any street, road, highway, alley, public park or public square within said city; and to order and to cause any street, road, highway or alley already laid out to be vacated, straightened, altered or widened, and to purchase or condemn for any such purpose, when necessary,

Lay out
streets;

Vacate
streets;

- any lands and real estate upon making compensation to the owner or owners thereof as is hereinafter mentioned and provided; and such power shall belong exclusively to the city council; and to cause to be assessed upon all the owners of lands and real estate peculiarly benefited by any such improvement, such proportion of the cost thereof, as represents a special and peculiar benefit which such owners shall receive by reason of the improvement, in proportion to the benefits received by each;
- Assess owner for improvements; (2) To order and cause sewers or drains to be constructed, and, if necessary, to purchase or condemn, for the purpose of constructing such drains or sewers, any land and real estate, upon making compensation to the owner or owners thereof, and to cause to be made a just and equitable assessment upon all the owners of land and real estate peculiarly benefited by such constructions, and acquiring of lands and real estate, in proportion to the benefits each shall be deemed to acquire of the costs, and damages and expenses so incurred; all such assessments shall be entered by the city engineer in a book or books in the city treasurer's office to be provided for that purpose;
- Construct sewers; (3) To order or cause any street, or section of a street to be graded, graveled, paved, repaved, flagged or otherwise improved and regulated in such manner as they deem advisable, and to cause to be assessed the costs and expenses of such improvements upon the owner or owners of property benefited thereby; in no case, however, shall any assessment of benefits made under the authority of this section, exceed the special and peculiar benefits which the owner or owners of said property shall receive by reason of the improvements; all such assessments shall be entered by the city engineer in a book or books in the city treasurer's office provided for that purpose.
- Improve streets, etc.; (4) To provide for the grading, construction, curbing, paving or otherwise improving or repair-
- Assess owners';
- Repair sidewalks.

ing the sidewalks, and for renewing, reconstructing, recurbing, and repaving of same.

54. It shall be lawful for the city council, by resolution, to be prepared by the city engineer, to assess the costs of grading or repairing, constructing or reconstructing, curbing or recurbing, paving or repaving or otherwise improving, repairing or renewing of sidewalks, upon the lot or lots of land in front of which such sidewalks shall have been so constructed, improved or repaired; such resolution shall state the name of the owner of each lot, as nearly as can be ascertained, the number of the lot as the same appears upon the official map of the respective consolidated municipalities, and the amount assessed thereon; it shall be the duty of the city engineer to at once enter the same in an orderly manner in a book or books in the city collector's office to be provided for that purpose, to be labeled "sidewalk assessments"; such assessments shall, from the date of the passage of such resolution, be and remain a first lien upon the lots or property which they are laid, until paid, and shall be enforced in the manner herein provided for the enforcement and collection of assessments of benefit for other public improvements.

55. The fees, rents or charges received by said city from the sale of water and the operation of its water works shall be used as follows: (1) for the payment of all costs and expense of operation, management, maintenance and repairs of said works, and such deferred maintenance as the city council shall decree proper; (2) for the payment of the annual interest on bonds or other obligations issued for the improvement and extension of such water works, and the payment of such part of the principal of said bonds or obligations as may be necessary to meet them at maturity; (3) the excess revenue remaining at the end of each fiscal year may be appropriated for any purpose by the city council for which such city is authorized by law to levy and collect a tax. It shall be lawful for the city council of such city to lay out and open streets and

Resolution to assess cost of improvement.

Form of resolution.

Assessments entered in record book.

First lien.

Use of water fees:

Expense of operating;

Interest payments;

Other purposes.

May use to construct sidewalks.

Repairing.	drives and construct public walks along its ocean front and like manner to grade or otherwise improve the same, whether such street, drive or public walk will be laid out, opened or constructed wholly or partly between high and low water mark or wholly or partly on land covered by water; and to maintain and keep in repair those already laid out, constructed and opened; and if the city council shall deem it necessary, said walk or walks may be built and constructed above the surface of the ground over and upon which the same may be built, and above the grade which has been or may be established for the street or streets over, upon and across which the same may be built and constructed; and in every such case, such walk or walks may be supported by and constructed on piling or other supports placed in and upon the streets over, upon or across which the same may be built and constructed; and to take and appropriate for any of such purposes any lands and real estate, upon making compensation to the owner by purchase thereof at a price agreed upon, and where an agreement as to compensation cannot be made by the payment of damages as herein mentioned and provided
Method of constructing.	
Acquiring land.	
May issue bonds.	57. That in order to provide for the payment of the costs, damages, and expenses of making any public improvement under the preceding section of this act, it shall be lawful for the city council of said city to issue its bonds in any sum not exceeding the aggregate of two hundred thousand dollars (\$200,000.00) to be designated "city improvement bonds", which bonds shall run for any period not exceeding twenty years, and bear interest at any rate not exceeding six per centum (6%) per annum, payable semi-annually and may be sold and disposed of by the said city at any sum not less than par, the proceeds of which shall be devoted exclusively to the payment of the costs and expenses of such improvements, and it shall be lawful for such city, in anticipation of the issue of such bonds, to issue temporary improvement certificates.
Limit.	
Rate.	
Temporary improvement certificates.	

tificates for a like amount, to run for a period not exceeding one year, payable with interest at a rate not greater than six per centum (6%) per annum, which temporary certificates shall be paid out of the proceeds of the sale of the bonds hereby authorized to be issued; and all benefits assessed for such improvements shall be devoted exclusively to the payment of the interest and principal due upon the bonds hereof authorized to be issued, and shall be paid to the commissioners of the sinking fund of such city for that purpose; and it shall be the duty of the city council to provide by taxation in the annual tax levy of such city such sum as will be sufficient to create a fund to pay the interest of the said bonds as authorized to be issued as it falls due and the principal of the said bonds when they shall mature and said city shall have authority to levy and collect taxes for this purpose.

Rate.

Use of
benefits
assessed.

58. The city council of said city may issue bonds under the signature of the mayor, city clerk and the city comptroller, or other chief financial officer, as the case may be, with the corporate seal affixed, for the following purposes; for laying out, opening, widening, vacating, straightening, altering, grading or extending streets, avenues, roads, sidewalks and crossings, for telfordizing, macadamizing, paving, graveling, curbing, flagging, cleaning, and keeping in repair the sewer; for lighting of streets or public places, and the construction or purchase of suitable plants, works or machinery for the supplying light for public or private use; for the construction or purchase of water works or a plant for the supply of water for domestic or public use; for the purchase or construction of sewers, drains, or of a system of sewers or drains; for protection of property from fires; for protection of property from encroachment of the sea; for the purchase and establishment of public parks or squares, and the construction or purchase of public docks on tidewaters; for the purchase of property for the use of the city; for building a city hall or lock-up; for the building of fire engine houses; for construct-

Purposes of
bond issue.

Limit of issue.	ing public walks along any beach or ocean front; for the payment and refunding of any existing bonds due or about to fall due; or for any other public improvement, work or purchase of property authorized by law; the aggregate of bonds issued by the city shall not at any time exceed twenty per centum (20%) of the amount of the assessed valuation of the property in said city, as shown by the latest assessment of valuation thereof, said
Time.	bonds shall be payable at such time or times, not more than thirty years from the date thereof, respectively, and shall bear interest, payable at such
Rate.	time and at such rate, not exceeding six per centum (6%) per annum, as the council may decide; the existing indebtedness of any school district within the city, or any indebtedness incurred hereafter for a school proposed, and any notes, certificates or other obligations issued in anticipation of the collection of taxes, shall not be computed as a part of the indebtedness of the city within the meaning of this section; the said bonds may be either registered or coupon bonds, or both; they may be disposed of at public or private sale, under such terms and conditions as the council may direct, at not less than par.
Sale.	
Use of proceeds.	59. The proceeds of such bonds shall be appropriated only to the payment and cancellation of such indebtedness as shall have been or may be incurred for the improvement or other object set forth in the resolution of the council for the issue of said bonds.
Advertising for proposals.	60. In contracting for any public work or the purchase of any supplies or materials involving an expenditure of one thousand dollars (\$1,000.00) or more, for such city or by or for any of the city departments, subdepartments or municipal officers not embraced in a department, or by or for special commissions or boards, unless otherwise provided for in this act, proposals for the same shall be first advertised for in two or more newspapers published in or near such city, for not less than three weeks and for not less than three insertions of such

advertisement. Contracts for expenditures of the city moneys for any public work or for the purchase of supplies or materials for any department of less than one thousand dollars (\$1,000.00) and more than two hundred dollars (\$200.00), shall be made by city council either at a regular or special session thereof in such manner as it may prescribe, either by resolution or ordinance, but every such contract shall be approved by the mayor, or, if disapproved by him, by five-eighths of the entire members of the city council. Contracts for public work or for purchase of supplies or materials for any department involving two hundred dollars (\$200.00) or less may be entered into by the commissioner of any department, and such contract, upon the signing of a memorandum thereof by any such commissioner, shall be in all respects binding upon such city.

Contracts for public works and supplies.

Contracts for less than \$200.00.

61. All bids made to the city for supplies or work for any purpose whatever, unless otherwise provided in this act, shall be addressed to the city clerk and be opened by him at a regular or special meeting of the city council, duly called to consider the same, and the said city council shall, after opening said bids as required by law, if such expenditures shall be deemed necessary by such city council, award the contract thereon to the lowest responsible bidder. The successful bidder shall promptly, within the time mentioned in the advertising soliciting such bid, execute a formal contract to be approved as to its form, terms and conditions by the city solicitor, which contract shall be signed on behalf of the city by the mayor and attested by the city clerk, and such bidder shall also execute and deliver to the city clerk of such city a good and sufficient bond, to be approved by the city solicitor, in double the amount of the contract price for which the award is made. To all such bids there shall be attached a certified check of the bidder or a cash equivalent, and the bidder who has had the contract awarded to him and fails to promptly execute the required contract and bond shall forfeit

Contract awarded to lowest bidder.

Contract executed.

Certified check attached to bid.

Liquidated damages.	said check or cash. The said check or cash shall be taken and considered as liquidated damages, and not a penalty, for the failure of the said bidder to execute said contract and bond. The amount of
Amount of check as cash.	said check or cash shall not be less than one hundred dollars (\$100.00), unless otherwise provided by the ordinance, or by an order of regulation of the department for whose use the bids are made and the contract entered into. The check or cash deposits of the unsuccessful bidders shall be returned to them by the city treasurer in whose custody they shall be placed by the city clerk after opening the bids and awarding the contract to the successful bidder.
Resolution instead of ordinance.	62. Whenever an ordinance shall be passed by the city council for making any improvements or performing any work under and by virtue of the provisions of this act all further acts and proceedings which it may be necessary for the said city council to take to carry out said improvements or work to completion, and all orders relating thereto, may be by resolution and not by ordinance.
Condemnation proceedings.	63. Whenever the city council of said city shall have determined to acquire land or other property pursuant to authority conferred by law, and cannot acquire such land or other property by agreement with the owner, whether by reason of disagreement as to the price or legal incapacity of the owner, or his inability to convey a valid title, or the lack of authority of such city to do so by agreement, or by reason of any other cause, the compensation shall be ascertained and paid by condemnation proceedings in the manner directed by the laws of this State; <i>provided, however,</i> that it shall be unlawful except under and according to the provisions of the condemnation laws of this State, for such city to purchase any lands or real estate for park purposes, or for street openings or extensions, or for the purchase, equipment, enlargement or extension of any municipal light, heat, power or water plant, where the price or consideration asked by the owner of the land, plant or other property so
Proviso.	

to be purchased shall exceed the sum of five thousand dollars (\$5,000.00).

64. Whenever, in pursuance of authority conferred by law, the city council of said city shall have determined that so much of the costs, damages and expenses of purchasing or acquiring by condemnation any lands or other property as represents the special and peculiar benefits conferred upon the owners of the land and real estate benefited thereby, shall be assessed thereon in proportion to the benefits each shall be deemed to acquire, it shall cause to be presented a petition to one of the justices of the Supreme Court for the appointment of three commissioners to estimate and assess such benefits, of the time and place of which presentation notice shall be given by ten days' publication in two or more newspapers published or circulating in or near such city, at which time and place, or at such other time and place as such justice shall designate, said justice shall appoint three disinterested freeholders residents of said city, commissioners to estimate and assess the said benefit; and the said justice shall, in the order of appointment, fix the date on or before which the commissioners must file their report, and the said justice may by order for good cause extend the time, and the report shall be made on or before the day limited by said justice; the petition and order shall be filed in the county clerks office; *provided*, that nothing herein contained shall be construed as affecting the method of assessing the costs of sidewalk improvements by the city council, as herein provided, or water pipe assessments for which liens are imposed according to some other law of this State.

65. The commissioners having first taken or subscribed an oath or affirmation of faithfully and impartially to examine the matter in question and to make a true report according to the best of their skill and understanding, shall in such manner as shall be directed by said justice, give at least six days' notice of the time and place of hearing, where and when they will hear any person who presents

Benefits assessed.

Petition.

Notice.

Estimating and assessing benefits.

Report.

Petition filed.

Proviso.

Oath.

Notice.

Hearing.

themselves, as to any objection that may be made to such assessment or assessments; the said commissioners shall have power to examine witnesses under oath to be administered by any one of them and to enter upon and view any premises they may deem necessary, and to adjourn from time to time, at their discretion, or as directed by said justice.

Witnesses.

Making assessment. 66. After having given opportunity as aforesaid for a public hearing of persons interested, the said commissioners shall view and examine the lands and real estate benefited and make a just and equitable assessment of the amount of such benefits upon all the owners of the land and real estate in such city specially and peculiarly benefited, in proportion to the benefit each shall be deemed to acquire, specifying in such assessment the lots or parcels of land so benefited, designating the same by the letters or numbers by which they are distinguished in the official map of the respective consolidated municipalities, together with the names of the respective owners thereof, and the amount assessed on each lot, and shall make a report of such assessment in writing under the hands of said commissioners, or any two of them, to the said justice, within the time hereinbefore limited; and if the report is not made within the time limited the powers of the commissioners shall cease and an application may be made to a justice of the Supreme Court for new commissioners on notice as above provided; in case any commissioner shall die pending the proceedings, or is disqualified, or is unable to act, or shall fail or refuse to act and perform the duties of appointment the other two commissioners shall proceed to perform the duties of their appointment with the same powers as if all were acting. The city engineer shall furnish such maps and data to said commissioners as they may require and he, or one of his assistants to be named by him, shall act as clerk of the commission and keep an accurate account of the benefits so assessed.

Report of assessment.

Failure to report.

Map.

Clerk.

Assessment not invalidated. 67. The said commissioners shall make diligent effort to ascertain the names of the owners of the

land and real estate so benefited as aforesaid, but the failure to so ascertain the name of any such owner, or to state the same correctly, or to enter the same upon the assessment and report, shall not invalidate the said assessment nor bar the correction thereof.

68. Upon receipt of such report, the justice shall cause such notice to be given as he shall deem proper of the time and place, when and where, he will attend to hear any objections that may be made to such an assessment; after such hearing said justice may by order confirm said report or may refer the same to said commissioners for revision and correction, and said commissioners shall return the same so corrected and revised within such time as said justice shall direct, and the same being so returned shall be confirmed or again referred by said justice in the manner aforesaid, as right and justice may require, and so from time to time, until a report shall be made or returned which said justice shall confirm. Such report, and so confirmed, shall be final and conclusive, as well upon such city as upon the owners of any land or real estate affected thereby, and shall be filed in the office of the county clerk. The said justice shall thereupon cause a certified copy of said report to be transmitted to the city collector of said city. All such assessments shall be and remain a first lien upon the lands and real estate affected thereby, and shall be filed in the office of the county clerk. The said justice shall thereupon cause a certified copy of such report to be transmitted to the city collector of said city. All such assessment shall be and remain a first lien upon the lands and real estate affected thereby, as of the date of the confirmation of the report, and shall be due and payable to such city upon the expiration of thirty days from and after the date of said confirmation, and shall draw interest from the date thereof due at the rate of twelve per centum (12%) per annum.

69. The city council shall cause to be paid to each of the said commissioners the sum of five dollars

Hearing
objections.

Action upon
report.

Confirmed
report final.

Certified
copy sent
to collector.

First lien.

Assessments
due and
payable.

Per diem
compensation
for com-
missioners.

(\$5.00) for each day they are actually employed in and about assessing the benefits of improvements, as provided in this act, together with the expenses incurred by them in the performance of their duties.

Notice of
assessment.

70. It shall be the duty of the city collector to whom such assessments have been returned forthwith to cause a notice of the assessment and the account thereof to be given to each person assessed, either personally or by mail; service on the agent or representative of the owner shall be by letter postpaid, directed to the person assessed at his or her last known place of abode; and if for any reason such notice is not given to or received by the person assessed, or his or her representative, it shall in no way impair the lien or the right of the city to collect the assessments so made and the interest thereon for the day they come due and payable.

Failure to
receive notice
not to
impair lien.

Balance of
cost, assessed
at large.

71. It shall be lawful for the city council in every case to cause so much of the cost, damage and expense of any public improvement authorized by and made under the authority of this act as represents the special and peculiar benefits thereby to be assessed thereon in the manner herein provided in proportion to the benefit each shall be deemed to acquire, the balance of such costs, damage and expense to be imposed upon and borne by the city and provided for by general taxation; or the said city council may, at its option, provide that the entire expense of any such improvement shall be borne by the city at large, and shall have power, within the limitations herein imposed, to provide therefor by taxation.

Sinking fund
commission.

72. All sinking fund money and all sinking fund securities belonging to said city shall be under the custody and control of a sinking fund commission to consist of the mayor, president of the city council and the city treasurer and the city clerk shall be the secretary thereof. It shall be the duty of the said commissioners to loan and invest the funds and the interest accruing in said funds and keep the same loaned and invested, upon such securities as the school fund of the State may be lawfully

Duties.

loaned and invested upon; but the city council may by ordinance from time to time, prescribe the mode and manner in which said sinking fund commission shall invest and keep invested, the funds coming into their custody or control and otherwise regulate the management of the sinking fund of said city, not in conflict with any other law of this State concerning the same; *provided, however*, that the city treasurer of said city shall be the treasurer of said sinking fund and all moneys received or disbursed by said sinking fund commission shall be received and paid through the city treasurer. Each member of said sinking fund commission shall give bond for the honest and faithful discharge of the duties of his office as commissioner of the sinking fund of said city, which bond shall be renewed annually and shall be filed with the city clerk.

Proviso.

Bond.

73. All ordinances heretofore passed in such city and not repealed and which are in full force and effect in such city at the time of the adoption of the provisions of this act by said city, shall remain in full force and effect in such city, except as they may be altered, amended or modified by this act, until repealed, altered or amended according to provisions of this act.

Validating
previous
ordinances.

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

Constitutionality.

75. All laws general or special, in such city, except where the particular subject matter thereby regulated is otherwise provided for in this act, or where the provisions of such laws are inconsistent with or repugnant to the provisions of this act, shall remain and continue in force, and all powers conferred and duties imposed thereby upon the governing body or any municipal officer or board or department thereof shall apply to and be conferred upon all officers, boards, departments and bodies created and officers, boards, bodies or departments to be elected or appointed under the authority of

Validating
previous
laws.

this act having like or corresponding powers or duties.

Wards and districts.

Duty.

Oath.

Method of forming wards.

Proviso.

Map showing wards.

Map certified to justice.

Compensation.

76. Upon the adoption of this act, it shall be the duty of the justice of the Supreme Court holding the circuit in the county, to appoint three citizens residing within the territory embraced within such municipality, to divide the said city into wards and election polling districts. The said three commissioners, so appointed, shall, within five days after their appointment, having first taken and subscribed before some officer authorized to administer oaths, an oath faithfully and impartially to execute and perform the duties imposed upon them, proceed to divide such new city into wards. In dividing the territory of the new city into wards, said commissioners shall have regard to the number of men who shall sit in the city council of the said municipality, and they shall create one ward for each member so to be elected; *provided, however*, that the territory embraced within the present city of Wildwood shall be entitled to three councilmen, territory embraced within the city of North Wildwood, shall be entitled to two councilmen and the territory embraced within the Boroughs of West Wildwood and Wildwood Crest shall be entitled to one councilman each. All such wards shall be formed of contiguous territory, and in thus dividing the said consolidated city into wards, the commissioners shall have regard to the area and equality of population. The boundary and dividing line of such wards shall be properly described by such commissioners, and a map defining said lines and showing the extent and boundary of such wards shall be made by such commissioners. Said map, together with a report giving a description or statement of the lines of such wards, shall be certified to the said justice of the Supreme Court over the signatures of said commissioners or a majority of them, together with the oath of office, hereinafter prescribed, within fifteen days from the date of the making of said order. The compensation of the said commissioners shall be fixed and their dis-

bursements shall be approved by the said justice and shall be paid by the new city.

77. The justice of the Supreme Court, upon receiving the said certificate of name as aforesaid and the report and map of the said commissioners, shall make an order fixing the boundary lines of said wards which order, together with all papers to said justice in the proceedings, shall forthwith be filed in the office of the clerk of the county there to remain of record and a certified copy of said order shall also be filed in the office of the Secretary of State. The ward lines so established, shall not be changed by the governing body of the municipality for a period of two years from the filing of said order. Thereafter such changes may be made as the governing body shall, by ordinance, determine.

78. Any city which may be formed under the provisions of this act shall take, hold, possess, enjoy and become vested with all the rights and property of the municipalities of which it is the successor, and shall be responsible and liable for all contracts, debts and obligations of such municipalities; *provided, however*, that the lands and property of any municipality to which the said city thus becomes a successor shall be and remain liable for the debts and obligations of the municipality thus superseded, and that as to such debts and obligations the said city shall be held liable only to the extent, that the same can be enforced at law or in equity upon the lands and property of the said superseded municipality; *and provided further*, that all taxes or assessments at any time levied or imposed by any municipality thus superseded, remaining outstanding and unpaid and, all other moneys due and owing to any such municipality, and all moneys in the treasury of any such municipality when said new city government goes into effect shall be collected by said new city government and shall be applied to the purposes for which such moneys were raised or are owing, and if not raised or owing for any specific purpose shall be applied in the reduction or payment of the bonded or other indebtedness,

Order fixing
boundary
lines.

Changing
ward lines.

Vested
rights.

Proviso.

Proviso.

Proviso. if any, of any such superseded municipality; *and provided further*, that the land and property of one municipality thus superseded shall not be taxed or assessed for the debts or obligations of any other municipality thus superseded by the new city but the lands and property of each municipality thus superseded shall be taxed and assessed for the debts and obligations of its government thus superseded until the same shall be fully paid and satisfied; Proviso. *and provided further*, that the consolidated city shall assume any unpaid portion of bonds heretofore issued for the erection, construction and maintenance of any water plant or water works.

Construing act. 79. Nothing in this act contained shall in any manner be construed to interfere with the tenure of any policeman, fireman, school teacher or other employee where such tenure is authorized by any law of this State.

Referendum. 80. This act shall take effect immediately, but its provisions shall remain inoperative in any city of this State until assented to by a majority of the legal voters thereof voting at any election to be held in such city. The said election shall be conducted by the district boards of registry and election which conducted the preceding general election and all persons residing within such territory who voted at the preceding general election shall be eligible to vote at the election held under this act.

Election how conducted. Proposition. The ballots shall be in the following form:

	Yes.	Shall the provisions of an act entitled "An act relating to, regulating and providing for the government of cities bordering on the Atlantic ocean (Law of 1933)" be adopted?
	No.	

The ballots shall be so arranged that all persons voting in said election may vote for or against the adoption of this act. Upon the ballot shall be printed the following instructions:

If you favor the adoption of this act place a cross (×) or plus (+) mark in the space to the left of the word "yes". If you are opposed thereto place a cross (×) or plus (+) mark in the square to the left of the word "no".

81. The election, except as in this act otherwise provided shall be conducted pursuant to the provisions of an act entitled "An act to regulate elections (Revision of 1930)", approved April eighteenth, one thousand nine hundred and thirty and the acts amendatory thereof and supplemental thereto. The several district boards of registry and election shall make return to the county clerk of the county, who shall present the result thereof to the said justice of the Supreme Court. If a majority of all the votes cast at said election shall be in favor of the adoption of the act, the act shall take effect and an order made by the justice of the Supreme Court to this effect shall be entered with the county clerk of the county and thereafter the said municipalities shall be governed as in this act provided.

82. Nothing in this act contained shall be construed to interfere with the power of the municipality to enforce its own ordinances or to interfere with the jurisdiction of the small cause court or proceedings had before any justice of the peace.

83. The officers in this act required to be elected shall be selected at the time of the holding of the general election succeeding the adoption of this act and shall take office on the first day of January succeeding their election.

Approved June 27, 1933.

CHAPTER 353

AN ACT to amend an act entitled "An act authorizing and providing an annual appropriation of five thousand dollars, or so much thereof as may be necessary, for the use and benefit of war orphans who shall attend, or who may hereafter attend, any State educational or other technical or professional school of a secondary or college grade in this State," approved March thirty-first, one thousand nine hundred thirty.

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

Section 1
amended.

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

"War
orphans"
defined.

1. For the purpose of this act the term "war orphans" shall be taken to mean and include any child between the ages of sixteen and twenty-one years, domiciled in this State at the time of application for the benefits of this act first having been made and for a period of at least twelve months prior to its enactment, who is the child of any person who was enlisted or commissioned in the military or naval service of the United States during the world war in active service and was killed in action or died from other cause during the period of the world war, from April sixth, one thousand nine hundred and seventeen, to July second, one thousand nine hundred and twenty-one; *provided*, that when the application of any such war orphan shall have been granted in the first instance as herein provided, then the maximum number of annual allotments herein provided may be granted to such applicant for and during consecutive years regardless of the fact that such applicant shall be above the age of twenty-one

Proviso.

years at the time of the granting of any such annual allotment subsequent to the first; anything herein contained to the contrary notwithstanding.

2. This act shall take effect immediately.

Approved June 27, 1933.

CHAPTER 354

AN ACT to amend an act entitled "An act to regulate elections" (Revision 1930), approved April eighteenth, one thousand nine hundred and thirty.

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

1. Article VI, paragraph sixty, section eleven, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Paragraph 60 amended.

Organization of Board:

Par. 60, Sec. 11. Each of said district boards shall on the third Tuesday next preceding the primary election for the general election meet together and organize by the election of one of its members as judge, who shall be chairman of said board, and another of its members as inspector; such judge and inspector shall be members or voters of different political parties. In case of failure to elect a judge as herein provided, after balloting or voting three times, the senior member of the board in respect to length of continuous service as a member of such district board shall become judge, and in case of failure to elect an inspector after balloting or voting three times, the next senior member of the board in respect to length of continuous service as a member of such district

Organization of district board.

Judge.

Inspector.

Proviso. board shall become inspector; *provided*, that both
 Clerks. chairman and inspector shall not be members or
 voters of the same political party. The other two
 members of the board shall be clerks of election,
 and shall perform all the duties required by law
 of the clerks of district boards. Should a vacancy
 Vacancy. arise in the membership of such district board for
 any reason whatsoever, and a new member be ap-
 pointed to fill such vacancy, then on the appoint-
 ment of such new member, the district board shall
 immediately reorganize by electing a judge and in-
 spector in the manner aforementioned.
 Approved June 27, 1933.

CHAPTER 355

AN ACT to amend an act entitled "An act concern-
 ing municipalities."

BE IT ENACTED *by the Senate and General As-
 sembly of the State of New Jersey:*

Section 13
 amended.

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

Part of park
 or building
 may be rented.

13. The governing body of every municipality
 may lease, rent or hire, any part of any public
 resort, owned by it and not presently needed for
 the purpose for which it was acquired, or any build-
 ing, or portion thereof thereon not so needed, for
 any period not exceeding five years. The govern-
 ing body may let out to any person or persons, cor-
 poration or corporations, any privileges in any
 public park or place of public resort, upon such
 terms and conditions as it may prescribe; and upon
 the violation of the terms upon which any lease or
 privilege is granted, the same shall become void,
 and said governing body shall have power to so
 declare, and may re-enter any place so leased and
 prevent the exercise of any privilege so forfeited;

Letting.

Violation.

any such letting shall be to the highest responsible bidder therefor. The letting thereof shall be advertised in some newspaper circulating in the municipality at least ten days prior to the receipt of bids.

Advertising.

2. This act shall take effect immediately.
Approved June 27, 1933.

CHAPTER 356

AN ACT to amend an act entitled "A supplement to an act entitled 'An act concerning municipalities,' approved March twenty-seventh, one thousand nine hundred and seventeen," approved March fourteenth, one thousand nine hundred and twenty-five.

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

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

Section 1
amended.

1. Every municipality shall have power from time to time to acquire, operate and maintain one or more hospitals for sick and injured persons, and for that purpose shall have power to acquire land or buildings, or both, by condemnation or otherwise, to improve land, to construct, re-construct and make additions to buildings and to equip the same; and to employ an executive to operate and manage said hospital, the term of employment to be for a period not to exceed five years at a salary to be fixed in the resolution of appointment, and said resolution of appointment shall further outline the duties and powers of said officer for the period of his or her appointment.

May acquire
and operate
hospital.

Management.

2. This act shall take effect immediately.
Approved June 27, 1933.

CHAPTER 357

AN ACT to amend an act entitled "An act authorizing and empowering townships and boroughs in this State to appoint a board of assessors to make assessments and taxes therein, and to regulate the salaries and compensation of the members thereof," approved March thirty-one, nineteen hundred and twenty-six.

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

Section 4
amended.

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

Act operative.

4. This act shall only become operative in any township or borough when its provisions are accepted by ordinance enacted by the governing body of such township or borough and upon the enactment of such ordinance, the office of assessor shall be abolished on and after June thirtieth next succeeding the enactment thereof; *provided, however,* in any borough where the assessor or assessors are now elected by the legal voters thereof, this act shall not become operative in any such borough, until the governing body of such borough shall submit to the legal voters thereof, on the day of a general election, for their approval, the ordinance accepting the provisions of this act and only when a majority of the legal voters voting at said election shall have approved said ordinance shall this act become operative in any such borough.

Proviso.

Referendum.

2. This act shall take effect immediately.
Approved June 27, 1933.

CHAPTER 358

AN ACT to amend an act entitled "An act concerning the manufacture, distribution and sale of certain beverages having an alcoholic content and providing for licenses, regulations and fees in connection therewith and penalties for violations thereof," approved April fifth, nineteen hundred and thirty-three.

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

1. Section fifteen of the act of which this act is amendatory be and the same is hereby repealed. Section 15 repealed.

2. This act shall take effect immediately.
Approved June 27, 1933.

CHAPTER 359

A SUPPLEMENT to an act entitled "An act to regulate the occupation of barbering, to provide for the licensing of persons to carry on such occupation and to provide rules regulating the proper conduct and sanitation of the occupation of barbering for the protection of the public health, and to provide penalties for violation thereof," approved May twenty-fourth, one thousand nine hundred and thirty-three.

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

• Disposition of moneys.

Appropriation.

Expenditures.

Proviso.

Proviso.

1. All moneys received pursuant to the provisions of the act to which this act is a supplement shall be paid into the treasury of this State. Of the said revenues, a sum not to exceed ten thousand dollars is hereby appropriated to pay the expenses incurred by the State Department of Health in the administration of the act to which this act is a further supplement and shall be paid from the moneys so received as aforesaid. All such expenditures shall be made by the treasurer on warrant of the comptroller after approval by the director of the Department of Health; *provided, however,* that any such expense of administration shall at no time exceed the moneys so received to the end that the commission created by the provisions of the act to which this act is a further supplement shall, at all times, be self-sustaining; *and, provided further,* that any surplus remaining in such fund in the hands of the treasurer at the close of any fiscal year shall revert to and become a part of the general fund of the State.

2. This act shall take effect immediately.

Approved June 27, 1933.

CHAPTER 360

AN ACT to supplement an act entitled "An act concerning deposits of money by the State or any county, municipality or school district in any national bank transacting business in this State or in any bank, trust company or savings bank organized under the laws of this State," approved March twenty-ninth, nineteen hundred and thirty-three, constituting chapter eighty-three of the pamphlet laws of nineteen hundred and thirty-three, in relation to the pledging of certificates of interest, securities, rights, or other property as security for notes, bonds or other obligations of any county, municipality or school district.

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

1. After the reopening, reorganization or consolidation of any national bank transacting business in this State, or any bank, trust company or savings bank organized under the laws of this State, any county, municipality or school district which may receive certificates of interest in all or any part of the assets of such national bank or such bank, trust company or savings bank, or any securities, rights, or other property (other than cash) by reason of such reopening, reorganization or consolidation, shall have power by resolution of the governing body thereof to pledge within or without the State from time to time all or any part of such certificates of interest, securities, rights, or other property as security for the payment of any notes, bonds or other obligations of such county, municipality or school district, and, in order to effectuate such pledge, to execute and deliver by its proper officers assignments, transfers,

Pledging securities for payment of obligations.

Assignments.

agreements, or trust indentures containing such terms, provisions and conditions as in the judgment of such governing body may be necessary or advisable.

2. This act shall take effect immediately.

Approved June 27, 1933.

CHAPTER 361

AN ACT appropriating moneys paid or to be paid to or the proceeds of bonds received or to be received by the State of New Jersey from the Delaware River Joint Commission.

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

Commission
to pay
obligation
in full.

1. The Delaware River Joint Commission under the provisions of an act entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware river and the improvement of the facilities for transportation across the said river; authorizing the New Jersey Interstate Bridge Commission on behalf of the State of New Jersey for these purposes to enter into an agreement with the Commonwealth of Pennsylvania creating the Delaware River Joint Commission and specifying the powers and duties thereof, including the power to finance projects by the issuance of revenue bonds; transferring to the new commission all the powers of the Delaware River Bridge Joint Commission and making an appropriation," approved June thirtieth, one thousand nine hundred and thirty-one, with amendments thereof and supplements thereto, shall pay forthwith in full its obligation to the State of New Jersey in money or bonds issued by the Delaware River Joint Commission as provided in the

How paid

above entitled act. The Governor, Comptroller and State Treasurer acting in behalf of the State of New Jersey are hereby authorized and directed to sell such bonds, the proceeds of which together with moneys received in cash from the said Delaware River Joint Commission are hereby made a separate account and designated as the emergency school fund. From this fund there is hereby appropriated twelve million dollars (\$12,000,000.00), which amount or so much thereof as may be necessary shall be used for the purpose of carrying out the provisions of an act entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three," approved May tenth, one thousand nine hundred and thirty-three, with amendments thereof and supplements thereto, and also for making loans in like manner to the Board of Education of any county vocational school. Evidence of indebtedness in the amount so paid shall be filed with the State Treasurer by the county treasurer in accordance with the provisions of section two of the above entitled act. Apportionments received by boards of education under the provisions of this section shall be used only for the payment of salaries of teachers and other employees, tuition, and transportation.

2. Any balance of the twelve million dollars (\$12,000,000.00) remaining in the emergency school fund after the apportionments provided in section one shall have been paid together with any amounts accruing to it is hereby appropriated for loans to school districts which apply for aid for the payment of teachers' salaries for subsequent school years beginning July first, one thousand nine hundred and thirty-three. Such loans shall be made proportionately in accordance with the needs of the several school districts which apply for aid in the amounts determined by the Commissioner of Education, and payments shall be made

Sale of
bonds.

Use of
proceeds for
emergencies.

Appro-
priation to
school fund.

Evidence of
indebtedness
filed.

Use of ap-
portionments.

Balance for
loans to pay
teachers'
salaries.

Division of
loans.

by the State Treasurer on orders of the Commissioner of Education in the manner provided in the act last recited in section one as amended and supplemented.

Remainder of
emergency
fund to
teachers'
pension fund.

3. The remainder of the emergency school fund, and such part of the evidences of indebtedness held by the State Treasurer to the credit of such fund or of the repayments to the fund as may be necessary for that purpose, are hereby appropriated to meet the obligations of the State to the Teachers' Pension and Annuity Fund as set forth in an act entitled "An act directing the State Treasurer to deduct the sum of four million, one hundred twenty-one thousand, five hundred and sixty-six dollars (\$4,121,566.00) from the moneys to be paid to the Teachers' Pension and Annuity Fund pursuant to the provisions of an act entitled 'An act to amend "An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof," approved October nineteenth, one thousand nine hundred and three,' approved April tenth, one thousand nine hundred and nineteen, and appropriating the same to the State Director of Emergency Relief for the relief of the unemployed and dependents in the several counties and municipalities of this State," approved June fourteenth, one thousand nine hundred and thirty-two. The amounts so appropriated to the Teachers' Pension and Annuity Fund shall be paid as follows: The amount remaining after the twelve million dollars (\$12,000,000.00) is appropriated shall forthwith be delivered by the State Treasurer to the trustees of the Teachers' Pension and Annuity Fund in bonds of the Delaware River Joint Commission, which bonds are hereby declared to be a legal investment for said Teachers' Pension and Annuity Fund, the same to be credited in such amount by the board of trustees upon the amount due said fund in accordance with the provisions of the last above entitled act, and shall constitute the first payment of said obligation. If upon the

How payments
made to
pension fund.

Use of
excess.

sale of the bonds the excess over twelve million dollars (\$12,000,000.00) is less than five hundred thousand dollars (\$500,000.00) and accrued interest, the amount paid to the trustees of the Teachers' Pension and Annuity Fund as the said first payment shall in no instance be less than five hundred thousand dollars (\$500,000.00) and interest to date, and the emergency school fund shall be reduced to that extent. The balance of the amount due from the State to said board of trustees shall constitute a lien upon the evidences of indebtedness of the several counties held by the State Treasurer in the emergency school fund, and the board of trustees of the Teachers' Pension and Annuity Fund may accept such evidences of indebtedness toward the payment in full or in part of the amount due said fund as hereinbefore set forth, and upon agreement of the trustees to accept such evidences of indebtedness in full or in part, such shall be endorsed by the State Treasurer in favor of the board of trustees of said pension fund for a partial or full payment of the principal and interest remaining due. If the board of trustees of the Teachers' Pension and Annuity Fund shall not accept such evidences of indebtedness in full or in part for the payment due the Teachers' Pension and Annuity Fund there shall be paid to said pension fund from the emergency school fund on July first, one thousand nine hundred and thirty-four and the corresponding date of each year thereafter, or as soon after such date as moneys become available in the emergency school fund the sum of five hundred thousand dollars (\$500,000.00) with interest at four per centum (4%) per annum on all unpaid balances until the entire amount of four million, one hundred twenty-one thousand, five hundred sixty-six dollars (\$4,121,566.00) with interest due thereon shall have been paid in full.

Shortage a
lien.

Evidence of
indebtedness
as payment.

As to cash
payments.

4. Any balance remaining in the emergency school fund after payment shall have been made as provided in the preceding sections together with

If balance,
reapprop-
riated to
emergency
school fund.

any amounts accruing to the fund through the repayment of bonds, notes, or other evidences of indebtedness and interest thereon by the several counties and municipalities, are hereby reappropriated to the emergency school fund for the purpose of continuing loans in the manner provided in sections one and two of this act.

Evidence of
indebtedness
accepted.

5. Any county may accept any lawful evidences of indebtedness from school districts and municipalities in the amount of the funds which they receive under any of the provisions of this act, and the municipalities, school districts, and counties which secure funds under this act shall be required to give the form of indebtedness required by law.

Repealer.

6. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed to the extent of such inconsistency.

7. This act shall take effect immediately.

Approved June 27, 1933.

CHAPTER 362

AN ACT to further supplement an act entitled "An act concerning the manufacture, distribution and sale of certain beverages having an alcoholic content and providing for licenses, regulations and fees in connection therewith and penalties for violations thereof," approved April fifth, one thousand nine hundred and thirty-three.

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

Act continued.

1. The provisions of an act entitled "An act concerning the manufacture, distribution and sale of certain beverages having an alcoholic content and providing for licenses, regulations and fees in con-

nection therewith and penalties for violations thereof," approved April fifth, one thousand nine hundred and thirty-three, as amended by a further act approved April twelfth, one thousand nine hundred and thirty-three, except as herein otherwise provided, are hereby continued in full force and effect until midnight, August thirty-first, one thousand nine hundred and thirty-three, notwithstanding any provision to the contrary in said act or in any other act.

2. Except as hereinafter provided, all manufacturers', distributors' and railroad licenses issued by the State Tax Commissioner prior to the time this act shall become effective shall continue in full force and effect until midnight August thirty-first, one thousand nine hundred and thirty-three, unless sooner revoked by the State Tax Commissioner, provided the holder thereof, except in the case of railroads, shall pay to the State Tax Commissioner at such time and place as he shall designate as an additional license fee: for a manufacturer the sum of four hundred dollars (\$400.00), for a distributor the sum of one hundred dollars (\$100.00) for each place or location in which such distributor shall have a place of business, and at such time and place as he shall designate shall furnish such additional or extended security as may be required by said commissioner. The failure of any such licensee to pay said additional license fee or to furnish any required additional or extended security at the time and place designated by the State Tax Commissioner shall result in the expiration of the license of said licensee as of the time of any such default. All conditions and limitations under which such licenses were originally issued shall remain in full force and effect with respect to the continuation of the same.

3. Except as hereinafter provided, all licenses issued by the governing body of any municipality prior to the time this act shall become effective shall continue in full force and effect until mid-

Licenses
continued.

Proviso.

Railroads
excepted.

Fees.

Nonpayment
voids licenses.

Conditions and
limitations
continued.

Municipal
licenses
continued.

Proviso.	night August thirty-first, one thousand nine hundred and thirty-three, unless sooner revoked, provided the holder thereof shall pay to the said municipality at such time and place as it shall designate such additional license fee as the governing body of said municipality shall determine, and at such time and place as said municipality shall designate shall furnish such additional or extended security as may be required by said municipality.
Additional fee.	The failure of any such licensee to pay said additional license fee or to furnish any required additional or extended security at the time and place designated by said municipality shall result in the expiration of the license of said licensee as of the time of any such default. All conditions and limitations under which such licenses were originally issued shall remain in full force and effect with respect to the continuation of the same.
Failure to pay to void license.	
Conditions, continue.	
Expiration of licenses.	4. All new or original licenses issued by the State Tax Commissioner after this act shall become effective shall be issued for a term expiring midnight August thirty-first, one thousand nine hundred and thirty-three, and shall be issued upon the same terms and conditions as those contained in the act to which this act is a supplement, and for the following fees: for a manufacturer's license a fee of four hundred dollars (\$400.00), for a distributor's license a fee of one hundred dollars (\$100.00) for each place or location in which such distributor shall have a place of business.
License fees.	5. All new or additional licenses issued by the governing body of any municipality after this act shall take effect shall be issued for a term expiring midnight August thirty-first, one thousand nine hundred and thirty-three, and shall be issued upon the same terms and conditions as those contained in the act to which this act is a supplement, and for such fees as such municipality by resolution or ordinance shall determine, except that the fee for issuing a license to sell beverages not to be consumed on the premises shall not exceed the sum
Terms of new licenses.	
Fee.	

of one hundred dollars (\$100.00) for any one place or location.

6. Any license issued under this act or under the act to which this act is a supplement, shall immediately cease, and become void and inoperative if the licensee shall not at all times have a valid, unrevoked permit, license or special tax stamp, issued by the United States Government, appropriate to the business authorized under the New Jersey license. Any license issued under this act or under the act to which this act is a supplement, may be revoked by the issuing authority for any violation of the provisions of any law of this State by the licensee or by any director, officer, agent or employee of the licensee, or by any person acting in behalf of the licensee committed in connection with or in relation to the business of the licensee.

Federal
license
necessary.

License
revoked for
violation.

7. The State Tax Commissioner is hereby authorized and empowered to revoke any license issued or renewed by the governing body of any municipality under the provisions of this act, or of the act to which this act is a supplement, for any violation by or on behalf of such licensee of any of the revenue provisions of this act or of the act to which this act is a supplement or of the rules and regulations respecting such revenue provisions made by the State Tax Commissioner, notice of which shall have been given to such licensee.

Causes for
revocation.

8. In addition to the powers conferred and the duties imposed upon the State Tax Commissioner by the provisions of the act to which this act is a supplement, the State Tax Commissioner shall have power, whenever he deems it expedient, to make or cause to be made by his deputies, agents or investigators an examination or investigation of the books, records and accounts of any person, firm or corporation holding a license issued pursuant to the provisions of the act to which this act is a supplement, whether such license shall have been issued by the State Tax Commissioner or by the governing body of a municipality of this State, and as

Investigation
by com-
missioner.

- well an examination of the licensed premises, for the purpose of administering the provisions of this act or of the act to which this act is a supplement. It shall be the duty of every licensee, and of every director, officer, agent and employee of any such licensee to exhibit to the State Tax Commissioner, his deputies, agents and investigators all of the books, records and accounts of the said licensee and as well the licensed premises, and to facilitate as far as it may be in their power so to do any such examination or investigation. For the purpose of any such examination or investigation, the State Tax Commissioner, his deputies and agents shall have power to examine under oath, any such licensee, and the directors, officers, agents and employees of any such licensee, relative to the business and affairs of any such licensee, in respect to any matter affecting the powers and duties of said Commissioner under said act or under this act. It shall be lawful for the State Tax Commissioner, his deputies, agents or investigators to take any oath or affirmation of any person signing any deposition, statement, return or report, required by the State Tax Commissioner in the administration of this act or of the act to which this act is a supplement.
9. By resolution of the governing body of any municipality in this State, it shall be lawful to sell the beverages described in the act to which this is a supplement on Sunday after the hour of one P. M.
10. Notwithstanding any provisions to the contrary in the act to which this act is a supplement, it shall be lawful to sell or dispense the beverages described in the act to which this act is a supplement from or over any bar.
11. No tax imposed by the act to which this act is a supplement shall be payable on any sale of beverages by any licensed manufacturer for resale and consumption in any other State accompanied by the transportation of such beverages out of this State; *provided, however*, that if any such bev-
- Records exhibited.
- Examination under oath.
- Administering oath.
- Sunday selling.
- Bar permitted.
- No tax on sale outside State.
- Proviso.

erages shall thereafter be brought back into this State the original manufacturer thereof shall then pay such tax unless the same has been paid by some other dealer or unless such beverages have been destroyed as unfit for consumption.

12. This act shall take effect immediately and shall become inoperative at midnight on August thirty-first, one thousand nine hundred and thirty-three. Duration of act.

Approved June 28, 1933.

CHAPTER 363

AN ACT creating the office of Commissioner of Finance and defining his powers and duties.

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

1. The intent of this act is to provide control by the Governor over State expenditures, to aid the several departments, boards, institutions, commissions, officers and other agencies of the State government to exercise greater restraint in the spending of money available for their uses through legislative appropriation by the adoption of a system of allotments. The ultimate purpose of this act is to provide complete legislative and executive control over every State expenditure; *provided*, that nothing contained in this act shall apply to mandatory dedications under subdivision (d) of section sixteen of chapter one hundred and forty-two of the laws of one thousand nine hundred and thirty-one as amended by chapter one hundred and ninety-three of the laws of one thousand nine hundred and thirty-three. Control of spending agencies.

2. The office of State Commissioner of Finance is hereby created. Proviso. Commissioner.

Appointment.	3. The Governor shall appoint the Commissioner of Finance, who shall serve at the will of the Governor. He shall receive compensation at the rate of ten thousand dollars (\$10,000.00) per annum, to be paid out of the State treasury as other officers are paid. He shall carry into effect and execute the provisions of this act under the authority, direction, supervision and control of the Governor. He shall appoint such clerical and technical assistants as may be necessary, subject to the approval of the Governor. He shall co-operate with the State Budget Commissioner and furnish such information to the State Budget Commissioner as the said State Budget Commissioner may request in the performance of his duties in compiling the budget.
Salary.	
Duties.	
Assistants.	
Co-operation.	
Program of expenditures for fiscal year by quarters.	
Request officer.	4. On or before June first in each year the Commissioner of Finance shall require each department, board, institution, commission, officer or other State agency, hereafter in this act referred to collectively as "spending agencies," which has received an appropriation for its operation, maintenance or other purpose or purposes, which appropriation will be available for the ensuing fiscal year, to file with the Commissioner of Finance, on forms provided by him, a work program for the ensuing fiscal year, such program to include all appropriations made available to the spending agency and setting out allotments requested by such spending agency, by quarters, for the entire fiscal year. Such program and allotment request shall be signed by the executive officer of the spending agency and may be made by the officer hereinafter called "request officer" who shall be designated by each spending agency for that purpose. In the case of the judiciary, the request officer shall be the clerk of the Court of Errors and Appeals, under the direction of the Chancellor and the Chief Justice of the Supreme Court. However, the Legislature shall be exempt from submitting any program of work or quarterly allotment request. The Commis-
Judicial funds.	
Review of requests.	

sioner of Finance shall review the requested allotments with respect to the work program of each spending agency, and shall, if he deems it necessary, revise, alter or change such allotments before approving the same. In no case shall the aggregate of such allotments for any spending agency exceed the total appropriations made available to such spending agencies for the fiscal year to which they apply. The Commissioner of Finance shall, if he approves the requested allotments, transmit a copy as approved to the request officer of the spending agency concerned and also a copy to the Comptroller of the Treasury. The Comptroller thereupon shall warrant for payment all expenditures to be made from appropriations on the basis of such allotments and not otherwise. If the Commissioner of Finance disapproves of the requested allotments he shall communicate to the request officer of the agency whose allotment request is disapproved the item or items which do not meet with the approval of the Commissioner of Finance and shall co-operate with such spending agency to bring about a satisfactory work program and allotment of appropriation.

The head of any spending agency, through his request officer, whenever he deems it necessary by reason of changed conditions or for some other cogent reason, may revise the work program of his department at the beginning of any quarter during the fiscal year and submit such revised program to the Commissioner of Finance with his request for a revision of allotments for the remaining quarters of that fiscal year. If upon examination of the revised work program the Commissioner of Finance shall decide to grant the request for the revision of allotments, the same procedure shall be followed as in making the original allotment.

In order to provide some degree of safety to meet emergencies arising during each fiscal year in the expenditure for operation or maintenance or construction by the various spending agencies of the

Aggregate.

Approval.

Payments.

In case of disapproval.

Revised program if necessary.

Procedure.

Reserve set aside for emergencies.

Return of reserve.	State government, the Commissioner of Finance, with the approval of the Governor, shall require the request officer of each spending agency, in making the original allotments, to set aside a reserve, the exact amount of which shall be determined by the Commissioner of Finance, of the total amount appropriated to the spending agency. At any time during the fiscal year that occasion may require, this reserve or any portion of it may be returned to the appropriation to which it belongs or may be added to any one or more of the quarterly allotments, providing the Commissioner of Finance finds such action necessary.
Purchase order sub- mitted to com- missioner.	5. It shall be the duty of the Comptroller of the Treasury to forward to the Commissioner of Finance every purchase order or request for permission to spend, after preauditing same as to legality, amount and availability of appropriation therefor, and the Commissioner of Finance shall either approve or disapprove of such purchase order or request for permission to spend. If approved, he shall forward to the Purchase Commissioner in the case of the purchase of materials or supplies and return it to the Comptroller for payment when it is for other purposes, except that all payrolls shall be forwarded to the Civil Service Commission. The certification by the Comptroller and approval by the Commissioner of Finance shall be sufficient authority for the Purchase Commissioner to purchase the materials and supplies for the various spending agencies.
Forwarded to purchase agenr.	
Payrolls submitted to Civil Service.	
Transfers of appro- priations.	6. Any request for inter- or intra-departmental transfers of appropriations or any request for allotments from any emergency fund shall be sent to the Commissioner of Finance and shall be accompanied by a revised work program and allotment request. The Commissioner of Finance shall, within forty-eight hours after the receipt of such request, forward it to the State House Commission with his approval or disapproval, and stating his reasons for his decision. Thereupon the State
Action by State House Commission.	
Consideration.	

House Commission shall consider such request and the recommendation of the Commissioner of Finance and shall make public its disposition of such request together with the recommendations forwarded to it by the Commissioner of Finance.

7. In any case where the action or decision of the Commissioner of Finance is not in accord with the work program and allotment request or any purchase order or request for permission to spend submitted by any spending agency is disapproved by the Commissioner of Finance, such spending agency may appeal to the Governor, setting forth its reasons for any change in the decision of the Commissioner of Finance, and the Governor's ruling shall be final; *provided, however*, at the commencement of any quarterly allotment period a spending agency may again appeal to the Governor for any change from the schedules set up by the Commissioner of Finance.

8. All files and other records of the Commissioner of Finance shall be available at any time for the inspection and examination by any member of the Legislature and any committee thereof and to the newly elected incoming Governor and to any nominee designated by him.

9. This act shall be liberally construed.

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

Approved June 28, 1933.

CHAPTER 364

AN ACT concerning sewers and sewerage works, providing for the creation of self-liquidating sewerage systems and works by one or more municipalities, and providing for the issuance of bonds therefor.

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

ARTICLE I

SCOPE

101. The objects and purposes of this act are:
- Objects: Sewage disposal; (a) To authorize municipalities (as hereinafter defined) either separately or in combination with other municipalities, by means of a commission, to own, construct, maintain, operate and improve works for the collection, treatment, purification and disposal of sewage.
- Charge to owners of premises; (b) To authorize charges against owners of premises for the use of such works and to provide for the collection of the same, and to make such charges a lien against the premises served.
- Acquire property; (c) To authorize the acquisition of land, buildings, works, plants and other property for said purpose.
- Commission of control; (d) To provide for the formation of a commission controlling each sewerage project, and to make such commission the lawful and authorized agent of each interested municipality.
- Bond issue; (e) To provide for the sale by such commission of bonds issued by the municipalities for said purpose, and to make such bonds exempt from taxation, and from the municipal debt limits, and to make them lawful investments for sinking funds.
- Contracts. (f) To authorize contracts for the use of such sewers and sewerage works by other municipalities.

ARTICLE II

DEFINITIONS

201. Works. The term works where used herein shall be construed to mean and include structures and property, sewage collection systems, extension of an existing system, sewage treatment plant, intercepting sewers, outfall sewers, forcemains, pumping stations, ejector stations, and all other appurtenances necessary or useful and convenient for the collection and/or treatment, purification and disposal in a sanitary manner of the liquid and solid waste, sewage, night soil and industrial waste of any municipality, which shall be maintained within the territorial limits of said municipality. Works defined.

202. Municipality when mentioned herein shall include any city, borough, township, town, village, and any municipality governed by a board of commissioners or improvement commission. Municipality.

203. Cost when herein mentioned shall be deemed to include the cost of acquisition and construction of the above mentioned works, the cost of all property, rights, easements, and franchises deemed by the commission necessary and convenient therefor, and for the improvements determined as within provided in section five hundred one (c) of this act; interest upon bonds prior to and during construction or acquisition, and for six months after completion of construction or of acquisition of the improvements last mentioned; engineering and legal expenses; expenses for estimates of cost and of revenues; expenses for plans, specifications, and surveys; other expenses necessary or incident to determining the feasibility or practicability of the enterprise, administrative expense, and such other expenses as may be necessary or incident to the financing herein authorized, and the construction or acquisition of the works, and the placing of the works in operation, and the performance of the things herein required, or permitted in connection therewith. Costs to include property, interest, expenses.

Commission. 204. Commission where herein mentioned shall mean, in the case of any single municipality, that governing board or body which ordinarily constructs, maintains, and operates sewer works for that municipality; or in the case of the combination of any municipalities, shall be construed to mean that commission which is organized as is herein provided.

ARTICLE III

AUTHORIZATION

Sewage system. 301. Every municipality is empowered to acquire, construct, own, and operate, within its territorial limits, a system of sewers and sewerage works, to acquire land therefor and to issue bonds as herein provided for the construction and acquisition thereof, and to designate a proper body for the supervision of such sewer projects.

Joint operation. 302. Two or more municipalities are empowered jointly to acquire, construct, own, and operate, within their territorial limits, a system of sewers and sewerage works; to issue bonds for the construction and acquisition thereof; to acquire land for said purpose.

Application to court to appoint commission. 303. The governing bodies of two or more municipalities in this State, after approval by resolution by the governing bodies of such municipalities, may make application to the justice of the Supreme Court holding the circuit in which the major portion of the municipalities to be served is situated for the appointment of a commission in their behalf to prepare or cause to be prepared with all practicable speed, a complete and detailed project report, together with maps, designs, and cost and other estimates which shall show a proposed plan or method of construction of such a system of sewerage works.

Plans and report.

Contracts. 304. The governing bodies of two or more municipalities are hereby authorized to enter into contracts with the commission as are outlined in Article V of this act.

305. Each municipality is hereby empowered upon requisition by such commission to lend, in proportion to its interest in the project, such sums as are necessary to defray all preliminary expenses of such project.

Provision for preliminary expenses.

ARTICLE IV

ORGANIZATION OF COMMISSION

401. In the case of a joint sewerage project under section three hundred two of this act, said commission is to be composed of no less than three and not more than five members to be determined and appointed and their term of office determined in accordance with section four hundred two (b) herein by the justice of the Supreme Court holding the circuit in which the major portion of the municipalities to be served, according to their interest in the project as determined by section five hundred two, are situated, upon petition by the governing bodies of two or more municipalities in this State. Any vacancy in said commission shall be filled by appointment as above provided, and upon such notice as a justice of the Supreme Court shall direct; inability of any member of the commission to serve shall be treated as a vacancy. The application to appoint the commission or to fill any vacancy may be continued from time to time by the justice of the Supreme Court to whom the same is made. Should no appointment be made replacing a retiring commissioner, such commissioner shall continue in office until his successor is appointed and shall qualify.

Membership of joint commission.

Vacancy.

Continuance of application.

402. As soon as the commission has been appointed as aforesaid, it shall organize itself by electing a chairman, vice-chairman and a secretary-treasurer from among its membership. Before any such commissioner shall enter upon his duties as such commissioner, he shall execute a corporate surety bond in an amount equal to ten per centum (10%) of the estimated cost of the project, but said bond shall not exceed fifty thousand dollars (\$50,-

Organization.

Members bonded.

Amount.

000.00) except the secretary-treasurer whose bond shall be double the amount of the bond to be furnished by each individual commissioner. The cost of said bonds to be a proper charge against the cost of the project.

Tenure of
commis-
sioners:

The tenure of the members of such body or commission shall be as follows:

Same as
terms of
governing
board;

(a) If the project is established in accordance with section three hundred one of this act, then the term of the members shall be identical with their terms as members of the governing board which ordinarily has charge of such sewerage works.

Terms of joint
membership.

(b) Where municipalities enter into a joint sewerage project as under section three hundred two of this act, then the term of each member of the commission shall be five years, except the members of the original commission who shall be appointed each for such terms less than five years that insure a staggered rotation in the appointment of subsequent members.

Salary.

403. The members of any such commission shall be paid an annual salary to be determined by the governing bodies of the participating municipalities in joint council, each municipality having a vote in accordance with its interest in the project as determined in section five hundred two. The salaries of the commissioners are to be considered a part of the cost of the project.

Function of
commission.

404. The commission shall function to operate and maintain said sewerage works, as well as to construct and acquire them, and may be dissolved only in accordance with provisions set forth in Article VI of this act.

ARTICLE V

POWERS

Powers and
duties—

501. The powers and duties of the commission shall be as follows:

Complete
project report.

(a) To submit a detailed and complete project report with maps, designs, reports and estimates, which shall show a proposed method of construc-

tion or acquisition of such sewerage works, the total cost thereof, the amount of money which will be required at and for each stage in the process of construction and acquisition and the interest of each municipality in the project estimated as required by section five hundred two.

(b) To enter into contracts with the interested municipalities which shall provide as follows:

1. The municipalities shall immediately authorize and execute bonds the total amount of which shall equal the cost of the project as outlined in the detailed project report. Such bonds may be either the joint and several obligations of the municipalities or the individual obligations of each municipality solely for its proportionate share in the project. In case said bonds are joint and several obligations the municipalities shall be liable as among themselves for the payment of the principal and interest thereon in proportion to their interest in the project determined as herein provided. Such bonds shall mature in annual installments beginning not less than two years nor more than five years from the date determined in the project report for the commencement of operation of the sewerage works, and ending not later than the fortieth year from such date. Except as otherwise provided herein, such bonds shall be issued in the same manner and pursuant to the same provisions of law that apply to the issuance of other municipal bonds.

2. Each municipality so executing said bonds shall forthwith deliver the same in escrow to the commission to be sold as herein provided.

3. The commission shall have power as agent of the municipalities to sell said bonds at not less than par from time to time as the money shall be needed for acquisition or construction in accordance with the program set forth in the project report. Each installment of said bonds shall be sold at public sale after publication of a notice of such sale at least once, not less than one week prior thereto, in a newspaper or newspapers circulating in the coun-

Make
contracts.

Bond issue.

Obligations.

Maturity.

Details of
issue.

Bonds held
in escrow.

Financial
agent.

Sale by
installments.

Newspaper
notice.

Bonds at private sale.	ty or counties in which the interested municipalities are located and in a financial newspaper published in the City of New York. In the event that no legally acceptable bid is received for any block or installment of such bonds at public sale, the commission may sell such bonds at private sale within
Delivery.	thirty days thereafter. In case said bonds are individual and not joint and several obligations of the municipalities, each installment of bonds shall include a proportionate amount of the bonds delivered to the commission by each of said municipalities.
Commission as fiscal agent*.	4. The commission shall be constituted and appointed the fiscal agent of the municipalities for the payment of principal and interest on the bonds aforesaid and for the collection of charges for service rendered by the sewerage works to the users.
Acquisition of property and rights.	(c) To acquire, by purchase, gift, grant, devise or condemnation, any land, rights, easements, franchises and other property, real or personal, deemed by the commission necessary or convenient for such works, or for extensions, improvements, or additions thereto, and in connection therewith to have and exercise all the rights, powers and privileges of eminent domain granted to counties and municipalities under the laws relating thereto. Title to property condemned or otherwise acquired shall be taken in the name of the commission. Proceedings for such appropriation of property shall be under and pursuant to the provisions of the act entitled
Act governing procedure.	"An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use" (Revision of 1900), approved March twentieth, one thousand nine hundred, being chapter fifty-three of the laws of one thousand nine hundred, and acts amendatory thereof and supplemental thereto; <i>provided</i> , such commission shall be
Proviso.	under no obligation to accept and pay for any property condemned or purchased, except from the funds provided pursuant to this act; and in any proceedings to condemn, such orders may be made as may be just to the commission, and the owners
Owners protected against loss.	

of the property to be condemned, and an undertaking or other security may be required securing such owners against any loss or damage to be sustained by reason of the failure of the commission to accept and pay for the property, but such undertaking or security shall impose no liability upon the body or commission except such as may be paid from the funds provided under the authority of this act. In event of the acquisition by purchase, the commission may obtain and exercise an option from the owner or owners of said property for the purchase thereof, or may enter into a contract for the purchase thereof, and such purchase may be made upon such terms and conditions and in such manner as the commission may deem proper.

Purchasing property.

(d) To own, acquire, construct, equip, operate and maintain, within the corporate limits of the municipalities forming such body or commission, a sewage collection system and/or a sewage treatment plant or plants, intercepting sewers, outfall sewers, force-mains, pumping stations, ejector stations and other appurtenances necessary and useful or convenient for the collection and/or treatment, purification and disposal, in a sanitary manner, of the liquid and solid waste, sewage, night soil and industrial waste of such municipalities.

Sewage collection system.

(e) To do business as a corporate entity and in a corporate name to be decided upon by the commission, and to adopt a corporate seal.

Corporate rights.

(f) To take all steps and proceedings and to make and enter into all contracts or agreements necessary or incidental to the performance of its duties and the execution of its powers under this act. The commission may employ engineers, inspectors, superintendent, manager, collectors, attorneys, and such other employees as in its judgment may be necessary in the execution of its powers and duties, and may fix their compensation, all of whom shall do such work as the commission shall direct. All such compensation and all expenses incurred in carrying out the provisions of this act shall be paid solely from funds provided

Perform all duties incidental to project.

Assistants and employees.

Meeting costs and expenses.

Advertising for bids.	under the authority of this act, and such commission shall not exercise or carry out any authority or power herein given it so as to bind said commission beyond the extent to which money shall have been or may be provided under the authority of this act. Any contract or agreement with any contractor or contractors for labor and/or material exceeding in amount the sum of one thousand dollars (\$1,000.00) shall not be made without advertising for bids, which bids shall be publicly opened
Public award.	and award made to the lowest responsible bidder, with power in the commission to reject any or all bids; excepting that such items of extra work found to be necessary under an existing contract may be authorized by written order of the commission.
Continuance after completion.	After the construction, installation, and completion of the works or the acquisition thereof, the commission shall continue as provided in section four hundred four of this act, to operate, manage and control the same and may order and complete any extensions, betterments and improvements of and to the works that the commission may deem expedient, if funds therefor be available or are made available as provided in this act, and shall establish
Rules and regulations.	rules and regulations for the use and operation of the works, and of other sewers and drains connected therewith so far as they may affect the operation of such works, and do all things necessary or expedient for the successful operation thereof. All
Restoration of damaged property.	public ways or public works damaged or destroyed by commission in carrying out its authority under this act shall be restored or repaired by such commission and placed in their original condition, as nearly as practicable, out of funds provided by this act.
Legal procedure.	(g) To sue and be sued in its corporate capacity and in its corporate name.
Temporary financing.	(h) To borrow temporarily from any interested municipality or municipalities sufficient money to defray all necessary preliminary expenses actually incurred by the said commission in the making of surveys, estimates of costs and of revenues, em-

ployment of engineers or other employees, the giving of notices, taking of options and all other expenses of whatsoever nature necessary to be paid prior to the issue and delivery of bonds pursuant to the provisions of this act. The fund provided by such municipalities shall be fully repaid by such commission out of the first proceeds of the sale of bonds herein provided, and before any other disbursements are made therefrom, and the amount so advanced to pay such preliminary expenses shall be a first charge against the proceeds resulting from the sale of said bonds; *provided, however*, if this project is found impracticable, all preliminary expenses incurred by the commission shall be borne by the interested municipalities in proportion to their interest in the project. In the event that the proportion of interest of each municipality cannot be agreed upon then the proportion of such interest shall in the case of each municipality be determined by the Supreme Court justice holding the circuit in which said sewerage project, or the major portion thereof, is situated.

Repaying
borrowed
money.

Proviso.

Court to
determine
proportion of
interest.

502. For purposes of this act the interest of each municipality in any project shall be represented by the relation which the assessed value for purposes of taxation of all the real property (including improvements) to be served by the works in each of the municipalities for the fiscal year in which the project report is completed bears to the total assessed value for said year of all such real estate in all of the municipalities making application for the appointment of the commission, and of the municipalities, if any, joining therein.

Determining
interest in
project.

503. (a) The power of municipalities to issue bonds pursuant to this act and the validity of such bonds shall not be dependent on or affected by the validity or regularity of the proceedings to establish the commission or to acquire or construct the sewerage works and all bonds issued by a municipality or municipalities pursuant to this act shall be general obligations of the municipality or municipalities issuing them and payable from an un-

Bonds a
general
obligation.

limited ad valorem tax on all of the taxable property therein.

Proceeds of bonds applied solely to purpose of issue.

(b) All moneys received from any bond issue by municipalities pursuant to this act, after reimbursements and payment of all amounts advanced for preliminary expenses as provided in section five hundred one (h) of this act, shall be applied solely to the payment of the cost of the works, extensions or improvements thereto, and there shall be and hereby is created and granted a lien upon such moneys, until so applied, in favor of the holders of the bonds.

Lien.

Sureties given by depository.

(c) Each bank or trust company designated as a depository of the funds of the commission shall, before receiving any such deposit, give to the commission, for the benefit and security of the commission, a good and sufficient undertaking with two or more sureties to be approved by the commission, or in lieu thereof and as collateral security for such funds shall deposit with the secretary of the commission, outstanding unmatured bonds, approved as to amount and sufficiency by the commission, and of such type as are by the law of this State considered the lawful investments for trust funds and sinking funds.

Fixing gallonage.

504. The commission is hereby empowered to petition the Board of Public Utility Commissioners to establish just and equitable gallonage, fixture or other service charges after public hearing, notice of which shall be given by publication in two newspapers having the largest circulation in the affected area at least ten days before the date fixed in such notice for the hearing, to be paid by the owner of each and every lot, parcel of real estate or building, served by such works, and may change and readjust such rates or charges from time to time. Such rates or charges shall be sufficient in each year for the payment of the proper and reasonable expense of operation, repair, replacements, maintenance and depreciation of the works and for the payment of the sums herein required for interest and amortization of bonds so as to

Notice of hearing.

Rates.

prevent any deficit accruing to be paid by taxation. Revenues collected pursuant to this section shall be deemed the revenues of the works. A copy of the schedule of such rates and charges so established shall be kept on file in the office of the commission having charge of the operation of such works, and also in the office of the clerks of participating municipalities, and shall be open to inspection by all parties interested. The rates or charges so established for any class of users or property served shall be extended to cover any additional premises thereafter served which fall within the same class, without the necessity of any hearing or notice. Any change or readjustment of such rates or charges may be made in the same manner as such rates or charges were originally established; *provided, however*, that if such change or readjustment be made substantially pro rata as to all classes of service, no hearing or notice shall be required. All such rates or charges if not paid when due shall constitute a lien upon the premises served or benefited by such works, except on county or municipally owned property. If any service rate or charge so established shall not be paid within thirty days after the same is due, the amount thereof, together with a penalty not exceeding ten per centum (10%), a reasonable attorney's fee, and costs of suit, may be recovered by the commission in a civil action in the name of the commission, and in connection with such action said lien may be foreclosed against such lot, parcel of land or building, in accordance with the laws relating thereto.

505. Counties, municipalities or other public entities shall be subject to the same charges, rates and penalties established as hereinabove provided, or to charges, rates and penalties established in harmony therewith by said board of Public Utility Commissioners for service rendered the county, municipality or other public entity, and shall pay such rates or charges when due from corporate funds.

Schedule of rates filed.

Extended service.

Change of rates.

Proviso.

Unpaid charges a lien.

Penalty for nonpayment.

Suit to recover.

Municipalities subject to rates fixed by utility commission.

Commission
may contract
with municipi-
pality for
service.

Proviso.

Charge to
lessee.

Intercepting
sewers.

Application
of income.

Annual
reports.

506. Any commission operating a sewage collection system and/or sewage disposal works as defined in this act or which as herein provided has ordered the construction or acquisition of such works (in this section called the owner) is hereby authorized to contract with any municipality within the State (in this section called the lessee), and such lessees are hereby authorized to enter into such contracts with such owners; *provided*, such lessee's inhabitants are charged on a gallonage, fixture or service basis for the service of these works to the lessees and their inhabitants, but only to the extent of the capacity of the works without impairing the usefulness thereof to the already existing users, upon terms and conditions as may be fixed by the commission approved by the respective contracting parties. The lessee shall be charged a schedule of rates to be agreed upon by the contracting parties, plus the cost of connecting into the owner's system and a reasonable charge for the maintenance of this connection, and the rates or charges shall be collectible and shall be a lien as herein provided for the other rates and charges made by the owner. The necessary intercepting sewers and appurtenant works for connecting the works of the owner with the sewerage system of the lessee shall be constructed by the owner and/or the lessee upon terms and conditions as may be set forth in said contract, and the cost of that part of the cost thereof which is to be borne by the owner may be paid as a part of the cost of the works from the proceeds of bonds issued under this act unless otherwise provided. The income received by the owner under any such contract shall be deemed to be a part of the revenues of the works as in this act defined and be applied as herein provided for the application of such revenues.

507. It shall be the duty of the commission to make an annual report to the Board of Public Utility Commissioners, to each interested municipality, and to the Municipal Finance Commission.

508. Every commission shall install and maintain a proper system of accounts, showing the amount of revenue received and the application of the same, and such governing board shall at least once a year cause such accounts to be properly audited by a competent auditor and the report of such audit shall be open for inspection at all proper times to any taxpayer, sewer-user, or any holder of bonds issued under the provisions of this act, or any one acting for and on behalf of such taxpayer, sewer-user, or bondholder. All of the funds received as income from a sewerage works system constructed in whole or in part under the provisions of this statute, and all funds received from the sale of bonds issued to construct such sewerage works system, shall be kept separate and apart from other funds and the treasurer of the commission shall maintain separate accounts in which shall be placed the interest and amortization moneys and another account in which shall be placed the funds for operation, maintenance and depreciation.

Accounting system installed.

Auditing.

Open to inspection.

Various funds kept separate.

509. If in December of any year it is estimated by the commission that there will be insufficient funds in its hands during the ensuing calendar year to pay the principal and interest of any bonds authorized hereunder which become due and payable in said year, then the commission shall certify to each municipality its share of the estimated deficiency based on the interest of such municipality in the project as defined in section five hundred two. The municipality shall then include the amount so certified in its annual budget for the said year and shall levy a tax to pay the same in addition to all other taxes for said year.

Providing for possible deficiency.

Amount included in budget.

ARTICLE VI

DISSOLUTION

601. Any commission may be dissolved or merged with another commission upon petition by a majority in interest of the interested municipalities, to

Dissolution of commission:

Mutual benefit;
Bonds amortized or secured.

the justice of the Supreme Court holding the circuit in which the majority of the original sewerage works is located, which petition sets forth the following: (a) that the contemplated action is for the mutual benefit of all interested parties, and (b) that the bonds have been fully amortized and cancelled, or that the bonds are fully and adequately secured in such manner that it shall not impair the marketability, interest rates, or value of the outstanding bonds.

ARTICLE VII

MISCELLANEOUS

Property without encumbrance.

701. No property shall be acquired under this act upon which any lien or other encumbrance exists, unless at the time such property is acquired a sufficient sum of money be deposited in trust to pay and redeem such lien or encumbrance in full.

Additional bonds.
Proviso.

702. Nothing herein contained shall prevent the issuance of additional bonds from time to time, if such bonds shall be authorized by law; *provided, however,* that all thereof shall be subordinate to bonds issued pursuant to sections five hundred one (b) and five hundred three hereof in respect to the application of revenues to such additional bonds.

Authority deemed additional.

703. The authority herein given shall be in addition to and not in derogation of any power existing in any county or municipality under any statutory or charter provisions which it may now have or hereafter adopt.

Members not personally interested in contracts.

704. No member of any commission under this act shall be interested directly or indirectly in any of the companies, firms or individuals with whom contracts are made for supplies, materials, services, work or labor of any kind whatsoever. No member of any commission under this act shall act as broker, bond salesman, fiscal agent, trustee, or in any way participate in the issuance of refunding of the bonds aforesaid except in his official capacity as member of such commission.

Not act as agent, etc.

705. This act shall, without reference to any other statute, be deemed full authority for the construction, acquisition, improvement, equipment, maintenance, operation and repair of the works herein provided for and for the issuance and sale of the bonds by this act authorized, and shall be construed as an additional and alternative method therefor and for the financing thereof; *provided, however,* that proceedings once instituted under this act must be continued under this act, any provisions of other statutes of the State to the contrary notwithstanding; *provided, however,* that all functions, powers and duties of the State Board of Health shall remain unaffected by this act.

Interpreta-
tion of act.

Proviso.

Proviso.

706. Nothing in this act shall be deemed to preclude any bond or noteholder from any of his rights as such in law or in equity.

Rights
protected.

707. This act being necessary for the public health, safety and welfare, it shall be liberally construed to effectuate the purposes thereof.

Act liberally
construed.

708. The sections and provisions of this act are separable, and if any of the sections or provisions or parts thereof is for any reason illegal or unconstitutional it is the intention that the remaining sections and provisions or parts thereof shall remain in full force and effect.

Constitution-
ality of act.

709. This act shall take effect immediately.

Approved June 28, 1933.

CHAPTER 365

A FURTHER SUPPLEMENT to an act entitled "An act providing for the regulation of vehicles, animals and pedestrians on all public roads and turn-pikes, and prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act, and penalties for said violations, and granting authority to towns, cities, boroughs and townships, under certain restrictions for the adoption of ordinances further regulating vehicles, pedestrians and animals, and designating the authorities to enforce its provisions, and defining their powers and their authority" (Revision of 1928), approved July fourteenth, one thousand nine hundred and twenty-eight.

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

Near side
stop on
boulevard.

1. In any county of the first class in this State in which there is now or hereafter may be established a boulevard commission, which said commission is charged with the maintenance and operation of any boulevard of more than ten miles in length, the commission is authorized and empowered to establish, by ordinance, rules and regulations providing for traffic stops on the near side of any street or highway where the same shall cross any such boulevard, as aforesaid.

Violations.

2. Any person violating any of the provisions of any such ordinance, so adopted as aforesaid, shall be subject to the penalties provided for violations of the act to which this act is a further supplement, and the practice and procedure in all actions shall conform to the practice and procedure

provided for the recovery of penalties in the act to which this act is a further supplement.

3. This act shall take effect immediately.

Approved June 28, 1933.

CHAPTER 366

AN ACT concerning bottles, barrels, half-barrels, quarter-barrels, boxes, kegs, siphons, tins, ice cream containers, packages, wrappers, cabinets, refrigerators, equipment, or other receptacles and containers used in the sale of soda waters, mineral or aerated waters, porter, ale, beer, cider, ginger ale, milk, cream, ice cream, coated ice cream, sherbet, imitation ice cream, ice cream mixtures or compounds or any other similar product frozen substantially to the consistency of ice cream, small beer, lager beer, weiss beer, white beer, near beer, or other beverages or medicines, medical preparations, perfumery, oils, compounds or mixtures.

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

1. This act shall be known and designated as "The New Jersey Bottle Act", and may be so cited and referred to in all process and proceedings taken under it and in all courts and places.

2. Any person or corporation engaged in manufacturing soda waters, mineral or aerated waters, porter, ale, beer, cider, ginger ale, milk, cream, ice cream, coated ice cream, sherbet, imitation ice cream, ice cream mixtures or compounds or any other similar product frozen substantially to the consistency of ice cream, small beer, lager beer,

Title.

May register name, mark or device.

weiss beer, white beer, near beer, or other beverages, or medicines, medical preparations, perfumery, oils, compounds, or mixtures; or any person or corporation engaged in bottling or selling soda waters, mineral or aerated waters, porter, ale, beer, cider, ginger ale, milk, cream, ice cream, coated ice cream, sherbet, imitation ice cream, ice cream mixtures or compounds or any other similar product frozen substantially to the consistency of ice cream, small beer, lager beer, weiss beer, white beer, near beer, or other beverages, or medicines, medical preparations, perfumery, oils, compounds, or mixtures in bottles, barrels, half-barrels, quarter-barrels, boxes, kegs, siphons, tins, ice cream containers, packages, wrappers, cabinets, refrigerators, equipment, or other receptacles or containers upon which his or its name, or other marks or devices used by him or it, are branded, stamped, engraved, etched, blown, embossed, impressed or otherwise produced, may register his or its name, mark or device as hereinafter provided, and upon completing the registration and publication of any such name, mark or device, shall thereupon be deemed the proprietor of such name, mark, or device and of every bottle, barrel, half-barrel, quarter-barrel, box, keg, siphon, tin, ice cream container, package wrapper, cabinet, refrigerator, equipment, or other receptacle or container upon which such name, mark or device may be branded, stamped, engraved, etched, blown, embossed, impressed or otherwise produced.

Places of
filing.

Proviso.

3. Any such names, marks or devices may be registered by filing in the office of the clerk of the county in which the principal office of the person or corporation seeking registration is situate, and in the office of the Secretary of State, a description of such names, marks, or devices; *provided*, that if any such person or corporation has no principal office in this State, then such person or corporation may register such name, mark or device by filing descriptions thereof in the office of the clerk of any county in which such person or corporation does business, and in the office of the Secretary of State.

4. Any person or corporation seeking to register such names, marks, or devices shall first cause such description to be printed once in each week, for two weeks successively, in a newspaper published in the county in which said description may be filed as aforesaid.

Intention
published.

5. A copy of such description, duly certified by the clerk of the county where such description has been filed, and a copy of such description, duly certified by the Secretary of State, shall be received as evidence of such filing and also of the matters therein stated in all courts and places.

Certified copy
as evidence.

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

Affidavit of
publisher as
evidence.

7. No person or corporation other than the owner or proprietor of such name, mark or device shall fill or cause to be filled, with soda waters mineral or aerated waters, porter, ale, beer, cider, ginger ale, milk, cream, ice cream, coated ice cream, sherbet, imitation ice cream, ice cream mixtures or compounds or any other similar product frozen substantially to the consistency of ice cream, small beer, lager beer, weiss beer, white beer, near beer, or other beverages, or medicines, medical preparations, perfumery, oils, compounds or mixtures, or shall sell, buy, give, take, possess, use, dispose of, or traffic in, any bottle, barrel, half-barrel, quarter-barrel, box, keg, siphon, tin, ice cream container, package, wrapper, cabinet, refrigerator, equipment, or other receptacle or container which is so marked or distinguished with or by any name, mark, or device, a description of which shall have been filed as provided in section three of this act; or shall deface, obliterate, destroy, cover up, or otherwise remove or conceal any such name, mark or device thereon, without

Use by party
of record.

Proviso.

the written consent of, or unless the same shall have been purchased from, the owner or proprietor thereof; *provided, however*, that no person or corporation to whom such soda waters, mineral or aerated waters, porter, ale, beer, cider, ginger ale, milk, cream, ice cream, coated ice cream, sherbet, imitation ice cream, ice cream mixtures or compounds or any other similar product frozen substantially to the consistency of ice cream, small beer, lager beer, weiss beer, white beer, near beer, or other beverages, or medicines, medical preparations, perfumery, oils, compounds or mixtures shall have been delivered in bottles, barrels, half-barrels, quarter-barrels, boxes, kegs, siphons, tins, ice cream containers, packages, wrappers, cabinets, refrigerators, equipment, or other receptacles or containers by the owners or proprietors thereof, shall be deemed to have violated the provisions of this act by having in his possession any such marked receptacles, unless such person or corporation retains such receptacles for a period longer than is reasonably necessary after the contents placed therein by the owner or proprietor thereof have been removed therefrom.

Penalties.

8. Any person, acting for himself or as the agent of any person, firm or corporation, who shall violate the provisions of this act, shall be punished for the first offense by imprisonment for not less than ten (10) days nor more than one (1) year, or by a fine of five dollars (\$5.00) for each and every such bottle, barrel, half-barrel, quarter-barrel, box, keg, siphon, tin, ice cream container, package, wrapper, cabinet, refrigerator, equipment, or other receptacle or container so filled, sold, bought, given, taken, used, disposed of, trafficked in or possessed, or by both fine and imprisonment; and for each subsequent offense by imprisonment for not less than twenty (20) days nor more than one (1) year, or by a fine of ten dollars (\$10.00), for each and every such bottle, barrel, half-barrel, quarter-barrel, box, keg, siphon, tin, ice cream container, package, wrapper, cabinet, refrigerator, equip-

ment, or other receptacle or container so filled, sold, bought, given, taken, possessed, used, disposed of, or trafficked in, or by both such fine and imprisonment, in the discretion of the court or magistrate before whom the offense shall be tried.

9. The owner or proprietor or his or its agents may take possession of any such bottles, barrels, half-barrels, quarter-barrels, boxes, kegs, siphons, tins, ice cream containers, packages, wrapper, cabinets, refrigerators, equipment, or other receptacles and containers used in violation of this act, whether such receptacles or containers be full or partly full of any liquid, beverage, or other substance, or empty, and shall not be liable in damages therefor, or for any trespass arising out of such taking possession. And if the party or parties having possession of such receptacles or containers refuses to empty the same of the contents contained therein immediately upon notice and demand by the owner or proprietor thereof, or his or its agent, then such owner, proprietor, or agent may empty such receptacle or container and shall not be liable therefor.

Owner may
repossess.

Contents
emptied.

10. Whenever any person shall complain, on oath or affirmation, to any criminal court or police justice in any city of the first class, or to any recorder or other police magistrate or justice of the peace, in any other city, town, or in any borough or township or other municipality, that any person or corporation has violated any of the provisions of this act, the court or magistrate to whom such complaint is presented shall issue process at the suit of the State, which process may be either a summons or a warrant against the person or corporation so charged, which process, when in the nature of a warrant, shall be returnable forthwith, and when in the nature of a summons shall be returnable in not less than two nor more than ten days, and shall be served at least one day before its return. Such complaint and such process shall state in general terms a violation of this act. On the return of such process, or at any time to which

Process
issued upon
complaint.

Process
returnable.

Form of
complaint.
Trial.

No record
kept.

Service of
summons.

Search
warrant
issued.

Possessor
brought into
court.

the trial of the case shall be adjourned, the court or magistrate issuing the same shall proceed in a summary manner to hear testimony and determine and give judgment in the case without the filing of any pleadings, and if the defendant or defendants be convicted, shall impose the penalty or penalties by this act provided. It shall not be necessary to take or keep any record of the evidence or testimony taken on such trial. Service of summons upon a person, other than a corporation, may be made either personally or by leaving a copy at his dwelling-house or usual place of abode; service upon a corporation may be made by delivering a copy of the summons to any officer or employee of such corporation who may be found in this State.

11. Whenever any person shall make oath before any criminal court or police justice in any city of the first class, or any recorder, or other police magistrate or justice of the peace in any other city, town, or in any borough or township, or other municipality, that he has reason to believe and does believe that any bottles, barrels, half-barrels, quarter-barrels, boxes, kegs, siphons, tins, ice cream containers, packages, wrappers, cabinets, refrigerators, equipment, or other receptacles or containers, the property of any person or corporation who has complied with the provisions of sections three and four of this act, are being filled, sold, bought, given, taken, possessed, used, disposed of, or trafficked in, by any person or corporation in violation of this act, such court or magistrate shall issue a search warrant to discover and obtain such receptacles or containers, and to bring before such court or magistrate the person or persons in whose possession such bottles, barrels, half-barrels, quarter-barrels, boxes, kegs, siphons, tins, ice cream containers, packages, wrappers, cabinets, refrigerators, equipment, or other receptacles or containers, may be found, and if any such receptacles or containers are found in the possession of any such person or persons in violation of the provisions of this act, the court or

magistrate who issued the process shall proceed to trial and judgment in the manner provided for in section ten of this act, and upon judgment, shall also award possession of the receptacles or containers so taken under such warrant to the owners or proprietors thereof.

Trial.

12. The presence upon any bottle, barrel, half-barrel, quarter-barrel, box, keg, siphon, tin, ice cream container, package, wrapper, cabinet, refrigerator, equipment, or other receptacle or container, of any name, mark, or device which has been registered and published as provided for in sections three and four of this act, shall be presumptive evidence in any proceeding or trial, that the owner or proprietor of such mark or device is the owner or proprietor of such bottle, barrel, half-barrel, quarter-barrel, box, keg, siphon, tin, ice cream container, package, wrapper, cabinet, refrigerator, equipment, or other receptacle or container.

Evidence of ownership.

13. All fines and costs imposed and collected upon any convictions under this act in any city of the first class shall be paid into the treasury of such city and be disposed of as fines and costs in indictable cases are now disposed of, and all fines and costs imposed in any other city, town, borough or township shall be disposed of as now provided by law.

Disposition of fines collected.

14. The requiring, taking or accepting of any deposit upon delivery of any bottle, barrel, half-barrel, quarter-barrel, box, keg, siphon, tin, ice cream container, package, wrapper, cabinet, refrigerator, equipment, or other receptacle or container, bearing a name, mark or device which has been registered and published as provided for by sections three and four of this act shall not be deemed a sale thereof, either optional or otherwise.

Deposit not deemed a sale.

15. Any person or corporation which violates the provisions of this act, or of any of the amendments hereof or supplements hereto, shall be liable to a penalty of five dollars (\$5.00) for the first offense, for each bottle, barrel, half-barrel, quarter-

Penalties for violations.

barrel, box, keg, siphon, tin, ice cream container, package, wrapper, cabinet, refrigerator, equipment, or other receptacle or container so filled, sold, bought, given, taken, used, disposed of, trafficked in or possessed in violation of the provisions of this act; and a penalty of double that amount for the second and each subsequent offense; which penalty may be recovered by an action for the recovery of a debt, by the owner or proprietor of any such bottle, barrel, half-barrel, quarter-barrel, box, keg, siphon, tin, ice cream container, package, wrapper, cabinet, refrigerator, equipment, or other receptacle or container, or his agent in any court of this State having cognizance thereof. The pleadings shall conform in all respects to the practice prevailing in the court in which any such action shall be instituted, but no pleading or process shall be set aside or invalidated by reason of any formal or technical defects therein if the same contain a statement of the nature of the alleged violation and of the section of this act alleged to have been violated, and upon the attention of the court being called to any such formal or technical defect the same shall be immediately corrected and the said pleading or process amended as a matter of course, and as to all other defects in pleadings or process the same may be amended in the discretion of the court, as in any other action or proceeding in said court.

16. When judgment shall be rendered against any defendant other than a body corporate, execution shall be issued against his goods and chattels and body without any order of the court for that purpose first had and obtained. If the officer executing any such writ shall be unable to find sufficient goods and chattels of said defendant in his bailiwick to make the amount of judgment, he shall take the body of said defendant and deliver him to the keeper of the common jail of said county, there to be detained until discharged by the court in which such judgment was obtained, or by one of the justices of the Supreme Court, when

Increased penalties.

Form of pleadings.

Issuing execution.

Arrest of defendant.

As to discharge.

such court or justice shall be satisfied that further confinement will not result in payment of the judgment and costs. In case judgment shall be rendered against a body corporate, execution shall be issued against the goods and chattels of such body corporate as in other actions of debt.

Judgment
against a
corporation.

17. Any person or corporation having heretofore filed in any of the offices mentioned in section three of this act a description of the names, marks, or devices, upon his or its property therein mentioned, and having caused the same to be published, according to the law existing at the time of such filing and publication, shall not be required to again file and publish such description in order to be entitled to the benefits of this act, but may avail himself or itself of any or all of the provisions, modes of procedure and methods of protection provided for herein, as fully as if it had registered such names, marks or devices under and according to the provisions of this act.

Protection
afforded under
this act.

18. Any decision of any court affecting the constitutionality of any one section of this act should not invalidate any other section or the act as a whole.

Legality
of act.

19. All acts or parts of acts insofar as they are inconsistent with the provisions of this act are hereby repealed; *provided*, that any proceeding now pending under any other act which this act may repeal shall not abate, but may be proceeded into final judgment as if this act had not been passed; *and provided, further*, that nothing in this act contained shall be construed to repeal or modify or affect any existing act or acts for the protection of producers or shippers of milk or concerning milk cans.

Repealer.

Proviso.

Proviso.

Approved July 11, 1933.

CHAPTER 367

AN ACT to further supplement an act entitled "An act concerning the manufacture, distribution and sale of certain beverages having an alcoholic content and providing for licenses, regulations and fees in connection therewith and penalties for violations thereof," approved April fifth, one thousand nine hundred and thirty-three.

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

Act continued.

1. The provisions of an act entitled "An act concerning the manufacture, distribution and sale of certain beverages having an alcoholic content and providing for licenses, regulations and fees in connection therewith and penalties for violations thereof," approved April fifth, one thousand nine hundred and thirty-three, as amended by a further act approved April twelfth, one thousand nine hundred and thirty-three, except as herein otherwise provided, are hereby continued in full force and effect until midnight, November twenty-eighth, one thousand nine hundred and thirty-three, notwithstanding any provision to the contrary in said act or in any other act.

Licenses continued.

2. Except as hereinafter provided, every manufacturer's, distributor's and railroad license heretofore issued by the State Tax Commissioner pursuant to the provisions of the act to which this act is a supplement or of any supplement thereto, and remaining in effect at the time this act shall become effective, shall remain in full force and effect until midnight, November twenty-eighth, one thousand nine hundred and thirty-three, subject to the terms and provisions of this act, and of the act to which this act is a supplement, unless sooner revoked by the State Tax Commissioner; *provided*, the holder thereof shall pay to the State Tax Commissioner at

Proviso.

such time and place as he shall designate, as an additional license fee, in the case of a manufacturer the sum of three hundred and fifty dollars (\$350.00), in the case of a distributor the sum of one hundred dollars (\$100.00) for each place or location in which such distributor shall have a place of business and in the case of a railroad the sum of twenty dollars (\$20.00); *and provided further*, said licensee, at such time and place as the State Tax Commissioner shall designate, shall furnish such additional or extended security as may be required by said commissioner. The failure of any such licensee to pay said additional license fee or to furnish any required additional or extended security at the time and place designated by the State Tax Commissioner shall result in the expiration of the license of said licensee as of the time of any such default. All conditions and limitations under which any such license was originally issued shall remain in full force and effect with respect to the continuation of the same.

3. Except as hereinafter provided, every license heretofore issued by the governing body of any municipality pursuant to the provisions of the act to which this act is a supplement or of any supplement thereto, and remaining in effect at the time this act shall become effective, shall remain in full force and effect until midnight November twenty-eighth, one thousand nine hundred and thirty-three, subject to the terms and provisions of this act and of the act to which this act is a supplement, unless sooner revoked; *provided*, the holder thereof shall pay to the said municipality at such time and place as it shall designate such additional license fee as the governing body of said municipality shall determine, and at such time and place as said municipality shall designate shall furnish such additional or extended security as may be required by said municipality. The failure of any such licensee to pay said additional license fee or to furnish any required additional or extended security at the time and place designated by said municipality shall re-

Additional
fees.Nonpayment
voids licenses.Conditions
and limitations
continued.Municipal
licenses
continued.

Proviso.

Additional
fees.Failure to
pay to void
licenses.

Conditions and limitations continued.	<p>sult in the expiration of the license of said licensee as of the time of any such default. All conditions and limitations under which any such license was originally issued shall remain in full force and effect with respect to the continuation of the same.</p>
Expiration of licenses.	<p>4. All new or original licenses issued by the State Tax Commissioner after this act shall become effective shall be issued for a term expiring midnight November twenty-eighth, one thousand nine hundred and thirty-three, and shall be issued upon the same terms and conditions as those contained in the act to which this act is a supplement, and for the</p>
License fees.	<p>following fees; for a manufacturer's license a fee of three hundred and fifty dollars (\$350.00), for a distributor's license a fee of one hundred dollars (\$100.00) for each place or location in which such distributor shall have a place of business, and for a railroad license a fee of twenty dollars (\$20.00).</p>
Terms of new license.	<p>5. All new or additional licenses issued by the governing body of any municipality after this act shall take effect shall be issued for a term expiring midnight November twenty-eighth, one thousand nine hundred and thirty-three, and shall be issued upon the same terms and conditions as those contained in the act to which this act is a supplement, and for such fees as such municipality by resolution or ordinance shall determine, except that the</p>
Limits fee.	<p>fee for issuing a license to sell beverages not to be consumed on the premises shall not exceed the sum of two hundred and fifty dollars (\$250.00) for any one place or location.</p>
Federal license necessary.	<p>6. Any license issued under this act or under the act to which this act is a supplement or any supplement thereto, shall immediately cease and become void and inoperative if the licensee shall not at all times have a valid, unrevoked permit, license or special tax stamp, issued by the United States Government, appropriate to the business authorized under the New Jersey license. Any license issued under this act or under the act to which this act is</p>
License revoked for violation.	<p>a supplement or any supplement thereto, may be revoked by the issuing authority for any violation</p>

of the provisions of any law of this State by the licensee or by any director, officer, agent or employee of the licensee, or by any person acting by authority of the licensee, committed in connection with or in relation to the business of the licensee.

7. In addition to the powers conferred and the duties imposed upon the State Tax Commissioner by the provisions of the act to which this act is a supplement, the State Tax Commissioner shall have power, whenever he deems it expedient, to make or cause to be made by his deputies, agents or investigators an examination or investigation of the books, records and accounts of any person, firm or corporation holding a license issued pursuant to the provisions of this act or the act to which this act is a supplement or any supplement thereto, whether such license shall have been issued by the State Tax Commissioner or by the governing body of a municipality of this State, and as well an examination of the licensed premises, for the purpose of administering the provisions of this act or of the act to which this act is a supplement, or any supplement thereto. It shall be the duty of every licensee, and of every director, officer, agent and employee of any such licensee to exhibit to the State Tax Commissioner, his deputies, agents and investigators all of the books, records and accounts of the said licensee and as well the licensed premises, and to facilitate as far as it may be in their power so to do any such examination or investigation. For the purpose of any such examination or investigation the State Tax Commissioner, his deputies, and agents shall have power to examine under oath, any such licensee, and the directors, officers, agents and employees of any such licensee, relative to the business and affairs of any such licensee, in respect to any matter affecting the powers and duties of said commissioner under this act or the act to which this act is a supplement or any supplement thereto. It shall be lawful for the State Tax Commissioner, his deputies, agents or investigators to take any oath or affirmation of any person signing any depo-

Investigation
by commis-
sioner.

Records
exhibited.

Examination
under oath.

Administer-
ing oath.

sition, statement, return or report, required by the State Tax Commissioner in the administration of this act or of the act to which this act is a supplement, or of any supplement thereto.

Sunday
selling.

8. By resolution of the governing body of any municipality in this State, it shall be lawful to sell the beverages described in the act to which this act is a supplement on Sunday after the hour of one P. M.

Bar permitted.

9. Notwithstanding any provisions to the contrary in the act to which this act is a supplement, it shall be lawful to sell or dispense the beverages described in the act to which this act is a supplement from or over any bar.

No tax on
sale outside
State.

10. No tax imposed by the act to which this act is a supplement shall be payable on any sale of beverages by any licensed manufacturer for resale and consumption in any other State accompanied by the transportation of such beverages out of this State; *provided, however,* that if any such beverages shall thereafter be brought back into this State the original manufacturer thereof shall then pay such tax unless the same has been paid by some other dealer or unless such beverages have been destroyed as unfit for consumption.

Proviso.

Causes for
revoking
licenses.

11. The State Tax Commissioner is hereby authorized and empowered to revoke any license issued by him under this act or under the act to which this act is a supplement or under any other supplement thereto for any fraud or misrepresentation in securing such license or for any violation of the provisions of any beverage control or beverage tax law of this or any other State or of the United States, committed by the licensee or by any person acting by authority of the licensee in connection with or in relation to the business of said licensee, and regardless of whether such person shall be or shall have been convicted of such violation. The State Tax Commissioner is hereby further authorized and empowered to revoke any such license for any violation of the rules and regulations made by him in the administration of this act or the act

to which this act is a supplement or any supplement thereto, notice of which rules and regulations shall have been given to the person so violating the same.

12. The State Tax Commissioner is hereby authorized and empowered in his discretion to publish a list of the names and addresses of all persons, firms or corporations who shall hold a license pursuant to this act or the act to which this act is a supplement or any other supplement thereto.

Publishing
list of
licenses.

13. The governing body of each municipality may, by resolution, make such rules and regulations as it may deem advisable governing the manner in which places of business licensed by it shall be conducted.

Municipal
regulation.

14. All of the acts and powers of the State Tax Commissioner conferred under this act or the act to which it is a supplement and the various supplements of such act shall be, at the instance of any person aggrieved, subject to review by a board of review consisting of the Governor, a member of the Senate, appointed by the President of the Senate, and a member of the House of Assembly, appointed by the Speaker of the House of Assembly, whose decision and order shall be final, and such board of review shall have power upon its own initiative to review any act or order of the commissioner, and in any case the order of such board of review shall be final and binding upon the State Tax Commissioner and the licensee.

Acts of com-
missioner sub-
ject to review.

15. This act shall take effect immediately and shall become inoperative at midnight on November twenty-eighth, one thousand nine hundred and thirty-three.

Act effective.

Approved August 31, 1933.

CHAPTER 368

A SUPPLEMENT to an act entitled "An act concerning disorderly persons" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight.

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

Disorderly person.

1. Any person who shall be apprehended in any municipality of this State, having in his or her possession or having in any automobile in his custody, any paper, document, slip or memorandum that shall pertain in any way to the business of a number game, shall be deemed and adjudged to be a disorderly person.

Number game defined.

2. Number game, as used in this statute, is defined as any betting on any number or numbers, or set or sets or arrangement of numbers, on or according to any plan or method whatsoever.

3. This act shall take effect immediately.

Approved August 31, 1933.

CHAPTER 369

AN ACT to promote and further the effective administration of the National Industrial Recovery Act of the United States, and to aid in the effectuation of the President's re-employment agreements executed under the authority of section four (a) of the said National Industrial Recovery Act, and the trade, industrial and labor agreements formulated and approved under the authority of such act, and to prohibit violations of such National Industrial Recovery Act and of the said President's re-employment agreements and the trade, industrial and labor agreements formulated and approved under the authority of such act, and to provide penalties for the violations of the provisions of this act.

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

1. A national and State emergency, productive of widespread unemployment and disorganization of industry and commerce, affects the public welfare, undermining the standard of living, is hereby declared to exist. It is hereby declared to be the policy of the State Legislature to remove obstructions to industry and commerce which tend to limit, hamper or destroy it; and to provide for the general welfare of the people of this State by utilizing to the utmost scope and force the benefits conferred upon industry and commerce by the National Industrial Recovery Act (No. 67, 73d Congress, H. R. 5755), its enactments and promulgations, and eliminating of unfair competition, by providing for the full effectuation of such act.

Intention and
policy of
Legislature.

2. Any person, partnership, group, association or corporation, who or which is not a member of

Falsely
displaying
poster a
misdemeanor.

any trade or industrial association, organization or group which has entered into an agreement providing for a code of business conduct as authorized under the National Industrial Recovery Act, and approved by the President of the United States, who or which displays or causes to be displayed, the authorized N-R-A card, poster, or other authorized insignia of the National Industrial Recovery Administration of the United States, at any place of business, or in any other way, manner or form, without first having executed and delivered the President's Re-employment Agreement, as authorized under section four (a) of the National Industrial Recovery Act of the United States, shall be guilty of a misdemeanor.

Evasion of
code a
misdemeanor.

3. Any person, partnership, group, association or corporation, who or which, is a member of any trade, industrial or labor association, organization or group which has entered into an agreement providing for a code of business conduct as authorized under the National Industrial Recovery Act, and approved by the President of the United States, or who or which having executed and delivered a President's Re-employment Agreement, as authorized under section four (a) of the National Industrial Recovery Act, shall willfully and with intent to evade the provisions of such code or agreement, as the case may be, violate any term or terms of said code or agreement relating to the employment of child labor, the payment of wages, or hours of employment, shall be guilty of a misdemeanor.

Validity
of act.

4. If any provision of this act, or the application thereof to any person or circumstances is held invalid, the remainder of this act, and the application of such provision, to other persons or circumstances, shall not be affected thereby.

5. This act shall take effect immediately.

Approved August 31, 1933.

CHAPTER 370

AN ACT to amend an act entitled "An act concerning bottles, barrels, half-barrels, quarter-barrels, boxes, kegs, siphons, tins, ice cream containers, packages, wrappers, cabinets, refrigerators, equipment, or other receptacles and containers used in the sale of soda waters, mineral or aerated waters, porter, ale, beer, cider, ginger ale, milk, cream, ice cream, coated ice cream, sherbet, imitation ice cream, ice cream mixtures or compounds or any other similar product frozen substantially to the consistency of ice cream, small beer, lager beer, weiss beer, white beer, near beer, or other beverages or medicines, medical preparations, perfumery, oils, compounds or mixtures," approved July eleventh, one thousand nine hundred and thirty-three.

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

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

Section 18
amended.

18. Any decision of any court affecting the constitutionality of any one section of this act shall not invalidate any other section or the act as a whole. This act shall take effect immediately.

Constitutionality.

Approved September 1, 1933.

CHAPTER 371

A SUPPLEMENT to an act entitled "An act making appropriations for the support of the State government and for the several public purposes for the fiscal year ending June thirtieth, one thousand nine hundred and thirty-four, and regulating the disbursements thereof."

- Preamble.** WHEREAS, Under the terms of a certain contract of leasing, made by the Paterson Columbian Association, as lessor, and Andrew F. McBride, Commissioner of Labor, acting for and on behalf of the State of New Jersey, as lessee, said lessee leased and rented from said lessor, for the use of the Department of Labor, that certain office building known as number 15 Church street, in Paterson, Passaic county, for a term of ten years from July first, nineteen hundred and twenty-four, at an annual rental of twenty-five hundred dollars (\$2,500.00), and whereas in and by said lease, said lessee covenanted to pay to the lessor, annually, any sum imposed as municipal taxes on aforesaid building in excess of the amount imposed as taxes thereon for the year nineteen hundred and twenty-three; and
- Preamble.** WHEREAS, The lessee has been in possession of said building under said lease from July first, nineteen hundred and twenty-four, until the present time; and
- Preamble.** WHEREAS, The city of Paterson has imposed taxes upon aforesaid building, in excess of the amount of taxes imposed thereon for the year nineteen hundred and twenty-three, for the years and in the amounts following:
- | | |
|------------------------------|----------|
| For the year 1927 the sum of | \$325.83 |
| For the year 1928 the sum of | 382.70 |
| For the year 1929 the sum of | 897.41 |
| For the year 1930 the sum of | 906.86 |

For the year 1931 the sum of 774.56
 For the year 1932 the sum of 784.01
 For the year 1933 the sum of 658.01; and

WHEREAS, The total of said excess taxes for the Preamble.
 aforesaid years is the sum of four thousand
 seven hundred twenty-nine dollars and thirty-
 eight cents (\$4,729.38), which sum has not been
 paid to the lessor by the lessee or by the State
 of New Jersey; therefore,

BE IT ENACTED *by the Senate and General As-
 sembly of the State of New Jersey:*

1. There is hereby appropriated out of the Appropriation.
 Treasury of this State to the Paterson Columbian
 Association the sum of four thousand seven hun-
 dred and twenty-nine dollars and thirty-eight cents
 (\$4,729.38), representing the total sum paid as
 taxes by said association on the premises number
 15 Church street, Paterson, for the years nineteen
 hundred and twenty-seven, nineteen hundred and
 twenty-eight, nineteen hundred and twenty-nine,
 nineteen hundred and thirty, nineteen hundred and
 thirty-one, nineteen hundred and thirty-two and
 nineteen hundred and thirty-three, in excess of the
 sum paid as taxes on said building for the year
 nineteen hundred and twenty-three, and which sum
 the State of New Jersey, acting by the Commis-
 sioner of Labor, in a certain lease of said premises
 for the term of ten years beginning July first, nine-
 teen hundred and twenty-four, covenanted to pay
 to said Paterson Columbian Association.

2. This act shall take effect immediately.

Approved September 5, 1933.

CHAPTER 372

AN ACT to provide for the co-operation of this State with the Federal Government and its officers and agencies in effectuating the policies of a statute of the United States entitled "An act to encourage National Industrial Recovery, to foster fair competition, and to provide for the construction of certain useful public works, and for other purposes," approved June sixteenth, one thousand nine hundred and thirty-three, in order to encourage industrial recovery, to reduce unemployment, to foster fair competition, to eliminate unfair competitive practices, by the enactment of legislation of like nature relating to transactions within the State of New Jersey, including those affecting intrastate commerce only; and to declare an emergency.

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

State policy
relative to
National Re-
covery Act.

1. The existence in this State of the present acute economic emergency, and the effects and certain causes thereof as declared in section 1 of Title 1 of the act of Congress entitled "An act to encourage National Industrial Recovery, to foster fair competition, and to provide for the construction of useful public works, and for other purposes," approved June sixteenth, one thousand nine hundred and thirty-three, is hereby recognized; and it is hereby declared that said emergency and the causes and effects thereof, as so declared, relate as well to commerce in this State, wholly intrastate in character, as to interstate and foreign commerce and transactions affecting interstate and foreign commerce carried on in this State. It is hereby declared to be the policy of

this State to co-operate with the Congress of the United States in the furtherance of the objects and purposes declared in said act of Congress, and each and every provision of this act shall be construed in accordance with the policy so declared, and in no wise so as to conflict with any of the provisions of said act of Congress or with any action of the President of the United States or any other Federal agency lawfully taken in pursuance of said act.

2. To effectuate the policy of this act, the Governor is authorized to delegate all or any part of the powers and functions hereby vested in him to any officer or officers, department or departments, commission or commissions, or other agency or agencies of the State government, and to accept and utilize such voluntary and uncompensated services as he may find necessary, and to prescribe their authorities, duties and responsibilities. The consent of the State is hereby given, upon the written approval of the Governor, to the utilization by the President of the United States of the services of such State and local officers and employees as the President may find necessary. The Governor, or agency to whom the Governor may delegate any of his functions and powers under this act, may call upon any agency maintained by the State or by any educational institution supported in whole or in part by State funds, or upon any officers or employees of any county, municipal corporation, or body politic in this State for aid in carrying out his or its functions under this act.

Delegation of powers.

State's consent.

3. Anything in the common law or statute law of this State with respect to contracts in restraint of trade or commerce, or of competition, to the contrary notwithstanding, it shall be lawful:

Contracts in restraint of trade.

(a) For any persons, members of one or more trade or industrial associations or groups, to meet, confer and agree upon a code or codes of fair competition for the trade or industry, or subdivision thereof, represented by them. When and if any such code shall have been approved by the Presi-

Codes of fair competition.

dent of the United States, pursuant to section 3 (a) of Title 1 of the National Industrial Recovery act aforesaid, and a copy thereof, including any conditions imposed by the President and any exceptions and exemptions from the provisions thereof, approved by the President, and duly certified or otherwise exemplified by the President, or such officer or agency as the President has or shall designate for the purpose, shall be filed with the Governor, the provisions thereof shall be the standard of fair competition for such trade, or industry, or subdivision thereof, and for all persons engaged therein in this State, as regards intrastate commerce therein and whether or not affecting interstate or foreign commerce, and such code or codes when so approved and with such conditions, exceptions and exemptions, and any action taken on compliance therewith, shall be lawful.

Codes for
intrastate
commerce;

(b) In case any code or codes of fair competition agreed upon pursuant to paragraph (a) of this section shall affect intrastate commerce in this State only, and not be subject to the approval of the President by virtue of section 3 (a) of Title 1 of the National Industrial Recovery act, as in said paragraph set forth, then and in such case, upon the application to the Governor by one or more State trade or industrial associations or groups, the Governor may approve any such code or codes of fair competition in intrastate commerce in this State for the trade or industry or subdivision thereof, represented by the applicant or applicants, if the Governor finds:

Admissions
to member-
ship;

(1) That such association or groups impose no inequitable restrictions on admission to membership therein, and are truly representative of such trades or industries or subdivision thereof;

Codes
consistent;

(2) That such code or codes are consistent with any like code or codes approved or prescribed by the President, pursuant to Title 1 of the National Industrial Recovery act aforesaid, for trades, industries or subdivisions thereof, carrying on busi-

ness in this State, due regard, however, being had for local conditions and local customs; and

(3) That such code or codes are not designed to promote monopolies or eliminate or suppress small enterprises, and will not operate to discriminate against them, and will tend to effectuate the policy of this act. The Governor may, as a condition of his approval of any such code, impose such conditions (including requirements for the making of reports and the keeping of accounts) for the protection of consumers, competitors, employees and others, and in furtherance of the public interest, and may provide such exceptions to and exemptions from the provisions of such code, as the Governor in his discretion deems necessary to effectuate the policy of this act. If the Governor shall find that any such code affects the services and welfare of persons engaged in other steps of the economic process, he shall, before approving the same, afford to such persons an opportunity to be heard.

Do not
promote
monopolies;

No trade or industrial association or group shall be eligible to receive the benefit of the provisions of this paragraph until it files with the Governor a statement containing such information relating to the activities of the association or group as the Governor shall by regulation prescribe. The Governor is authorized to prescribe rules and regulations designed to insure that any organization availing itself of the benefits of this paragraph shall be truly representative of the trade or industry, or subdivision thereof, represented by such organization. Any organization violating any such rule or regulation shall cease to be entitled to the benefits of this paragraph.

Regulation;

The provisions of any code of fair competition in intrastate commerce approved by the Governor, pursuant to paragraph (b) of this section, for any trade, industry, or subdivision thereof, shall, to the extent not inconsistent with any lawful action of the President pursuant to any provision of Title 1

Standards
of fair
competition;

of the National Industrial Recovery act aforesaid, whether taken prior to the approval of such code by the Governor, or thereafter, be the standards of fair competition for such trade, or industry, or subdivision thereof, and for all persons engaged therein in intrastate commerce in this State; and such code or codes, when so approved, and with such conditions, exceptions and exemptions as the Governor is authorized to make therein by virtue of paragraph (b) of this section, and any action taken in compliance therewith, shall be lawful, anything in the common or statute law of this State with respect to contracts in restraint of trade or commerce, or of competition, to the contrary notwithstanding.

Complying
with
provisions;

(c) For any persons engaged in any trade or business or subdivision thereof, for which the President of the United States has or shall prescribe and approve a code of fair competition by virtue of paragraph (d) of section 3 of Title 1 of the National Industrial Recovery act to take any action in this State, whether affecting interstate or foreign commerce, or affecting intrastate commerce only, to comply with the provisions of any such code.

State code
of fair
competition.

(d) Upon his own motion, or if complaint is made to the Governor that abuses inimical to the public interest and contrary to the policy herein declared are prevalent in any trade or industry, or subdivision thereof, and if no code of fair competition therefor has been theretofore approved by the President of the United States, the Governor, after such public notice and hearing as he shall specify, may prescribe and approve a code of fair competition in intrastate commerce for such trade or industry, or subdivision thereof, which shall have the same effect as a code of fair competition approved by the Governor under subsection (b) of this section.

Conditions of
code:

4. Every code of fair competition, approved or prescribed, and every agreement entered into under this act, shall contain the following conditions:

(1) That employees shall have the right to organize and bargain collectively through representatives of their own choosing, and shall be free from the interference, restraint or coercion of employers of labor, or their agents, in the designation of such representatives or in self organization or in other concerted activities for the purpose of collective bargaining or other mutual aid or protection;

Employees's
mutual aid;

(2) That no employee and no one seeking employment shall be required as a condition of employment to join any company union or to refrain from joining, organizing or assisting a labor organization of his own choosing; and

In respect to
union, etc.;

(3) That employers shall comply with the maximum hours of labor, minimum rates of pay, and other conditions of employment, approved or prescribed by the Governor.

Pay, hours
and con-
ditions;

For the purpose of carrying out the requirements of this section, the Governor may investigate the labor practices, policies, wages, hours of labor, and conditions of employment in any such trade or industry, or subdivision thereof, and in any region or locality of this State. Such codes may differentiate according to experience and skill of the employees affected and according to the locality of employment; but no attempt shall be made to introduce any classification according to the nature of the work involved which might tend to set a maximum as well as a minimum wage.

Investigation.

5. Any code of fair competition approved by the President and filed as provided in section three of this act, any code approved by the Governor as therein provided, any such code prescribed by the President or by the Governor as therein provided, shall be binding upon all persons engaged in any trade, industry or pursuit, or subdivisions thereof affected thereby, and the provisions of any such code or agreement shall be the standards of fair competition for such trade or industry or pursuit, or subdivision thereof. Whoever violates any provisions of any such code or agreement in any transaction in intrastate commerce, whether a partici-

Codes
binding.

Violation
a misde-
meanor.

Fine.

pant in the formation thereof, or a party thereto, or not, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not more than \$500.00 for each offense, and each day such violation continues shall be deemed a separate offense.

Any person who, either as director, officer or agent of any firm or corporation or as agent of any person, who shall be guilty of the violation of any of the provisions of this act, or who assists or aids directly or indirectly in such violation, shall be guilty to the same extent as the person, firm or corporation for whom or which he acts.

Court of jurisdiction.

6. The Court of Chancery of this State is hereby vested with jurisdiction and discretionary power, at the suit of the Attorney-General, or by any person or trade association in interest, to prevent and restrain violations of any code of fair competition approved by the President and filed as provided in section three of this act, or by the Governor as therein provided, upon bill being presented to it. The approval of any such code by the President, and filed as provided in section three of this act, or the approval of the Governor as therein provided, shall be prima facie evidence of the reasonableness and fairness of the provisions thereof. Nothing in this section contained, however, shall in any wise affect the criminal liability for violations of such codes, agreements, licenses, rules or regulations.

License.

7. Whenever the Governor shall find that destructive wage or price cutting or other activities contrary to the policy of this act are being practiced in any trade or industry or any subdivision thereof, carried on in this State, and, after such public notice and hearing as he shall specify, shall find it essential to license business enterprises in order to make effective a code of fair competition under this act, or otherwise to effectuate the policy of this act, and shall publicly so announce, no person shall, after a date fixed in such announcement, engage in or carry on any business, in or affecting

intrastate commerce, specified in such announcement, unless he shall have first obtained a license issued pursuant to such regulations as the Governor shall prescribe.

The Governor may sustain or revoke any such license after due notice and opportunity for hearing, for violations of the terms or conditions thereof. Any order of the Governor sustaining or revoking any such license shall be final if in accordance with law. Any person who, without such a license or in violation of any condition thereof, carries on any such business for which a license is so required, shall, upon conviction thereof, be fined not more than \$500.00 or imprisoned not more than six months, or both, and each day such violation continues shall be deemed a separate offense.

8. Nothing in this act shall be construed to repeal or modify any of the provisions of Chapter 169 of the Laws of 1933 of this State or the amendment thereof, or Chapter 152 of the Laws of 1933 of this State.

Nothing in this act, and no regulation thereunder, shall prevent an individual from pursuing the vocation of manual labor and selling or trading the products thereof; nor shall anything in this act, or regulation thereunder, prevent anyone from marketing or trading the produce of his farm.

No writ of certiorari or any other method of review of any of the acts, determinations, decisions or judgments of the Governor pursuant to the provisions hereof shall be allowed, issued or permitted after twenty days from the date of any such act, determination, decision or judgment.

This act shall take effect immediately and shall cease to exist on June sixteenth, one thousand nine hundred and thirty-five, or sooner if the Governor shall by proclamation, or the Legislature by joint resolution, declare that the emergency recognized has ended.

9. If any part or parts of this act shall be held to be invalid or unconstitutional, the validity of the

Violations.

Fine.

Construing.

Act in-operative.

Constitutionality.

other parts hereof shall not thereby be affected or impaired.

Emergency
measure.

10. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public welfare, peace, health and safety. The reason for such necessity lies in the fact that an acute economic emergency prevails throughout the United States and in this State, and is productive of widespread unemployment and disorganization of industry.

Short title.

This act may be cited as the "New Jersey Industrial Recovery Act."

Approved September 5, 1933.

CHAPTER 373

AN ACT creating the Hackensack River Sewerage District, creating an Authority to manage the same, and defining its power and duties, in connection with the construction and operation of a sewer in said district, and providing ways and means for paying the costs of construction and operation thereof.

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

ARTICLE I

CREATION OF THE HACKENSACK RIVER SEWERAGE DISTRICT AND THE HACKENSACK RIVER SEWERAGE AUTHORITY

Hackensack
River
Sewerage
District.

101. All those cities, boroughs, towns, townships and villages (hereinafter referred to as "municipality" or "municipalities") now existing or here-

after created all or parts of which are situate and lie within the natural drainage area of the Hackensack river and its tributaries between Newark bay and the boundary line between the State of New Jersey and the State of New York, of which those now existing are the following: the city of Bayonne, the City of Jersey City, the city of Union City, the town of West New York, the town of Guttenberg, the town of Secaucus, the town of Kearny and the township of North Bergen, in the county of Hudson, and 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 Palisade 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 Woodcliffe 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 Riverside, the borough of Maywood, the borough of Hasbrouck Heights, the borough of Teterboro, the borough of Woodridge, the borough of Carlstadt, the borough of Little Ferry, 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 Riverdale, the township of Washington, the township of Lodi, the township of Lyndhurst, and the village of Ridgefield Park, in the county of Bergen, shall be and are hereby constituted a sewerage district under the name and title of Hackensack River Sewerage District.

Hackensack
River
Sewerage
Authority
created.
Incorporated.

102. The Hackensack River Sewerage Authority, which shall consist of four members appointed as hereinafter provided, shall be and is hereby created.

Purpose and
powers.

103. The Hackensack River Sewerage Authority (hereinafter referred to as the "Authority") shall be and is hereby constituted a body politic and corporate with perpetual succession under the name of "Hackensack River Sewerage Authority", 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, with power to adopt and use a corporate seal, with power to borrow money or contract debt and 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 perform all contracts, and to do and perform 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 or works and/or 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 from pollution and for preventing pollution of the same and for carrying out and effectuating the plan and purpose of this act. Unless the context requires a different interpretation, the word "sewage" when used in this act shall be deemed to include industrial wastes and all other matter having a tendency to pollute the Hackensack river or its tributaries when discharged therein.

Separate
corporate
entity.

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 and shall not create any indebtedness or obligation either legal, moral or otherwise, of the State and the State shall not be liable thereon nor shall they

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 of New Jersey, or any county thereof, or to authorize the Authority to incur any indebtedness on behalf of or in any way to obligate any municipality of the State except to the extent, if any, provided in any contract entered into by any such municipality pursuant to the provisions of section three hundred and three of this act or in the provisions of this act relative to such contract.

The State of New Jersey does pledge to and agree with the holders of any bonds authorized by 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 and/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 to make, perform and enforce contracts entered into pursuant to section two hundred and five hereof so as to produce sufficient revenue to meet the expenses of maintenance and operation of the district sewer system and to fulfill the terms of any agreements made with the holders of said bonds or in any way impair the rights and remedies of said holders until such bonds, together with interest thereon, 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 said holders are fully met and discharged.

State
policy.

104. The four members of the Hackensack River Sewerage Commission first appointed or first to be appointed members of said Commission under and pursuant to an act of the Legislature entitled "A supplement to an act entitled 'An act to create a sewerage district to be called Hackensack Valley sewerage district, to authorize the appointment and define the powers and duties of the commissioners therefor, to provide a plan for the prevention of

Members.

- the pollution of the Hackensack river and its tributaries and to authorize the raising and expenditure and payment of moneys necessary for this purpose,' approved April fifteenth, one thousand nine hundred and thirty,' approved June twenty-six, one thousand nine hundred and thirty-three, shall by virtue of such appointment and for the term of
- Term.** such appointment be members of the Authority. At the expiration of the terms of such first members of the Authority, the Governor shall, with the advice and consent of the Senate, appoint members of the Authority for the term of four years. All members shall serve until their successors are appointed and qualify; *provided*, that in making all appointments of such members two members of the Authority shall be residents of the county of Hudson and two members of the Authority shall be residents of the county of Bergen, and both members of the Authority resident in the same county shall not be members of the same political party.
- Proviso.**
- Removal of members.** 105. Any member of the Authority may be removed for cause, by the Governor after hearing.
- Vacancies.** If a vacancy in the membership of the Authority shall occur by reason of death, resignation, disqualification, removal or otherwise, the Governor, with the advice and consent of the Senate shall fill the vacancy by the appointment of a member to serve during the remainder of the unexpired term.
- Residence requirement.** 106. No person shall be appointed or shall continue to serve as a member of the Authority unless he be and continue to be a resident of the county for which he is appointed.
- Interest by members in contracts, etc., prohibited.** 107. No member of the Authority shall be directly or indirectly interested in any contract awarded under the provisions of this act, nor in furnishing materials or supplies therefor to any person or corporation, nor in furnishing security for the performance of any such contract; and if at any time it shall appear to the satisfaction of the Governor that any member of the Authority is violating or has violated the prohibition 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 a stockholder in any corporation owning or leasing such lands or rights and interests in lands, it shall be the duty of the Governor 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 or taxing district thereof, or to pay any charges whatsoever for the disposal of sewage or any other like facts or circumstances shall not be deemed to make him interested within the meaning, terms and provisions of this section.

Proviso.

108. Every person designated as a member of the Authority shall, before entering upon the duties of the office, take and subscribe an oath that he will faithfully and impartially execute the duties imposed by law upon him as such member, and cause the same to be filed with the secretary of the Authority, and a certified copy to be filed with the Governor.

Oath.

Filed.

109. The Authority shall, at the earliest practicable time after the designation 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 during their terms as members of the Authority serve for terms of one year and until their respective successors are elected.

Organization.

110. The Authority shall appoint a secretary-treasurer and may appoint an assistant secretary-treasurer, neither of whom shall be a member of the Authority. Each of said officers shall give bond

Secretary-treasurer.

Bond.

to the Authority conditioned that he will faithfully perform the duties of his office in such penal sum and with such good and sufficient surety as the Authority may approve, and shall perform such duties as the Authority may prescribe.

Powers vested
in majority.

Meetings.

Quorum.

By-laws.

Records.

Duties of
chairman and
Secretary-
treasurer.

Deposit of
money with
State
Treasurer.

Disbursements
by check.

111. All the powers of the Authority shall be vested in and exercised by a majority of the members of the Authority. The meetings of the Authority shall be public. Three members of the Authority shall constitute a quorum for the transaction of business at any meeting of the Authority. The Authority may adopt by-laws and rules and regulations for the conduct of its business and meetings. The Authority shall cause full records to be kept of its proceedings, and such records shall be open to public inspection on reasonable notice and at reasonable times.

112. The chairman shall preside at all meetings of the Authority and shall, with the secretary-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. The secretary-treasurer shall be the receiving and disbursing officer of the Authority; and all moneys required by law or contract to be paid to the Authority shall, unless any contract of the Authority shall provide otherwise, be paid to the secretary-treasurer thereof, and shall be by him deposited in such bank or banks of deposit or trust company or trust companies within or without the State of New Jersey as shall be designated by the Authority. 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. All disbursements by the Authority shall be by check signed by the secretary-treasurer and countersigned by the chairman. The secretary-treasurer

shall have charge of the seal of the Authority and shall affix it to such instruments as shall be designated by the Authority. In the absence or incapacity of the secretary-treasurer and at such other times as the Authority may prescribe or approve, the assistant secretary-treasurer shall have all the powers and perform all the duties of the secretary-treasurer.

113. Each bank or trust company designated as a depository of the funds of the Authority shall, before receiving any such deposit, give to the Authority for the benefit and security of the Authority and its creditors, a good and sufficient undertaking with two or more sureties, to be approved by the chairman of the Authority and by a justice of the Supreme Court of the State of New Jersey. Such undertaking shall specify the amount which the secretary-treasurer shall be authorized to have on deposit at any one time with such depository, and shall be to the effect that such depository shall faithfully keep and pay over such deposits and the agreed interest thereon on the check of the secretary-treasurer countersigned as herein provided, or in payment of such bonds or coupons as by their terms are made payable at a bank or banks and for the payment of which a deposit shall be made by such secretary-treasurer with such depository, or on any other lawful authority. Copies of such undertaking shall be filed by the secretary-treasurer with the clerk of the Supreme Court. Any bank or trust company so designated, in lieu of the undertaking required above, may execute an undertaking or undertakings, with or without sureties, conditioned as provided above, and as collateral thereto deposit with the secretary-treasurer outstanding unmatured bonds of the government of the United States of America or of the State of New Jersey, approved as to amount and sufficiency by the chairman of the Authority and by a justice of the Supreme Court of New Jersey, together with an assignment in blank of such bonds or other obligations. The secretary-treasurer shall in such event

Depositories
to give
undertaking.

Form of
undertaking.

Copies
filed.

Bonds
deposited in
lieu of
undertaking.

Certificate of
deposit.

issue a certificate of deposit containing a description of the bonds or other obligations so deposited as collateral. In the event of a default on the undertaking of any depository herein referred to and the consequent necessity to complete the assignment in blank, such completion by the chairman and secretary-treasurer shall not be effective unless approved by a justice of the Supreme Court of New Jersey. The Authority may from time to time require such depositories to increase the amount of the securities so deposited as collateral and may from time to time release all or part of the securities in its custody whenever the amount of the funds on deposit with the depository shall be lawfully and correspondingly reduced. Upon the proper withdrawal of all moneys from any depository and the closing and settlement of the account thereof, the secretary-treasurer may require the surrender of the certificate of deposit, and shall return the deposited bonds and other obligations to the owner thereof. Whenever in the judgment of the secretary-treasurer it appears that additional facilities for the safeguarding of the securities deposited with him are essential, he may lease or rent such facilities and the expense thereof shall be paid in the same manner as other expenses of constructing and operating the district sewer system.

114. 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 Department of Municipal Accounts or the department of the State government to which the functions of said department have been or may be transferred, annually to audit 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 to transmit certified copies of such audits to the Governor.

Default on
undertaking.

Increase or
release
collateral.

Certificate of
deposit
surrendered.

Annual
statement.

115. The members of the Authority, the secretary-treasurer, assistant secretary-treasurer and the sureties on the bonds of such secretary-treasurer and assistant secretary-treasurer 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.

Liability
of sureties.

116. The members of the Authority shall receive no compensation for their services on such Authority, but they shall be paid their actual and necessary expenditures in the performance of their official duties. The secretary-treasurer and assistant secretary-treasurer of the Authority shall receive such reasonable salaries as the Authority may fix.

Compensation.

117. The Authority may employ counsel and may fix a reasonable compensation for the services of such counsel as it may employ.

Counsel.

118. In the performance of the duties imposed upon it by law, the Authority shall have power to hire, and furnish with suitable equipment, 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.

Offices and
clerical as-
sistants.

119. In the performance of the duties imposed upon it by law the Authority shall have power in its discretion to engage, and/or to contract for, the services of competent engineers or engineering firms, (a) to make all necessary borings, surveys, plans, designs, maps, drawings, specifications, estimates, outlines, recommendations, working drawings, working estimates and working plans, and/or (b) to furnish the necessary resident engineers and to supervise and direct the construction work authorized by this act and/or (c) to operate or to take charge of the operation of the district sewer system as completed, and/or (d) if desired by the

Engage
engineers, etc.

Borings,
surveys, etc.

Resident
engineers.

Operate
system.

Authority to instruct the agents, employees and workmen of the Authority as to their duties in the efficient and economical operation of said sewer system, and/or (e) 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, and the Authority shall have power in its discretion to engage and/or to contract for all such other expert assistance as it may deem necessary or proper to effectuate and carry out the plan and purpose of this act.

Authority
empowered.

120. 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 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 the said system.

Power of
entry.

121. 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, doing, however, no unnecessary damage or injury thereto or to property thereon.

To contract
for amounts
over
\$2,000.00.

122. 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 shall involve the expenditure of a sum of money exceeding two thousand dollars (\$2,000.00), the Authority shall prepare and file in its office or cause to be prepared and filed 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 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, at least one of which shall be printed and shall circulate in each of the counties, respectively, wherein are situated any municipalities, comprising part of the Hackensack River Sewerage District. All proposals so received shall be publicly opened by the Authority at the time and place designated in such notice and it shall award the contract for the performance of such work or labor or for the furnishing of such materials or supplies to the lowest responsible bidder, if any there be. 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 contract in such penal sum and with such good and sufficient surety or sureties as the Authority may approve.

Advertising.

Proposals
publicly
opened.

Bond.

123. 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 treatment plant shall be retained by the Authority until such treatment plant 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.

Plans and
specifications
approved by
Board of
Health.Portion of
contract
price retained
until con-
struction is
approved.

Sundry requirements by Authority of contractors, etc.

124. So far as permitted by law, 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, 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 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.

ARTICLE II

DUTIES OF THE AUTHORITY

Duties of Authority.

201. The Authority shall with all practicable speed prepare or cause to be prepared a detailed project report, together with maps, designs and cost and other estimates, which shall show a proposed plan or method of construction of such a system of trunk, intercepting and outlet sewers, pumping and ventilating stations, treatment plants or works and/or other plants and structures, to be known as the district sewer system, as in the judgment of the Authority will provide the most effectual and advantageous plan or method for relieving the Hackensack river and its tributaries from pollution and for preventing pollution of the same.

Project, report, maps, etc., to show:

202. The project report, maps, designs and estimates provided for in the preceding section shall also show:

Location;

A. The location and route of the proposed district sewer system, including all trunk, intercepting and outlet sewers, treatment plants, pumping stations and other plants and structures.

Location of existing sewers, etc.;

B. The location and route of existing sewer systems, treatment plants and like plants and structures within the said sewerage 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 sewerage district.

Estimates of gallons of sewerage that may be disposed of;

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 must in the judgment of the said Authority 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.

Estimate of minimum amount of sewerage;

E. Detailed estimates of the cost of the construction of the proposed district sewer system, which said cost shall include without limitation (1) all sums estimated by the Authority to 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, and (3) all expenses incurred or to be incurred by the Authority in preparing such detailed project report.

Detailed estimate of costs of whole project;

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.

Estimate of sinking fund requirements and costs of operation;

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

Schedule of rates;

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 in section two hundred sixteen of this act) 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.

Method of calculating rates;

Sundry information. H. Such other information as the Authority shall deem necessary.

Copies of reports to Governor. 203. The Authority shall supply copies of said report to the Governor.

Copy submitted to Board of Health. 204. The Authority shall submit a copy of the said report to the State Board of Health for approval of the proposed district sewer system as therein described as a sanitary measure.

May contract with: 205. The Authority shall negotiate and enter into contracts, in the form and with the force and effect provided in sections three hundred three, three hundred four, three hundred five, three hundred six and three hundred seven of this act, with municipalities within the Hackensack River Sewerage District and with private sewer companies operating therein, and shall have power and authority to negotiate and enter into like contracts with any municipality situated, or any private sewer company operating, within the territorial limits of the counties within which are situated municipalities comprising part of the Hackensack River Sewerage District, which may then or thereafter be discharging sewage directly or indirectly into the Hackensack river or its tributaries or which might advantageously use the facilities of the proposed district sewer system.

Municipalities;

Individuals, corporations, etc. The Authority shall have like power and authority

to negotiate and enter into contracts, in the form and with the force and effect provided in sections three hundred three, three hundred five, and three hundred seven of this act, with persons or corporations engaged in public or private industry (hereinafter called "industry" or "industries") within the Hackensack River Sewerage District who or which shall be found to be discharging directly 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.

206. When and if the Authority shall have entered into contracts with municipalities and private sewer companies pursuant to the next preceding section and section three hundred three 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 detailed project report in accordance with subdivision D of section two hundred two of this act, the Authority shall with all practicable speed commence and proceed with the construction and acquisition of the district sewer system.

To acquire district sewer system.

207. 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 ventilating stations, treatment plants or works or other plants and structures, and is hereby empowered to proceed with the construction and/or acquisition 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.

Empowered to acquire and determine location.

208. 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 Hackensack River Sewerage District, which may be deemed by the Authority neces-

Acquiring of land.

sary for the construction of any sewers, pumping or ventilating 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 the act entitled "An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use" (Revision of 1900), approved March twentieth, one thousand nine hundred, being chapter fifty-three of the laws of one thousand nine hundred as amended and supplemented; *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 thereof or, in lieu thereof, shall have been made to the clerk of the county in which the lands affected are located, for the use of the person or persons entitled to receive the same, the Authority shall be entitled forthwith to 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.

209. 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, to take over and acquire in accordance with the provisions of section two hundred eight of this act, any existing plant or plants for the treatment or disposal of sewage, or any part thereof, in either municipal, public or private ownership, and to operate the same either temporarily or as a permanent part of the district sewer system.

210. The title to all property, real and personal, acquired to effectuate the purposes of this act shall be vested in the Hackensack River Sewerage Au-

Condem-
nation.

Proviso.

Acquiring
existing
plants.

Title vested
in Authority.

thority. All property acquired by the Hackensack River Sewerage Authority for the purposes of this act shall be exempt from municipal, county and State taxes.

Exempt from property tax.

211. 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 at the points of such delivery and discharge.

Meters for measuring sewage.

212. Each and every municipality, private sewer company or industry which shall enter into a contract with the Authority as provided in section three hundred three 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.

Connecting municipal sewers, etc., with district system.

213. 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.

Operating system.

214. The Authority shall make and keep permanent records of the amounts of sewage delivered and discharged into the district sewer system by each and every 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 October, and, during each and every yearly period thereafter, beginning on the first day of November and ending on the last day of the following October.

Records kept.

May change
rates.

215. 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 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 pursuant to this act, so as to prevent the accrual of any deficit.

Fiscal
year.

216. 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 will be completed and put into operation. Each fiscal year thereafter shall begin on the corresponding date in each subsequent year.

Time and
method of
fixing rates.

217. On or before the first day of December of the last calendar year ending at least eight months prior to the beginning of the first fiscal year, and on or before the first day of December 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 next fiscal year beginning at least nine months thereafter, under any contracts made pursuant to section three hundred three of this act. Said rate shall be calculated by dividing the number of dollars which the Authority estimates will be required (in addition to any funds on hand applicable to such purposes) during such fiscal year for 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, 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 the month of October next preceding such first day of December, the resulting quotient being the rate in dollars per mil-

lion 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 October, 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 two hundred fifteen, and of section two hundred nineteen 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.

Fixing rate for part of year.

Provisions deemed a contract.

218. The Authority shall make and keep permanent records of the rate in dollars per million gallons calculated by it in each and every year pursuant to the next preceding section.

Record kept.

219. On or before the twentieth day of December in any year in which the Authority shall calculate any rate in dollars per million gallons pursuant to section two hundred seventeen, the Authority shall calculate and certify to each and every municipality, private sewer company and industry, which shall have entered into a contract pursuant to section three hundred three of this act, the amount of money which it shall be required to pay to the Authority during the ensuing calendar 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 October 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 two hundred seventeen; *provided, however*, that if the terms and provisions of the contract so entered into by the municipality, pri-

Amount to be paid.

Method of calculating.

Proviso.

vate 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; *provided, however*, that 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; *provided, however*, that 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 said district sewer system for a full year prior to such last day of October 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 estimates 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

Proviso.

Proviso.

Calculating
amount for
part of year.

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

301. 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 two hundred one and two hundred two of this act and in 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, and not including the construction and/or acquisition, of the district sewer system, the counties wherein are situated municipalities comprising part of the Hackensack River Sewerage District shall be and hereby are authorized and empowered by resolution of the boards of chosen freeholders of such counties to enter into and to carry out and perform a contract one with the other and with the Authority as hereinafter provided.

Paying ex-
penses of
project
report.

302. The contract authorized by the next preceding section shall upon execution be filed with the Authority, and shall provide in substance that the Hackensack River Sewerage Authority shall be entitled to demand and receive from the county of Hudson forty per centum (40%) and from the county of Bergen sixty per centum (60%) of the cost of preparing the project report, maps, designs and estimates provided by sections two hundred one and two hundred two, as estimated by the Authority. The boards of chosen freeholders of said counties agree to pay such amounts upon the order or orders

Contract
filed with
Authority.

Apportioning
expenses.

of the said Authority at such time or times in such installments as the Authority may by resolution request.

Perpetual
contract.

303. Any municipality with which the Authority is authorized to contract under the terms and provisions of section two hundred five 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 enter into and execute by its proper officials a perpetual contract, as hereinafter provided, with the Hackensack River Sewerage 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 Hackensack River Sewerage Authority for the disposal of its sewage or the sewage collected or discharged by it.

Form of
contracts.

304. 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 provide in substance that the contracting municipality, private sewer company or industry shall, in the manner and at the time and place within the Hackensack River Sewerage 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 has theretofore been calculated and certified to it by the Authority as provided in section two hundred nineteen 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 sewage system the sewage arising or collected in or by such contracting municipality, private sewer company or industry; *provided, however,* that 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 two hundred nineteen with current rates fixed pursuant to said section as follows: the past rate fixed pursuant to section two hundred nineteen for the first fiscal year of operation of such section or part of the district sewer system with the current rate fixed pursuant

Proviso.

to section two hundred nineteen 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.

May charge more where sewerage is injurious to system.

305. The contracts authorized by section three hundred three 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 and/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 dis-

pose of the same through the district sewer system or to discharge it into the Hackensack river or its tributaries.

306. Each contract authorized by section three hundred three shall, if one of the parties thereto is a municipality, further provide in substance that said municipality shall in each year make provision for all payments to become due from it to the Authority, by requiring of all users of the sewers within its boundaries which shall empty directly or indirectly into said district sewer system, gallonage, fixture or other service charges, sufficient in amount to meet such payments to the Authority, which shall be known as "district sewerage charges". Such gallonage, fixture or other service charges shall be payable quarterly by such users in advance of the quarterly periods of the Authority to which they are applicable and in advance of the date when such payments become due from the municipality to the Authority. At the time of the preparation of the annual budget in each year such charges shall be fixed at such rates as, with any sums of money previously so provided and remaining in the hands of the municipality, will amply provide for all payments to become due to the Authority during the fiscal year of such municipality. Such gallonage, fixture or other service charges shall constitute liens upon the property receiving the service, ranking equally with liens for local taxes, so far as permitted by law, and enforceable by the municipality in the same manner as such tax liens.

306 a. Any municipality entering into a contract with the Authority as provided by section three hundred three is hereby empowered to establish by ordinance charges for local sewerage service, in addition to those provided by section three hundred six, in the form of gallonage, fixture or other service charges to cover the annual cost of maintenance of the local sewerage system, the cost of collection of the service charges and the interest and principal payments on indebtedness of such municipality outstanding from year to year incurred for the con-

District
sewerage
charges.

Payable
quarterly.

Time of
fixing
charges.

Charges a
lien.

Local
sewerage
charges.

To constitute
a lien.

struction of the local sewerage system, including appurtenances and disposal or treatment plants, but not including indebtedness incurred against which assessments for special benefits have been or shall be levied. Such additional service charges shall be known as "local sewerage charges" and shall constitute liens upon the property receiving the service, ranking equally with liens for local taxes, so far as permitted by law, and enforceable by the municipality in the same manner as such tax liens and shall be subject to the same penalties for failure to pay on the date or dates fixed for such payments, as are provided for the district sewerage charges by section three hundred twelve.

Payments
upon
contracts.

307. The contracts authorized by section three hundred three of this act may further provide, either in connection with or in addition to or as a substitute for the provision thereof prescribed by section three hundred four as to payments to be made by the contracting municipality, private sewer company or industry to the Authority, in substance that such contracting municipality, private sewer company or industry shall pay quarterly as defined in such contract to or upon the order of the Authority a sum or sums of money specified in such contract or otherwise determined in such contract by a limitation or limitations upon the cost of the construction of the proposed district sewer system as defined in subdivision E of section two hundred two or by provisions prescribing such minimum or maximum limits respecting the use and/or discharge into the district sewer system to be made and/or paid for by the contracting municipality, private sewer company or industry or such minimum or maximum limits respecting the rate or rates or charge or charges to be made by the Authority for the services rendered or to be rendered by it or such minimum or maximum limits, respecting any one or more of the above or any other matters as may be agreed upon by the parties to such contract, and shall further provide in substance that such contracts shall become null and void and

Sundry
provisions
of contract.

have no further force and effect on and after the first day of January, one thousand nine hundred thirty-eight, unless the Authority shall have sooner commenced the construction and acquisition of the district sewer system, 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 and/or securing grants, loans and/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, including without limitation an agreement by any such contracting municipality to raise by tax the sums of money necessary to make the payments to the Authority.

308. The Authority shall have power and is hereby authorized from time to time to issue its negotiable bonds. Such bonds shall be authorized by resolution of the Authority and shall be issued in one or more series, shall bear such date or dates, mature at such time or times, not exceeding forty years from their respective dates, bear interest at such rate or rates, not exceeding six per centum (6%) per annum, payable semiannually, be in such denominations, be in such form, either coupon or registered, carry such registration privileges, be executed in such manner, be payable in such medium of payment, at such place or places, and be subject to such terms of redemption, with or without premium, as such resolution or subsequent resolutions may provide. Such bonds may be sold at public or private sale for such price or prices as the Authority shall determine, *provided*, that the interest cost to maturity of the money received for any issue of such bonds shall not exceed six per centum (6%) per annum. Such bonds may be issued for any corporate purpose of the Authority. The validity and regularity of the proceedings taken by the Authority pursuant to this section for the issuance of such bonds and the obligation of the Authority to pay such bonds and interest thereon, and to perform the covenants contained in such

Bonds issued.

Issuing details.

Sale.

Proviso.

Purpose.

Validity of issues.

bonds, 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.

Form of
resolution.

309. 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 two hundred five and/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 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.

Liability.

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 out of any funds available therefor to purchase any bonds issued by it at a price not more than the principal amount thereof and accrued interest; all bonds so purchased shall be cancelled.

Power to
purchase
own bonds.

Defaulting
upon payment
of bonds and
interest.

310. In the event that the Authority shall default in the payment of principal of or interest on any of the bonds authorized by this act after the same shall become due, whether at maturity or upon call for redemption and such default shall continue for a period of thirty days, or in the event that the Authority shall fail or refuse to comply with the pro-

visions of this act, or shall default in any agreement made with the holders of said bonds, the holders of twenty-five per centum (25%) in aggregate principal amount of said bonds then outstanding by instrument or instruments filed in the office of the clerk of the Supreme Court and proved or acknowledged in the same manner as a deed to be recorded may appoint a trustee, to represent said holders for the purposes herein provided. Such trustee may, and upon written request of the holders of twenty-five per centum (25%) in principal amount of said bonds then outstanding shall, in his or its own name: by mandamus or other suit, action or proceeding, at law or in equity enforce all rights of the said holders, including the right to require the Authority to receive or otherwise enforce the pledge of the sums of money to be received by the Authority under its contracts entered into pursuant to section two hundred five and to enforce said contracts and to require the Authority to carry out any other agreements with said holders and to perform its duties under this act; bring suit upon the said bonds; by action or suit in equity, require the Authority to account as if it were the trustee of an express trust for the said holders; by action or suit in equity, enjoin any acts or things which may be unlawful or in violation of the rights of the said holders; declare all bonds due and payable. Any such trustee, whether or not all said bonds have been declared due and payable, shall be entitled as of right to the appointment of a receiver who may enter and take possession of the district sewer system or any part or parts thereof and operate and maintain the same and collect and receive all income, charges, sums of money and other revenues thereafter arising therefrom or from any contracts of the Authority entered into pursuant to section two hundred five in the same manner as the Authority itself might do and shall deposit all such moneys in a separate account and apply the same in such manner as the court shall direct. In any suit, action or proceeding by the trustee the fees,

Trustee appointed.

Trustee may sue for rights of bondholders.

Trustee.

Appointment of receiver.

Expenses of trustee, etc.

Trustee's
powers.

counsel fees and expenses of the trustee and of the receiver, if any, shall constitute taxable disbursements and all costs and disbursements allowed by the court shall be a first charge on any income, charges, sums of money and other revenues derived from the district sewer system. Said trustee shall in addition to the foregoing have and possess all of the powers necessary or appropriate for the exercise of any functions specifically set forth herein or incident to the general representation of the said holders in the enforcement and protection of their rights.

Legal
investment.

311. 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.

Bonds tax
exempt.

Collecting
sewerage
charges in
municipalities.

312. The chief fiscal officer of each municipality which shall enter into a contract pursuant to section three hundred three of this act shall, as provided in such contract, cause to be collected quarterly, as provided in section three hundred four of this act, from the users of the sewers within its boundaries which empty directly or indirectly into the district sewer system, service charges which will produce a sum of money sufficient to pay the amount certified to such municipality by the Authority pursuant to section two hundred nineteen of this act. The governing body of each such municipality shall have power to impose penalties for failure by the users of said sewers to pay the required charges on the date or dates fixed for such payment at a rate or rates not exceeding one per centum (1%) per month and the chief fiscal officer of the municipality shall cause such penalties to be collected.

Penalties
for failure to
pay charges.

313. The chief fiscal officer of each municipality which shall have entered into a contract pursuant to section three hundred three 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 two hundred nineteen of this act. If any part of the amount certified to the municipality by the Authority pursuant to section two hundred nineteen 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 one per centum (1%) per month. 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 three hundred three 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.

Municipality to pay quarterly to Authority.

Interest upon unpaid balance.

Provisions of section a contract.

314. Each and every obligation imposed upon any municipality, private sewer company or industry, by this act and each 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 and/or, in the event that a trustee has been appointed under section three hundred ten hereof, by such trustee.

Enforcing contracts.

315. Each private sewer company or industry which shall have entered into a contract with the Authority pursuant to section three hundred three of this act shall pay quarterly as provided in such contract to the Authority, a sum of money certified to it by the Authority pursuant to section two hundred nineteen 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

Private sewer company to pay quarterly.

Interest upon unpaid balance.

Procedure
upon failure
to pay.

thereafter until paid at the rate of twelve per centum (12%) per annum. Any such sum of money so certified by the Authority 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.

Authority
authorized to
borrow from
Federal Gov-
ernment.

316. By an act of the Congress of the United States, entitled "An act to encourage national industrial recovery, to foster fair competition, and to provide for the construction of certain useful public works, and for other purposes," approved June sixteenth, nineteen hundred thirty-three, appropriations, grants or loans of money are contemplated for purposes such as defined in this act. 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 Hackensack River Sewerage Authority to apply for and receive grants or loans to fulfill the purposes of this act for the creation of the district sewer system and to enter into any agreement, contract or other undertaking with the Federal Emergency Administration of Public Works or any other agency of the Federal Government which shall administer such Federal act for the purpose of obtaining grants, loans and/or financial assistance of any kind or sort under such Federal act 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

401. 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.

Provisions of act controlling.

402. 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.

Object and design of act.

Constitutionality.

403. This act shall take effect immediately.
Approved September 5, 1933.

 CHAPTER 374

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

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

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

Section 114 amended.

Kidnapping.

114. Any person who shall kidnap or steal or forcibly take away any man, woman or child, and send or carry, or with intent to send or carry, such man, woman or child to any other point within this State, or into another State, territory or country, or shall force, persuade or entice any child within the age of fourteen years to leave his father, mother or guardian or other person or persons entrusted with the care of such child, and secrete or conceal the said child and his procurers, shall be guilty of a high misdemeanor and punished by imprisonment at hard labor for the term of his or her natural life, or for such other lesser term as the court shall deem proper, but such other term not to be less than thirty years; and any person or persons who shall kidnap or steal or forcibly take away any man, woman or child, as aforesaid, and shall demand for the return of such man, woman or child, any money or any valuable thing of any value whatsoever, shall be likewise guilty of a high misdemeanor, and upon conviction shall suffer death, unless the jury shall by their verdict and as a part thereof, upon and after consideration of all the evidence, recommend imprisonment at hard labor for life, in which case this and no greater punishment shall be imposed.

Demanding
ransom,
penalty.

2. This act shall take effect immediately.

Approved September 5, 1933.

CHAPTER 375

A SUPPLEMENT to an act entitled "An act concerning municipal finances," approved April twenty-eighth, one thousand nine hundred and thirty-one.

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

1. In any case where a justice of the Supreme Court has heretofore or hereafter made an order annulling, vacating and discharging any order theretofore made by such justice pursuant to the provisions of the act entitled "An act concerning municipal finances", approved April twenty-eighth, one thousand nine hundred and thirty-one, adjudging that the municipality has defaulted in the payment of the principal or interest of any of its outstanding notes or bonds, the municipal finance commission constituted upon the filing of such last mentioned order by the provisions of said act shall cease to continue in force in such municipality and neither said commission nor the State Commissioner of Municipal Accounts shall thereafter exercise any powers or perform any duties in and for such municipality pursuant to said act, or any act amendatory thereof or supplemental thereto; *provided, however,* that said municipal finance commission shall have heretofore or hereafter determined by resolution that it is not functioning in said municipality.

Municipal
finance com-
mission to
cease func-
tioning

Proviso.

2. This act is to take effect immediately.

Approved September 5, 1933.

CHAPTER 376

AN ACT relating to boroughs.

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

Boroughs continued as corporate bodies.

1. The inhabitants of every borough and of territory now known as a borough heretofore established and formed or purporting to have been heretofore established and formed under the provisions of any law, and which is now exercising or purporting to exercise corporate powers, are hereby continued and declared to be bodies corporate and politic in fact and in law, by the names by which they are now known, and the creation, organization and incorporation of said boroughs are hereby ratified and confirmed, and the said boroughs shall be governed by the general laws of the State relating to and regulating the government of boroughs or by any other general laws of this State pursuant to which the inhabitants of every such borough and of such territory now known as a borough hereinabove described have heretofore been governed or purported to be governed, as the case may be, and shall have all the powers therein conferred and be subject to all the duties thereby imposed.

Invested with rights and property heretofore possessed.

2. The inhabitants of every such borough and of such territory now known as a borough hereinabove described shall retain, hold, possess and enjoy and be absolutely invested with all the rights and property heretofore possessed and enjoyed by the inhabitants of every such borough and of such territory now known as a borough hereinabove described, and shall be responsible and liable for the contracts, debts, bonds and obligations of every such borough and of such territory now known as a borough hereinabove described which may have been made or incurred under the provisions of any act or acts of the Legislature; and every and all other acts and doings of the governing body elected by the in-

Validating acts of officers, etc.

habitants of every such borough and of such territory hereinabove described as public officers of every such borough, and of all other public officers, agents or employees or purporting in good faith to be public officers, agents or employees of every such borough and of such territory hereinabove described, are and shall be hereby ratified, confirmed and validated in all particulars, as if no question or doubt had ever arisen as to the proper incorporation of the inhabitants of every such borough and of such territory hereinabove described.

3. It is hereby declared that this law is necessary to remove doubt which exists as to the incorporation of various boroughs in the State heretofore in good faith exercising municipal powers, and to remove uncertainty as to the legal status thereof and for the protection and security of the inhabitants, governing body, and other public officers, agents and employees and the creditors of such boroughs; and to these ends this act shall be liberally construed.

Purpose of
act.

4. This act shall take effect immediately.

Approved September 5, 1933.

CHAPTER 377

AN ACT making appropriations for construction purposes.

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

1. For the purpose of further carrying into effect the provisions of chapter two hundred and twenty-seven of the laws of one thousand nine hundred and thirty, there is hereby appropriated from the "State Institutional Construction Fund," for the purposes herein enumerated, the several amounts herein set forth:

Appropriations
for con-
struction.

NEW JERSEY VILLAGE FOR EPILEPTICS, SKILLMAN		
Village for Epileptics.	Construction of Housing Unit for Chil- dren	\$60,000 00
	Housing for Inmates (two units).....	150,000 00
VINELAND STATE SCHOOL		
Vineland State School.	Completion of Hospital Building.....	40,000 00
	Housing for Low-Grade Patients.....	100,000 00
NEW JERSEY STATE HOSPITAL, TRENTON		
State Hos- pital, Trenton.	Fireproofing and Reconstruction of Wards	235,000 00
NEW JERSEY STATE HOSPITAL, GREYSTONE PARK		
State Hospital, Greystone Park.	Fireproofing and Reconstruction of Buildings	355,000 00
NEW JERSEY STATE HOSPITAL, MARLBORO		
State Hospital, Marlboro.	Housing Units for Patients, including Utility Lines, Grading, etc.	300,000 00
NEW JERSEY REFORMATORY, ANNANDALE		
Reformatory, Annandale.	Housing Units and Service Facilities.	120,000 00
	Housing for Inmates.....	75,000 00
NEW JERSEY SANATORIUM, GLEN GARDNER		
Sanatorium, Glen Gardner.	Enlargement of Reservoir for Water Supply	30,000 00
STATE HOME FOR BOYS, JAMESBURG		
Boy's Home, Jamesburg.	Repair and Reconstruction of Build- ings	40,000 00
STATE HOME FOR GIRLS, TRENTON		
Girl's Home, Trenton.	Housing for Inmates.....	75,000 00
	Repairs and Reconstruction of Build- ings	40,000 00

NEW JERSEY COLONY FOR FEEBLEMINDED
MALES, WOODBINE

Central Kitchen, Service Building, including equipment	75,000 00	Colony for Feeble-minded, Woodbine.
Two Housing Units for Inmates.....	80,000 00	

NEW JERSEY STATE PRISON FARM, BORDENTOWN

Additional Housing Units for Prisoners, Utilities and Shops.....	750,000 00	Prison Farm, Bordentown.
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INSTITUTION FOR DEFECTIVE DELINQUENTS	500,000 00	
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NEW JERSEY REFORMATORY, RAHWAY

Repair and Reconstruction of Buildings and Equipment.....	50,000 00	Reformatory, Rahway.
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NORTH JERSEY TRAINING SCHOOL, TOTOWA

Additional Housing for Inmates.....	75,000 00	Training School, Totowa.
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2. The Comptroller of the Treasury is hereby authorized, empowered and directed, and it shall be his duty to make such correction of the title or text, or both, of any item in this act contained necessary to make such appropriation available for the purpose or purposes of its intention. Such correction shall be by written ruling reciting any appropriate details, the fact thereof and the reasons therefor, attested by the signature of the Comptroller and filed by him in his office as an official record, and any action thereunder, including disbursements, and the audit thereof, shall be legally binding and of full force and virtue.

In order that some degree of flexibility in administering the provisions of this act may be had, the Board of Control of Institutions and Agencies may apply to the State House Commission for leave to transfer a part of any item to any other item, for both of which said items are appropriated. Upon the approval of such application by the State House

Corrections made to comply with intentions.

Transfer of funds.

Commission it shall notify the Comptroller thereof in writing, whereupon the Comptroller shall make such transfer as in this section directed.

3. This act shall take effect immediately.

Approved September 5, 1933.

CHAPTER 378

AN ACT to supplement an act entitled "An act to authorize and regulate the issuance of bonds and other obligations and the incurring of indebtedness by county, city, borough, village, town, township or any municipality governed by an improvement commission or any municipality governed by a board of commissioners," approved March twenty-second, one thousand nine hundred and sixteen.

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

May pledge
revenues for
payment of
bonds.

1. Any municipality which shall hereafter issue any bonds pursuant to the provisions of the act entitled "An act to authorize and regulate the issuance of bonds and other obligations and the incurring of indebtedness by county, city, borough, village, town, township or any municipality governed by an improvement commission or any municipality governed by a board of commissioners," constituting chapter two hundred and fifty-two of the laws of one thousand nine hundred and sixteen, approved March twenty-second, one thousand nine hundred and sixteen, or the acts amendatory thereof, or supplemental thereto, for the purpose of paying the cost of constructing an electric railway, whether including or not including necessary

or convenient stations, connections, turn-outs, switches, loops, structures, tunnels, entrances, exits and appurtenances, either underground, above or upon the surface of the ground, and any other means and appliances necessary or proper to constitute the same a complete electric railway, may pledge to the payment of the principal of and interest on said bonds all or any portion of the rentals or revenue or income thereafter to be paid to such municipality pursuant to any lease or agreement for the use of such electric railway, and for that purpose may provide that any such rentals, revenue or income or any portion thereof, shall be set aside in a special or trust fund to be used solely for the payment of such principal and interest or for the creation of any reserves therefor deemed necessary or for the purchase of any such bonds at prices not exceeding the principal amount thereof and accrued interest.

2. The powers conferred upon any municipality by this act may be exercised by resolution of the governing body of such municipality adopted by the vote of a majority of all the members of such governing body.

Powers exercised by resolution.

3. Any pledge of such rentals, revenue or other income made pursuant to this act and any provision made pursuant to this act for the establishment, maintenance, custody, or use of such trust fund, shall have the force of contract between such municipality and the holders of said bonds.

Pledge to have force of contract.

4. This act shall take effect immediately.

Approved September 5, 1933.

CHAPTER 379

AN ACT to supplement an act entitled "An act to authorize and regulate the issuance of bonds and other obligations and the incurring of indebtedness by county, city, borough, village, town, township or any municipality governed by an improvement commission or any municipality governed by a board of commissioners," approved March twenty-second, one thousand nine hundred and sixteen.

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

May sell
bonds at
private sale to
Federal
agency.

1. Any bonds of any county or municipality authorized to be issued pursuant to the provisions of the act entitled "An act to authorize and regulate the issuance of bonds and other obligations and the incurring of indebtedness by county, city, borough, village, town, township or any municipality governed by an improvement commission or any municipality governed by a board of commissioners," constituting chapter two hundred and fifty-two of the laws of one thousand nine hundred and sixteen, approved March twenty-second, one thousand nine hundred and sixteen, or the acts amendatory thereof or supplemental thereto, may be sold to the Reconstruction Finance Corporation or to the Federal Emergency Administration of Public Works or to any other agency of the United States at private sale and without the publication of any notice of sale, notwithstanding any provision to the contrary contained in any of said acts or in any other act.

2. This act shall take effect immediately.

Approved September 5, 1933.

CHAPTER 380

AN ACT providing for the reimbursement of school districts for the education of crippled children.

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

1. There is hereby appropriated \$40,312.65 for the reimbursement of school districts for one-half of the excess cost of educating crippled children within the several districts of the State for the school year ending June thirtieth, one thousand nine hundred and thirty-three, in accordance with the provisions of chapter fifty-four, laws of one thousand nine hundred and twenty-eight. The moneys in this item are appropriated to the Commissioner of Education and are to be deducted pursuant to chapter sixty-five of the laws of one thousand nine hundred and nine. Payments to the several districts shall be made by the State Treasurer upon the warrant of the Commissioner of Education.

2. This act shall take effect immediately.
Approved September 5, 1933.

CHAPTER 381

AN ACT to amend an act entitled "An act to amend an act entitled 'An act to amend an act entitled "A supplement to an act entitled 'An act concerning building and loan associations' (Revision of 1925), approved March twelfth, one thousand nine hundred and twenty-five," approved March tenth, one thousand nine hundred and thirty-three,' approved May eleventh, one thousand nine hundred and thirty-three," approved June twenty-first, one thousand nine hundred and thirty-three.

Preamble. WHEREAS, A public emergency exists as the result of a prolonged period of economic depression;

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

Commissioner
empowered to
conserve
assets:

1. The Commissioner of Banking and Insurance shall have power, in addition to such other powers as he may have, notwithstanding the provisions of the act to which this act is a supplement and the amendments and supplements thereof, from time to time, to make orders for the purpose of conserving the assets of the building and loan associations of this State, which orders shall have the same force and effect as law and be binding on any and/or all building and loan associations of this State, whereby:

To regulate
withdrawals;

(a) to regulate the method of paying the withdrawal value and/or maturity value of shares of any and/or all of such associations;

To regulate,
etc., applica-
tion for with-
drawal of
shares;

(b) to regulate and/or postpone the filing of applications for withdrawal of shares and of requests for payment of maturity value of shares of any and/or all such associations;

(c) to regulate or postpone the payment of all or any part of the maturity value or of the withdrawal value of shares of any and/or all such associations;

To regulate, etc., payment of maturity value;

(d) to require any and/or all such associations to establish additional reserves or increase present reserves and to regulate any reserves of any and/or all such associations and to prescribe the manner in which such reserves shall be established;

To require additional reserves;

(e) to regulate, allocate, prohibit or postpone the receipt and/or disbursement of funds by any such associations;

To regulate, etc., disbursements;

(f) to effect such changes and/or reorganization in the business and/or affairs of any and/or all such associations as he shall deem necessary or proper;

To effect reorganizations;

(g) whenever it is essential, in the public interest, to appoint under his hand and official seal one or more conservators to assist him in the operation of the business of any building and loan association in this State and such conservator shall execute such changes and/or reorganization in the business and/or affairs of any such association as may be directed by the commissioner; and shall be subject to such orders or regulations as issued or may hereafter be issued by the commissioner pursuant to the provisions of this act. The commissioner

To appoint conservators.

may require of such conservator such bond and security as he deems proper. The conservator, under the direction of the commissioner, shall take possession of the books, records and assets of every description of such association, and take such action as may be necessary to conserve the assets of such association pending further disposition of its business as provided by law. Such conservators shall have all the rights, powers and privileges now possessed by or hereafter given receivers of corporations organized and existing under the laws of this State, and in addition thereto, the right to renew and/or pay on account of maturing creditor obligations, and to secure the same if necessary, and the further right and power to incur new obli-

Bond.

Powers and duties.

Proviso.	gations, if in the interest of said association, and shall be subject to the obligations and penalties not inconsistent with the provisions of this act, to which said conservators are now or may hereafter become subject; <i>provided, however</i> , that said conservators shall not have the power to liquidate any such association. During the time that such conservator remains in possession of such association, the rights of all parties with respect thereto shall, subject to the provisions of this sub-chapter, be the same as if a receiver had been appointed therefor.
Expenses paid out of assets.	All expenses of any such conservatorship shall be paid out of the assets of such association and shall be a lien thereon, which shall be prior to any other
Salary.	lien. The commissioner shall fix the compensation of such conservator and of such persons employed by him in the performance of his duties, which compensation shall be disbursed from the funds of such association. If the commissioner becomes satisfied that it may safely be done and that it would be in the public interest, he may, in his discretion terminate the conservatorship and permit such association to resume the transaction of its business, subject to such terms, conditions, restrictions and limitations as he may prescribe, in which event said association shall become revested with title to all the real and personal property wherever situated.
Commissioner may terminate conservator.	
Liability of commissioner.	2. The commissioner shall not be liable in damages to any person by reason of errors of judgment in carrying out the powers herein conferred on him nor shall he be liable in damages for failure to act under said powers.
Modifying orders.	3. The commissioner shall have authority to repeal, suspend or modify any order made by him pursuant to the provisions of this law.
Orders, etc., filed in department.	4. No order made hereunto nor any suspension, modification or repealer thereof shall be effective until a copy thereof shall be filed in the Department of Banking and Insurance and a copy thereof delivered or mailed to the association or associations affected.

5. This act shall take effect immediately but shall become inoperative after three years from the date of its approval, but all orders or regulations made and all acts and things done under the provisions of this act shall be and remain valid and operative.

Approved September 5, 1933.

CHAPTER 382

AN ACT concerning the investment of moneys or funds by boards, commissions, officers of the State and heads of departments of the State government.

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

1. All boards, commissions, officers of the State and heads of departments of the State government authorized to invest moneys or funds are hereby authorized to invest moneys or funds in their possession in the notes, bonds or other obligations of any municipality of the State which has heretofore been or shall hereafter be issued pursuant to a resolution adopted by the proper officers of such municipality in a form certified by the municipal finance commission or issued with the approval in writing of such commission.

2. The words "municipal finance commission" shall mean the commission created by an act entitled "An act concerning municipal finances," approved April twenty-eighth, one thousand nine hundred and thirty-one, constituting chapter three hundred and forty of the Pamphlet Laws of one thousand nine hundred and thirty-one, and the acts amendatory thereof and supplemental thereto, and having and exercising with respect to such municipality the powers and duties prescribed by said act.

Act
inoperative.

Bonds,
commissions,
etc., au-
thorized to in-
vest in mu-
nicipal bonds,
etc.

Municipal
finance
commission
defined.

Additional
powers.

3. The powers conferred by this act shall be in addition to the powers conferred by every other law and notes, bonds and other obligations may be purchased hereunder notwithstanding the restrictions contained in any other laws.

4. This act shall take effect immediately.

Approved September 5, 1933.

CHAPTER 383

AN ACT to amend "An act to supplement and amend an act entitled 'An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof,' approved June twenty-first, nineteen hundred and thirty-three."

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

Section 117(a)
amended.

1. Section 117a of the act to which this act is amendatory be and the same hereby is amended to read as follows:

Advertising
for bids "2"
transport
school
children.

117a. No contract when the amount to be paid during the school year shall be in excess of three hundred dollars (\$300.00) for the transportation of children to and from school shall be made unless the board of education making such contract shall have first publicly advertised for bids therefor in a newspaper circulating in the school district once, at least ten days prior to the date fixed for receiving proposals for such transportation, and shall have awarded the contract to the lowest responsible bidder. At the time and place fixed in such advertisement for the submission of proposals the board of education, or any committee thereof authorized so to do, or any officer or employee of such board designated therefor, shall receive such proposals

Opening
of bids.

and thereupon immediately proceed to unseal the same and publicly announce the contents in the presence of the parties bidding or their agents, provided such parties choose to be then and there present. Said board shall have the right to reject any and all bids. No proposals shall be opened previous to the hour designated in the advertisement and none shall be received thereafter. Nothing herein contained shall apply to school buses owned by boards of education.

Rejection.

School-owned buses excepted.

2. This act shall take effect immediately.
 Approved September 5, 1933.

CHAPTER 384

A SUPPLEMENT to an act entitled "An act to provide for the selection, location, appropriation and management of certain lands along the Palisades of the Hudson river for an interstate park, and thereby to preserve the scenery of the Palisades," approved March twenty-second, one thousand nine hundred.

WHEREAS, By an act of the Legislature of New Jersey a board of commissioners known as Commissioners of the Palisades Interstate Park was created, the duties of which Commission being to establish, in conjunction with the State of New York, a park along the front of the Palisades on the Hudson river; and to locate such lands as may in their opinion be proper and necessary to be reserved for the purpose of establishing a State park and thereby preserving the scenic beauty of the Palisades, and

Preamble.

WHEREAS, The said Commissioners were further authorized to lay out, construct and maintain roads between and connecting any separated por-

Preamble.

tions of said park, and for this purpose to acquire rights-of-way upon and across any intervening lands, and to lay out, construct and maintain roads and ways connecting the roads and ways within said park with other public roads outside of and adjacent thereto; and were further authorized in laying out and maintaining said park, to have regard to the laying out and maintenance of such park as may be established by the State of New York along the Palisades and Hudson river, and to lay out and maintain said park in such manner that it, together with such park as may be established by the State of New York, shall form, so far as may be, a continuous park; and

Preamble. WHEREAS, The Commissioners of the Palisades Interstate Park, acting under similar legislative authority in the State of New York, have acquired and developed large forest and recreational areas in Rockland and Orange counties, New York, included in the Palisades Interstate Park, but not connected by any highways or parkways under the control of the commissioners; and

Preamble. WHEREAS, In order to preserve the scenic beauty of the Palisades, it is proposed to preserve in its natural state the edge or crest of the Palisades by building a parkway from a point south of the George Washington bridge to give proper connection therewith, along the edge or crest of the Palisades to the New York State line and thence through Rockland county into the Bear Mountain-Harriman section of the Palisades Interstate Park, with a terminus at the George W. Perkins Memorial Drive, now under construction on Bear Mountain, such parkway to be built along general lines heretofore recommended by the Regional Plan Association of New York, Inc.; and

Preamble. WHEREAS, John D. Rockefeller, Jr., has, in a letter addressed to the said commissioners under date of July seven, one thousand nine hundred and thirty-three, offered to donate to the Commis-

sioners of the Palisades Interstate Park lands owned by him on top of the Palisades for the purpose of the construction thereon of the said proposed parkway, upon condition that said commissioners shall within a reasonable time obtain sufficient funds to commence the construction of the proposed parkway and thereafter continue and complete its construction; and

WHEREAS, The Commissioners of the Palisades Interstate Park have reason to believe that they may secure a substantial grant from the Federal Emergency Administration of Public Works toward the construction of said parkway; and Preamble.

WHEREAS, Prompt action is necessary to enable said commissioners to acquire such additional lands in New Jersey as may be necessary to complete the said project and to begin construction as promptly as possible to afford unemployment relief by the employment of large numbers of workmen, which employment, under present conditions, is desirable; Preamble.

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

1. In addition to the powers conferred by the act to which this is a supplement and the supplements thereto and amendments thereof, the Commissioners of the Palisades Interstate Park are hereby authorized to construct, maintain and operate a parkway on top of the Palisades extending from the southerly line of the park now established by said commissioners to the New York State line and within one thousand feet westerly from the top or steep edge of the Palisades or the crest of the slope in places where the steep Palisade rocks are absent, and for such purpose and the acquisition of the necessary lands therefor, to apply for and accept grants or other aid from the Federal Emergency Administration of Public Works, or other board or boards, or officer or officers, department or departments of the United States. Additional powers granted commissioners.

2. For the purpose of laying out and establishing the said parkway the Commissioners of the Palisades Interstate Park shall have power to acquire by gift, purchase or condemnation any lands or rights in lands necessary for such objects and lying within the aforesaid area. The said commissioners, before proceeding to condemn lands for the parkway shall determine upon the location of such parkway and quantity of land to be included in said parkway and cause a survey thereof to be made, and a map showing the location of the parkway and the lands to be embraced therein, which map shall be kept by the said commissioners in their office.

Acquiring land.

Survey and map made.

Form of map.

Making survey.

Authenticated copy of map filed.

May alter boundary lines.

Condemnation of lands.

Said map shall show the termini of said parkway, including the courses and distances, names of the several owners or reputed owners of land through which the same will pass, so far as the same can be ascertained, and the westerly boundary line of said parkway and the streets or roads which may be included therein. For the purpose of making the necessary surveys therefor, said commissioners may enter upon lands or water of any person or persons, doing no unnecessary damage to private or other property, and subject to responsibility for all damages which shall be done thereto. The commissioners shall not be obliged to disclose the location of the parkway, survey or maps to public inspection until it has taken proceedings to condemn lands or rights in lands necessary therefor. After the parkway has been completely constructed, a properly authenticated copy of the map on file in the office of the commissioners shall be filed in the office of the clerk of the county of Bergen, and the right to condemn lands after such filing shall not extend west of the westerly boundary line of said parkway, as shown on said map. Said commissioners shall have the right to make alterations from time to time before the completion of the parkway, in its location or boundary lines, as may be found expedient and necessary. The map on file in the office of the commissioners shall record all such changes and alterations. The said commissioners

may take for condemnation within the limits aforesaid, all the necessary lands and rights in lands upon ascertainment and payment or tender of compensation as prescribed by law and either party may have an appeal from the award of the commissioners fixing compensation, and the proceedings on such ascertainment, taking and appeal, shall be pursuant to "An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use (Revision of nineteen hundred)", approved March third, one thousand nine hundred, and the acts amendatory thereof and supplemental thereto. Said commissioners shall have the right and power to enter upon and take any of such property in advance of making compensation therefor, in any case where said lands cannot be acquired by agreement with the owner, whether by reason of disagreement as to price, or the legal incapacity or absence of the owner or owners, or his or their inability to convey valid title, or by reason of any other cause. In any such case the said commissioners, upon exercising this right and entering upon and taking lands in advance of making compensation therefor, shall proceed without undue delay to condemn such lands in the manner required by the act aforesaid. In any such case of entering in advance of making compensation, the award of the commissioners or the verdict of the jury in the case of an appeal, shall bear interest from the date of entry to the date of payment to the owner or into the Court of Chancery, as the case may be.

3. All acts or parts of acts inconsistent with the provisions hereof are repealed. Repealer.

4. This act shall take effect immediately.

Approved September 5, 1933.

CHAPTER 385

AN ACT to amend an act entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three," approved May tenth, one thousand nine hundred and thirty-three.

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

Section 1
amended.

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

Unpaid State
apportion-
ment.

1. Whenever any part of the State apportionments, which have been made from State school taxes in accordance with the statutes governing such apportionments, remain unpaid on June thirtieth of either the years one thousand nine hundred and thirty-one and/or one thousand nine hundred and thirty-two, together with any such apportionments remaining unpaid up to April first of the year one thousand nine hundred and thirty-three, such amounts shall be paid as authorized by the Legislature from any State moneys in the hands of the State Treasurer not otherwise obligated or appropriated or from any moneys in the hands of or available to the State Treasurer or other agency of the State which moneys have been deposited with or made available by any act of the Congress of the United States or any agency thereof, or made available or deposited in any manner by any law or from any fund of the United States for school purposes or may be appropriated from the proceeds of the sale of State bonds or notes issued for school purposes or from the proceeds of any taxes designated by the Legislature for school purposes

other than first class railroad property taxes. Such apporportionments shall be paid by the State Treasurer in the manner now provided by law to the several county treasurers on orders of the commissioner of education, and by them to the several custodians of school funds; *provided*, that evidences of indebtedness described in section two of this act shall have been deposited with the State Treasurer and the county treasurers, *and provided further*, that not more than three-fourths of the money so appropriated shall be proportionately apportioned as aforesaid and the remainder of the amount appropriated together with repayments of all loans made under this act shall constitute a school relief fund and shall likewise be made proportionately available to school districts which apply for aid to meet outstanding obligations for teachers' salaries.

Payment.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved September 5, 1933.

CHAPTER 386

AN ACT for the maintenance of public higher education in New Jersey.

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

1. The following sums or so much thereof as may be necessary, be and they are hereby appropriated for the purpose herein specified out of the State fund for the fiscal year ending on the thirtieth day of June, one thousand nine hundred and thirty-four, in addition to the funds similarly appropriated in the annual appropriations act, approved

Appropriation to Board of Regents.

on the twentieth day of June, one thousand nine hundred and thirty-three:

To the State Board of Regents	
Rutgers University (State Agricultural College).....	\$53,500 00
College for Women.....	30,000 00
	\$83,500 00

2. This act shall take effect immediately.
 Approved September 5, 1933.

CHAPTER 387

AN ACT authorizing the creation of a debt of the State of New Jersey by the issuance of bonds of the State in the sum of seven million dollars (\$7,000,000.00) to aid school districts of this State in the payment of teachers' salaries and current expenses; providing the ways and means to pay the interest of said debt, and also to pay and discharge the principal thereof; and providing for the submission of this law to the people at a general election.

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

Bonds
authorized.

1. Bonds of the State of New Jersey in the sum of seven million dollars (\$7,000,000.00) are hereby authorized to aid school districts of this State in the payment of teachers' salaries and current expenses.

Issuing
officials.

2. The Governor, State Treasurer and Comptroller of the Treasury; or any two of such officials (hereinafter sometimes referred to as "the issuing officials") are hereby authorized to carry out the provisions of this act relating to the issuance of

said bonds, and shall determine all matters in connection therewith subject to the provisions thereof. In case any of said officials shall be absent from the State or incapable of acting for any reason, his powers and duties shall be exercised and performed by such person as shall be authorized by law to act in his place.

Deputies.

3. Said bonds shall be issued from time to time as money is required for the purpose aforesaid by certification from the Commissioner of Education of the State of New Jersey.

Issuing.

4. Bonds issued in accordance with the provisions of this act shall be a direct obligation of the State of New Jersey and the faith and credit of the State is pledged for the payment of the interest thereon as same shall become due and the payment of the principal at maturity. The principal and interest of such bonds shall be exempt from taxation by the State or by any county, municipality or other taxing district of the State.

Security.

Exempt from State tax.

5. Said bonds shall be signed in the name of the State by the Governor or by his facsimile signature, under the great seal of the State, and attested by the Secretary of State, or an Assistant Secretary of State, and shall be countersigned by the Comptroller of the Treasury or the deputy comptroller. Interest coupons attached to said bonds shall be signed by the facsimile signature of the Comptroller of the Treasury. Such bonds may be issued notwithstanding that any of the officials signing them or whose facsimile signatures appear on the bonds or coupons shall cease to hold office at the time of such issue or at the time of the delivery of such bonds to the purchaser.

Signatures on bonds.

Interest coupons.

6. (a) Such bonds shall recite that they are issued for the purpose set forth in section one of this act and that they are issued in pursuance of this act and that this act was submitted to the people of the State at the general election held in the month of November, one thousand nine hundred and thirty-three, and that it received the sanction of the majority of the votes cast for and against it at such

Validity.

Bonds incontestable.	election. Such recital in said bonds shall be conclusive evidence of the authority of the State to issue said bonds and to their validity. Any bonds containing such recital shall in any suit, action or proceeding involving their validity be conclusively deemed to be fully authorized by this act and to have been issued, sold, executed and delivered in conformity herewith and with all other provisions of statutes applicable thereto, and shall be incontestable for any cause.
Form of bonds.	(b) Such bonds shall be in such form and in such denomination as may be determined by the issuing officials. Said bonds may be coupon bonds or may be registered as to principal only with interest coupons attached, or may be registered as to both principal and interest.
To mature serially.	7. Bonds issued under this act shall mature serially. The last maturity shall not be more than eight years from the date of issue, and the first maturity shall not be more than three years from the date of issue. Each issue shall constitute a separate series, to be designated by the issuing officials. Each series of bonds shall bear such rate of interest not exceeding five per centum (5%) per annum as may be determined by the issuing officials, which interest shall be payable semiannually, providing that the first and last installment of interest may be for a longer or shorter period, in order that intervening installments may be payable at convenient dates.
Rate of interest.	
Sale.	8. Said bonds shall be issued and sold under such terms, conditions and regulations as the issuing officials may prescribe, after notice of said sale, published at least three times (the first notice shall be seven days prior to the day of bidding) in at least three newspapers published in the State of New Jersey, and in one financial paper published in the city of New York. The said notice of sale may contain a provision to the effect that any or all bids made in pursuance thereof may be rejected.
Form of notice.	In the event of such rejection or failure to receive any bids, the issuing officials are authorized to sell
Private sale.	

said bonds at private sale. The issuing officials may sell all or a part of the bonds of any series as issued to the sinking fund or funds for other bonds issued by the State or to the trustees for the support of public schools, the Teachers' Pension and Annuity Fund, or any other pension fund established for the benefit of State employees, at private sale, without advertisement.

9. Until permanent bonds can be prepared, the issuing officials may, in their discretion, issue in lieu of such permanent bonds, temporary bonds or certificates in such form and with such privileges as to registration and exchange for permanent bonds as may be determined by the issuing officials.

Temporary
bonds.

10. The proceeds from the sale of bonds and the interest on deposits are hereby dedicated to the aid of school districts of this State in the payment of teachers' salaries and current expenses, and such proceeds, together with all accrued interest, premiums and interest on funds derived from the sale of such bonds, shall be deposited by the State Treasurer in such depositories as may be selected by him, to the credit of the fund for which such bonds are issued.

Proceeds for
school
districts.

11. The proceeds from the sale of bonds as aforesaid shall be known as the School Relief Fund, and the same shall be used for the purpose of aiding school districts of this State in the payment of teachers' salaries and other current expenses and shall be made available to school districts under the provisions of an act entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three," approved May tenth, one thousand nine hundred and thirty-three, and constituting chapter one hundred and fifty-five of the laws of one thousand nine hundred and thirty-three, with amendments thereof and supplements thereto.

School
Relief Fund.

Mutilation
or destruction.

12. In case any coupon bonds and coupons thereunto appertaining or any registered bond shall become mutilated or destroyed, a new bond shall be executed and delivered of like tenor, amount, date and series, in substitution for the mutilated or destroyed bond or coupons. In case of destruction or mutilation, the applicant for the substituted bond or bonds shall furnish to the State House Commission evidence satisfactory to it of such mutilation or destruction and also such security and indemnity as may be required.

Expenses.

13. Any expense incurred by the issuing officials for advertising, engraving, printing, clerical, legal or other services necessary to carry out the duties imposed upon them by the provisions of this act, shall be paid from accrued interest and premiums from the sale of bonds or from the proceeds of the sale of said bonds by the State Treasurer upon warrant of the Comptroller of the Treasury in the same manner as other obligations of the State are paid.

Motor fuel
tax to provide
principal and
interest pay-
ments.

14. To provide funds to meet the interest and principal payment requirements for the bonds issued under this act and outstanding there is hereby appropriated from the tax imposed pursuant to the provisions of an act entitled "An act to impose a tax on the sale of motor vehicle fuels as herein defined; regulating the sale of such fuels; providing for the collection of said tax, for reports of sales of such motor fuels, and for the disposition of the revenue derived from such tax, and fixing penalties for the violation of the terms thereof," passed April first, one thousand nine hundred and twenty-seven, and the acts amendatory thereof, such sum or sums as may be necessary for said purpose.

Additional
tax if funds
insufficient.

15. (a) If in any year or at any time funds as appropriated by section fourteen hereof necessary to meet the interest and principal payments upon outstanding bonds issued under this act be insufficient or are not available, then and in that case, there shall be assessed, levied and collected annually in each of the municipalities of the counties of

this State, a tax on real and personal property upon which municipal taxes are or shall be assessed, levied and collected, sufficient to meet the interest on all outstanding bonds issued hereunder and on such bonds as it is proposed to issue under this act in the calendar year, in which such tax is to be raised and for the payment of bonds falling due in the year following the year for which the tax is levied.

(b) The tax thus imposed shall be assessed, levied and collected in the same manner and at the same time as other taxes upon real and personal property are assessed, levied and collected. The governing body of each municipality shall cause to be paid to the county treasurer of the county in which such municipality is located on or before the fifteenth day of December in each year the amount of tax herein directed to be assessed and levied, and the county treasurer shall pay the amount of said tax to the State Treasurer on or before the twentieth day of December in each year.

Levying and collection of tax.

16. Should the State Treasurer by December thirty-first of any year deem it necessary, because of insufficiency of funds to be collected from the sources of revenues as provided in section fourteen hereof to meet the interest and principal payments for the year after the ensuing year, then the Treasurer shall certify to the Comptroller of the Treasury the amount necessary to be raised by taxation for such purposes, the same to be assessed, levied and collected for and in the ensuing calendar year. In such case, the Comptroller of the Treasury shall, on or before the first day of March following, calculate the amount in dollars to be assessed, levied and collected as herein set forth in each county. Such calculation shall be based upon the corrected assessed valuation of such county for the year preceding the year in which such tax is to be assessed, but such tax shall be assessed, levied and collected upon the assessed valuations of the year in which the tax is assessed and levied. The Comptroller of the Treasury shall certify said

Deficiency.

Comptroller to prorate tax.

Method of calculating tax.

Comptroller to certify amount.

amount to the county board of taxation and the county treasurer of each county. The said county board of taxation shall include the proper amount in the current taxing levy of the several taxing districts of the county in proportion to the ratables as ascertained for the current year.

County tax levy.

Referendum. 17. For the purpose of complying with the provisions of the State Constitution, this act shall, at the general election to be held in the month of November, one thousand nine hundred and thirty-three, be submitted to the people. In order to inform the people of the contents of this act it shall be the duty of the Secretary of State, after this section shall take effect and at least thirty days prior to the said election to cause this act to be published at least once in at least ten newspapers published in the State. It shall be the duty of the Secretary of State to arrange, in accordance with the statutes of this State in such case made and provided, for such submission, of which submission the same notice shall be given as is required by law to be given of said election, and the people of the State may, at such election, vote for and against the sanction or rejection of this act in the following manner:

Notice.

There shall be printed on each official ballot the following:

Marking ballot. If you favor the taking effect of the act entitled below, make an X or a + mark in the square opposite the word "Yes".

If you are opposed to the taking effect of the act entitled below, make an X or a + mark in the square opposite the word "No".

	Yes.	Shall an act entitled "An act authorizing the creation of a debt of the State of New Jersey by the issuance of bonds of the State in the sum of seven million dollars (\$7,000,000.00) to aid school districts of this State in the payment of teachers' salaries and current expenses; providing the ways and means to pay the interest of said debt, and also to pay and discharge the principal thereof; and providing for the submission of this law to the people at a general election," become a law?
	No.	

Proposition.

The fact and date of the approval or passage of this act, as the case may be shall be inserted in the appropriate place after the title in said ballot.

The said ballots so cast for and against this act shall be counted and the result thereof returned by the election officer, and a canvass of such election had in the same manner as is now provided for by law in the case of the election of a Governor, and the sanction or rejection of this act so determined shall be declared in the same manner as the result of an election for a Governor, and if there shall be a majority of all the votes cast for and against it at such an election in favor of the sanction of this act, then all of the provisions of this act shall take effect forthwith.

Canvass.

18. This section and section seventeen of this act shall take effect immediately and the remainder of the act shall take effect as and when provided in the preceding sections but this act shall be inoperative unless the act entitled "An act to repeal an act entitled 'An act authorizing the creation of a debt of the State of New Jersey by the issuance of bonds of the State in the sum of seven million dollars (\$7,000,000.00) for the acquisition of lands and

When effective.

interest therein, water rights and interest therein, for the purpose of appropriating, conserving and protecting the potable waters of this State; providing the ways and means to pay the interest of said debt and also to pay and discharge the principal thereof; and providing for the submission of this law to the people at a general election,' approved April eighteenth, one thousand nine hundred and thirty," becomes a law by the assent of the people.

Approved September 5, 1933.

CHAPTER 388

AN ACT to repeal an act entitled "An act authorizing the creation of a debt of the State of New Jersey by the issuance of bonds of the State in the sum of seven million dollars (\$7,000,000.00) for the acquisition of lands and interest therein, water rights and interest therein, for the purpose of appropriating, conserving and protecting the potable waters of this State; providing the ways and means to pay the interest of said debt and also to pay and discharge the principal thereof; and providing for the submission of this law to the people at a general election," approved April eighteenth, one thousand nine hundred and thirty.

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

Repealer.

1. The act entitled "An act authorizing the creation of a debt of the State of New Jersey by the issuance of bonds of the State in the sum of seven million dollars (\$7,000,000.00) for the acquisition of lands and interest therein, water rights and inter-

est therein, for the purpose of appropriating, conserving and protecting the potable waters of this State; providing the ways and means to pay the interest of said debt and also to pay and discharge the principal thereof; and providing for the submission of this law to the people at a general election," approved April eighteenth, one thousand nine hundred and thirty, be and the same is hereby repealed.

2. This act shall take effect immediately, but its provisions shall remain inoperative until the people at the general election in the month of November, one thousand nine hundred and thirty-three, shall assent to its provisions and the provisions of an act entitled "An act authorizing the creation of a debt of the State of New Jersey by the issuance of bonds of the State in the sum of seven million dollars (\$7,000,000.00) to aid school districts of this State in the payment of teachers' salaries and current expenses; providing the ways and means to pay the interest of said debt, and also to pay and discharge the principal thereof; and providing for the submission of this law to the people at a general election." When effective.

In order to inform the people of the contents of this act it shall be the duty of the Secretary of State, after this section shall take effect and at least thirty days prior to said election, to cause this act to be published at least once in at least ten newspapers published in the State. It shall be the duty of the Secretary of State to arrange, in accordance with the statutes of this State in such case made and provided, for such submission, of which submission the same notice shall be given as is required by law to be given of said election, and the people of the State may, at such election, vote for and against the sanction or rejection of this act in the following manner: Notice.

There shall be printed on each official ballot the following:

Marking ballot.

If you favor the taking effect of the act entitled below, make an X or + mark in the square opposite the word "Yes".

If you are opposed to the taking effect of the act entitled below, make an X or + mark in the square opposite the word "No".

Proposition.

	Yes.	Shall an act entitled "An act to repeal an act entitled 'An act authorizing the creation of a debt of the State of New Jersey by the issuance of bonds of the State in the sum of seven million dollars (\$7,000,000.00) for the acquisition of lands and interest therein, water rights and interest therein, for the purpose of appropriating, conserving and protecting the potable waters of this State; providing the ways and means to pay the interest of said debt and also to pay and discharge the principal thereof; and providing for the submission of this law to the people at a general election,' approved April eighteenth, one thousand nine hundred and thirty," become a law?
	No.	

The fact and date of the approval or passage of this act, as the case may be, shall be inserted in the appropriate place after the title in said ballot.

Canvass.

The said ballots so cast for and against this act shall be counted and the result thereof returned by the election officer, and a canvass of such election had in the same manner as is now provided for by law in the case of the election of a Governor, and the sanction or rejection of this act so determined shall be declared in the same manner as the result

of an election for a Governor, and if there shall be a majority of all the votes cast for and against it at such an election in favor of the sanction of this act, then all of the provisions of this act shall take effect forthwith, subject, however, to the limitation in this act contained relative to the adoption of an act entitled "An act authorizing the creation of a debt of the State of New Jersey by the issuance of bonds of the State in the sum of seven million dollars (\$7,000,000.00) to aid school districts of this State in the payment of teachers' salaries and current expenses; providing the ways and means to pay the interest of said debt, and also to pay and discharge the principal thereof; and providing for the submission of this law to the people at a general election."

Approved September 5, 1933.

CHAPTER 389

A FURTHER SUPPLEMENT to an act entitled "An act to regulate elections" (Revision of 1930), approved April eighteenth, one thousand nine hundred and thirty.

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

1. In any election except a primary election held in any city of the fourth class having a population of not more than twenty thousand no voter shall be allowed to vote at any election held therein except a primary election unless his name appears in the signature copy register or in the primary election registry book and such voter, for a period of at least fifteen days prior to the holding of such election, shall have been an actual and continuous resident in any such city. Should any voter attempting to vote at any such election be challenged by any person before he shall be allowed to vote, he shall first sign, swear to or duly affirm an affi-

Residence requirements.

Affidavit.

Form of
affidavit.

davit which shall be filed by the district board of registry and election of the district in which he casts his vote, setting forth his qualifications as prescribed by this act. The affidavit shall be upon a form supplied by the municipality and shall set forth the place of his or her residence, the fact that he or she actually resided at such place for the length of time in this act prescribed, and also all the other facts necessary in qualifying him or her as a voter under the Constitution of this State.

Violation a
misdemeanor.

2. Any person violating the provisions of this act shall be guilty of a misdemeanor and this act shall take effect immediately.

Approved September 5, 1933.

CHAPTER 390

AN ACT to amend an act entitled "An act to amend an act entitled 'A supplement to an act entitled "An act concerning public utilities; to create a Board of Public Utility Commissioners, and to prescribe its duties and powers," approved April twenty-first, one thousand nine hundred eleven,' approved March twelfth, one thousand nine hundred thirteen," approved April fourteenth, nineteen hundred thirty.

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

Section 2
amended.

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

Division of
expenses.

2. The entire expense of such alterations, changes, re-location or opening, including damages to adjacent property, and the cost of removing, re-laying, or re-locating any municipal water or sewer pipes, or other municipal pipes, conduits, or sub-

ways, shall be paid fifty per centum by such railroad company, or companies, involved, and fifty per centum by said board out of funds to be provided for that purpose; *provided, however*, that if funds are granted or allotted by the United States Government, or any of its agencies, the said board be and it is hereby authorized and empowered with the consent and approval of the Governor, to allot and credit any or all of the funds so received toward the part of the expense to be borne by such railroad company, or companies. Proviso.

2. This act shall take effect immediately.

Approved September 5, 1933. .

CHAPTER 391

AN ACT to repeal section eight of an act entitled "An act to prevent gaming" (Revision of 1877), approved March twenty-seventh, one thousand eight hundred and seventy-four.

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

1. Section eight of the act entitled "An act to prevent gaming" (Revision of 1877), approved March twenty-seventh, one thousand eight hundred and seventy-four, be and the same is hereby repealed, and all liabilities, penalties or forfeitures already incurred prior to the passage hereof are and shall be hereby released and discharged. Section 8
repealed.

2. This act shall take effect immediately.

Approved September 5, 1933.

CHAPTER 392

AN ACT to amend an act entitled "An act to authorize municipalities to issue bonds to fund certain indebtedness of such municipalities, including certain indebtedness incurred for public purposes without authority of or without compliance with law," approved April twelfth, one thousand nine hundred and thirty-three.

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

Section 3
amended.

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

Issuing.

3. Such bonds may be issued from time to time in such amounts as may be determined by resolution adopted by the votes of a majority of all the members of the governing body of such municipality.

Maturity.

Each issue of said bonds shall mature in annual installments or series beginning not later than three years and ending not later than twenty years after the date of the bonds of such issue, and no such installment or series of any such issue of bonds shall be more than twice as large as the smallest prior installment or series of such issue of bonds. Said bonds shall bear interest at a rate not exceeding six per centum (6%) per annum, payable semiannually, and shall be sold at not less than ninety-nine per centum (99%) of their par value.

Rate.

Form of
bonds.

Said bonds shall be issued in such form and with such provisions as to time, place and medium of payment as said governing body may determine, subject to the limitations and restrictions of this act. Said bonds shall be sold upon sealed proposals or at public auction after seven days' notice of such sale published once in a newspaper published in such municipality, or, if no newspaper is pub-

Sale.

lished therein, in a newspaper published in the county in which such municipality is located and circulating in such municipality, and also once in a financial newspaper published in New York City or Philadelphia, Pennsylvania. The power to receive and accept bids may be delegated to a committee or to a financial officer. If no legally acceptable bid is received for the bonds advertised to be sold at public sale, said bonds or any of them may be sold without further advertisement at private sale within sixty days after the advertised date for public bidding; *provided, however*, that (a) said bonds shall not bear interest at a rate which is higher than the rate or maximum rate specified in the notice of sale, nor (b) contain substantially different provisions from those specified in said notice. Any action required by this act to be taken by such governing body, including that of authorizing the issuance of such bonds and designating the officials to execute the bonds herein authorized, preliminary to the issuance of such bonds, shall be taken by resolution adopted by the vote of a majority of all the members of such governing body.

Bids.

Private sale.

Proviso.

Action by resolution.

2. This act shall take effect immediately.
Approved September 5, 1933.

CHAPTER 393

AN ACT to provide for the appointment of constables in cities of the first class and to define the number thereof and the duties, powers, qualifications, and term of office.

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

Governing
body may
appoint.

1. The Governing body of any city of the first class of this State may, by resolution, appoint each year not more than one hundred and fifty (150) constables.

Residence
requirements,
etc.

2. The said constables so appointed shall be residents of and registered voters of said city for at least three (3) years prior to the date of such appointment.

Term.

3. The term of office of said constables shall be one (1) year.

Fee.

4. The Governing body of any such municipality may, by resolution, charge each constable an annual fee not exceeding fifty dollars (\$50.00), and shall supply said constable with a badge suitably inscribed, the badge to be returned to the city at the expiration of said constable's term.

Badge.

Construing.

5. Nothing in this act shall be construed to limit or terminate the term of any constable duly elected, or appointed, in any municipality under any existing law.

Qualifications
and duties.

6. All other qualifications, bonds, duties and powers shall be the same as by the laws and usages of this State now appertain to and devolve upon such officers or as hereafter may be provided by law.

Repealer.

7. All other acts, general or special, now existing, not in accordance with the provisions of this act or inconsistent therewith are hereby repealed.

8. This act shall take effect immediately.

Approved September 5, 1933.

CHAPTER 394

A SUPPLEMENT to an act entitled "An act concerning unpaid taxes, assessments and other municipal charges on real property, and providing for the collection thereof by the creation and enforcement of liens thereon" (Revision of 1918), approved March fourth, one thousand nine hundred and eighteen.

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

1. Whenever a sale for unpaid taxes, assessments and other municipal charges on real property has heretofore been held in any municipality and the collector or other officer charged by law in such municipality to hold such sale, has sold parcels of real property in such municipality to the said municipality pursuant to the act to which this act is a supplement, and the amendments thereto and supplements thereof, but has failed to execute to the said municipality certificates of tax sale for such parcels of real property and the said certificates of tax sale have thereafter, but heretofore, been executed by the successor in office of the officer holding such sale, such certificates of tax sale shall be valid in all respects, notwithstanding that the officer holding such sale has not executed the said certificates of tax sale; *provided, however*, that the officer holding such sale shall have executed an affidavit, either prior or subsequent to the expiration or termination of the term of office of such officer, setting forth that such sale was duly and properly held and an enumeration of the several parcels of real property sold to such municipality at such sale, the terms of such sale and the amount for which such several parcels of

Validating
certificates of
tax sale.

Proviso.

real property was sold, which affidavit shall have been filed with the clerk of such municipality.

Repealer.

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

3. This act shall take effect immediately.

Approved September 5, 1933.

CHAPTER 395

AN ACT to supplement an act entitled "An act making appropriations for the support of the State government and for several public purposes for the fiscal year ending June thirtieth, one thousand nine hundred and thirty-four, and regulating the disbursement thereof," approved June twentieth, one thousand nine hundred and thirty-three.

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

Appropriation,
traveling
expenses
Banking and
Insurance.

1. In addition to the sum appropriated for traveling expenses in the Department of Banking and Insurance in and by the act of which this act is a supplement, there is hereby appropriated out of the State fund for traveling expenses in the Department of Banking and Insurance, the sum of \$40,000.

2. This act shall take effect immediately.

Approved September 5, 1933.

CHAPTER 396

AN ACT to amend the title and body of an act entitled "An act to authorize cities or other municipalities of this State located on or near the ocean to build, rebuild and repair bulkheads, jetties and other works and structures to protect the beach or ocean front from encroachment by the sea and to provide for the payment of the cost thereof," approved April seventeenth, one thousand nine hundred and fourteen.

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

1. An act entitled "An act to authorize cities or other municipalities of this State located on or near the ocean to build, rebuild and repair bulkheads, jetties and other works and structures to protect the beach or ocean front from encroachment by the sea and to provide for the payment of the cost thereof," approved April seventeenth, one thousand nine hundred and fourteen, be and the same is hereby changed and amended so that henceforth is shall read as follows:

Title amended.

An act to authorize cities and other municipalities of this State, located on or near the ocean, to build, rebuild and repair bulkheads, jetties and other works and structures to protect the beach or ocean front, or other lands bordering on any bay or sound from encroachment by the sea, or any arm thereof, and to provide for the payment of the cost thereof.

New title.

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

Section 1 amended.

1. The common council or other governing body of any city or other municipality in this State bordering upon the Atlantic ocean, or on any bay or sound, is hereby authorized to protect the beach or

Authorized to build, etc., bulkheads, etc.

ocean front, or any lands bordering on or contiguous to any bay or sound or any arm of the sea, of said city or other municipality from encroachment by the sea, or any bay or sound, and to that end to build, rebuild and repair bulkheads, jetties and other works and structures for the protection thereof. Such improvements, repairs and structures may be made both above and below high-water mark.

3. This act shall take effect immediately.

Approved September 5, 1933.

CHAPTER 397

AN ACT to reduce to fifty-eight million dollars (\$58,000,000.00) the debt authorized to be created by an act entitled "An act authorizing the creation of a debt of the State of New Jersey by the issuance of bonds of the State in the sum of eighty-three million dollars (\$83,000,000.00) for highway improvements; providing the ways and means to pay the interest of said debt, and also to pay and discharge the principal thereof; and providing for the submission of this law to the people at a general election," approved April eighteenth, one thousand nine hundred and thirty.

Preamble.

WHEREAS, The Legislature, with the assent of the people, has heretofore reduced from eighty-three million dollars (\$83,000,000.00) to sixty-three million dollars (\$63,000,000.00) the debt authorized to be created by the act recited in the title hereof; and

WHEREAS, It has become necessary to further reduce said debt from sixty-three million dollars (\$63,000,000.00) to fifty-eight million dollars (\$58,000,000.00), and to provide by separate act for the issuance of five million dollars (\$5,000,000.00) of bonds for emergency relief purposes; now, therefore,

Preamble.

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

1. The authority granted pursuant to the provisions of an act entitled "An act authorizing the creation of a debt of the State of New Jersey by the issuance of bonds of the State in the sum of eighty-three million dollars (\$83,000,000.00) for highway improvements; providing the ways and means to pay the interest of said debt, and also to pay and discharge the principal thereof; and providing for the submission of this law to the people at a general election," approved April eighteenth, one thousand nine hundred and thirty, to issue bonds in the sum of eighty-three million dollars (\$83,000,000.00) is hereby reduced to the sum of fifty-eight million dollars (\$58,000,000.00).

Reducing amount of issue.

2. This act shall take effect immediately but its provisions shall remain inoperative until the people at the general election in the month of November, one thousand nine hundred and thirty-three, shall assent to its provisions and the provisions of an act entitled "An act authorizing the creation of a debt of the State of New Jersey by the issuance of bonds of the State in the sum of five million dollars (\$5,000,000.00) for the relief of the unemployed and dependents in this State; providing the ways and means to pay the interest of said debt, and also to pay and discharge the principal thereof; and providing for the submission of this law to the people at a general election."

When effective.

In order to inform the people of the contents of this act it shall be the duty of the Secretary of State, after this section shall take effect and at least thirty days prior to said election, to cause this

Notice.

act to be published at least once in at least ten newspapers published in the State. It shall be the duty of the Secretary of State to arrange, in accordance with the statutes of this State in such case made and provided, for such submission, of which submission the same notice shall be given as is required by law to be given of said election, and the people of the State may, at such election, vote for and against the sanction or rejection of this act in the following manner:

There shall be printed on each official ballot the following:

**Marking
ballot.**

If you favor the taking effect of the act entitled below, make an X or + mark in the square opposite the word "Yes".

If you are opposed to the taking effect of the act entitled below, make an X or + mark in the square opposite the word "No".

Proposition.

	Yes.	Shall an act entitled "An act to reduce to fifty-eight million dollars (\$58,000,000.00) the debt authorized to be created by an act entitled 'An act authorizing the creation of a debt of the State of New Jersey by the issuance of bonds of the State in the sum of eighty-three million dollars (\$83,000,000.00) for highway improvements; providing the ways and means to pay the interest of said debt, and also to pay and discharge the principal thereof; and providing for the submission of this law to the people at a general election,' approved April eighteenth, one thousand nine hundred and thirty," become a law?
	No.	

The fact and date of the approval or passage of this act as the case may be, shall be inserted in the appropriate place after the title in said ballot.

The said ballots so cast for and against this act shall be counted and the result thereof returned by the election officer, and a canvass of such election had in the same manner as is now provided for by law in the case of the election of a Governor, and the sanction or rejection of this act so determined shall be declared in the same manner as the result of an election for a Governor, and if there shall be a majority of all the votes cast for and against it at such an election in favor of the sanction of this act, then all of the provisions of this act shall take effect forthwith, subject, however, to the limitation in this act contained relative to the adoption of an act entitled "An act authorizing the creation of a debt of the State of New Jersey by the issuance of bonds of the State in the sum of five million dollars (\$5,000,000.00) for the relief of the unemployed and dependents in this State; providing the ways and means to pay the interest of said debt, and also to pay and discharge the principal thereof; and providing for the submission of this law to the people at a general election."

Approved September 5, 1933.

CHAPTER 398

AN ACT authorizing the creation of a debt of the State of New Jersey by the issuance of bonds of the State in the sum of five million dollars (\$5,000,000.00) for the relief of the unemployed and dependents in this State; providing the ways and means to pay the interest of said debt, and also to pay and discharge the principal thereof; and providing for the submission of this law to the people at a general election.

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

**Bonds
authorized.**

1. Bonds of the State of New Jersey in the sum of five million dollars (\$5,000,000.00) are hereby authorized for the relief of the unemployed and dependents in this State.

**Issuing
officials.**

2. The Governor, State Treasurer and Comptroller of the Treasury; or any two of such officials (hereinafter sometimes referred to as "the issuing officials") are hereby authorized to carry out the provisions of this act relating to the issuance of said bonds, and shall determine all matters in connection therewith subject to the provisions hereof. In case any of said officials shall be absent from the State or incapable of acting for any reason, his powers and duties shall be exercised and performed by such person as shall be authorized by law to act in his place.

Deputies.

Issuing.

3. Said bonds shall be issued from time to time as money is required for the purpose aforesaid by certification from the State Director of Emergency Relief.

Security.

4. Bonds issued in accordance with the provisions of this act shall be a direct obligation of the State of New Jersey and the faith and credit of

the State is pledged for the payment of the interest thereon as same shall become due and the payment of the principal at maturity. The principal and interest of such bonds shall be exempt from taxation by the State or by any county, municipality or other taxing district of the State.

Exempt from
State tax.

5. Said bonds shall be signed in the name of the State by the Governor or by his facsimile signature, under the great seal of the State, and attested by the Secretary of State, or an Assistant Secretary of State, and shall be countersigned by the Comptroller of the Treasury or the deputy comptroller. Interest coupons attached to said bonds shall be signed by the facsimile signature of the Comptroller of the Treasury. Such bonds may be issued notwithstanding that any of the officials signing them or whose facsimile signatures appear on the bonds or coupons shall cease to hold office at the time of such issue or at the time of the delivery of such bonds to the purchaser.

Signatures
on bonds.

Interest
coupons.

6. (a) Such bonds shall recite that they are issued for the purpose set forth in section one of this act and that they are issued in pursuance of this act and that this act was submitted to the people of the State at the general election held in the month of November, one thousand nine hundred and thirty-three, and that it received the sanction of the majority of the votes cast for and against it at such election. Such recital in said bonds shall be conclusive evidence of the authority of the State to issue said bonds and to their validity. Any bonds containing such recital shall in any suit, action or proceeding involving their validity be conclusively deemed to be fully authorized by this act and to have been issued, sold, executed and delivered in conformity herewith and with all other provisions of statutes applicable thereto, and shall be incontestable for any cause.

Validity.

Bonds incon-
testable.

(b) Such bonds shall be in such form and in such denomination as may be determined by the issuing officials. Said bonds may be coupon bonds or may

Form of
bonds.

be registered as to principal only with interest coupons attached, or may be registered as to both principal and interest.

To mature serially.

7. Bonds issued under this act shall mature serially. The last maturity shall not be more than eight years from the date of issue, and the first maturity shall not be more than three years from the date of issue. Each issue shall constitute a separate series, to be designated by the issuing officials. Each series of bonds shall bear such rate of interest not exceeding five per centum (5%) per annum as may be determined by the issuing officials, which interest shall be payable semiannually, providing that the first and last installment of interest may be for a longer or shorter period, in order that intervening installments may be payable at convenient dates.

Rate of interest.

Sale.

8. Said bonds shall be issued and sold under such terms, conditions and regulations as the issuing officials may prescribe, after notice of said sale, published at least three times (the first notice shall be seven days prior to the day of bidding) in at least three newspapers published in the State of New Jersey, and in one financial paper published in the city of New York. The said notice of sale may contain a provision to the effect that any or all bids made in pursuance thereof may be rejected. In the event of such rejection or failure to receive any bids, the issuing officials are authorized to sell said bonds at private sale. The issuing officials may sell all or a part of the bonds of any series as issued to the sinking fund or funds for other bonds issued by the State or to the Trustees for the Support of Public Schools, the Teachers' Pension and Annuity Fund, or any other pension fund established for the benefit of State employees, at private sale, without advertisement.

Form of notice.

Private sale.

Temporary bonds.

9. Until permanent bonds can be prepared, the issuing officials may, in their discretion, issue in lieu of such permanent bonds, temporary bonds or certificates in such form and with such privileges

as to registration and exchange for permanent bonds as may be determined by the issuing officials.

10. The proceeds from the sale of bonds and the interest on deposits are hereby dedicated to the purpose of the relief of the unemployed and dependents in this State, and such proceeds, together with all accrued interest, premiums and interest on funds derived from the sale of such bonds, shall be deposited by the State Treasurer in such depositories as may be selected by him, to the credit of the fund for which such bonds are issued.

Proceeds for unemployed relief, etc.

11. The proceeds from the sale of bonds as aforesaid shall be known as the "Emergency Relief Fund", and the same shall be used only for the purpose of the relief of the unemployed and dependents in this State. Such fund shall be held for the demand of the State Director of Emergency Relief and shall be drawn upon and disbursed only on his order as other funds are now disbursed from the State Treasury.

Emergency relief fund.

12. In case any coupon bonds and coupons thereunto appertaining or any registered bond shall become mutilated or destroyed, a new bond shall be executed and delivered of like tenor, amount, date and series, in substitution for the mutilated or destroyed bonds or coupons. In case of destruction or mutilation, the applicant for the substituted bond or bonds shall furnish to the State House Commission evidence satisfactory to it of such mutilation or destruction and also such security and indemnity as may be required.

Mutilation or destruction.

13. Any expense incurred by the issuing officials for advertising, engraving, printing, clerical, legal or other services necessary to carry out the duties imposed upon them by the provisions of this act shall be paid from accrued interest and premiums from the sale of bonds or from the proceeds of the sale of said bonds by the State Treasurer upon warrant of the Comptroller of the Treasury in the same manner as other obligations of the State are paid.

Expenses.

Motor fuel
tax to provide
principal and
interest
payments.

14. To provide funds to meet the interest and principal payment requirements for the bonds issued under this act and outstanding there is hereby appropriated from the tax imposed pursuant to the provisions of an act entitled "An act to impose a tax on the sale of motor vehicle fuels as herein defined to be paid by distributors as herein defined; regulating the sale of such fuels; providing for the collection of said tax, for reports of sales of such motor fuels, and for the disposition of the revenue derived from such tax, and fixing penalties for the violation of the terms thereof," passed April first, one thousand nine hundred and twenty-seven, and the acts amendatory thereof, such sum or sums as may be necessary for said purpose.

Additional
tax if funds
insufficient.

15. (a) If in any year or at any time funds as appropriated by section fourteen hereof necessary to meet the interest and principal payments upon outstanding bonds issued under this act be insufficient or are not available, then and in that case there shall be assessed, levied and collected annually in each of the municipalities of the counties of this State a tax on real and personal property upon which municipal taxes are or shall be assessed, levied and collected, sufficient to meet the interest on all outstanding bonds issued hereunder and on such bonds as it is proposed to issue under this act in the calendar year in which such tax is to be raised and for the payment of bonds falling due in the year following the year for which the tax is levied.

Levying and
collection of
tax.

(b) The tax thus imposed shall be assessed, levied and collected in the same manner and at the same time as other taxes upon real and personal property are assessed, levied and collected. The governing body of each municipality shall cause to be paid to the county treasurer of the county in which such municipality is located on or before the fifteenth day of December in each year the amount of tax herein directed to be assessed and levied, and the county treasurer shall pay the

amount of said tax to the State Treasurer on or before the twentieth day of December in each year.

16. Should the State Treasurer by December thirty-first of any year deem it necessary, because of insufficiency of funds to be collected from the sources of revenues as provided in section fourteen hereof to meet the interest and principal payments for the year after the ensuing year, then the treasurer shall certify to the Comptroller of the Treasury the amount necessary to be raised by taxation for such purposes, the same to be assessed, levied and collected for and in the ensuing calendar year. In such case, the Comptroller of the Treasury shall, on or before the first day of March following, calculate the amount in dollars to be assessed, levied and collected as herein set forth in each county. Such calculation shall be based upon the corrected assessed valuation of such county for the year preceding the year in which such tax is to be assessed, but such tax shall be assessed, levied and collected upon the assessed valuations of the year in which the tax is assessed and levied. The Comptroller of the Treasury shall certify said amount to the county board of taxation and the county treasurer of each county. The said county board of taxation shall include the proper amount in the current taxing levy of the several taxing districts of the county in proportion to the ratables as ascertained for the current year.

Deficiency.

Method of calculating tax.

Comptroller to certify amount.

County tax levy.

17. For the purpose of complying with the provisions of the State Constitution, this act shall, at the general election to be held in the month of November, one thousand nine hundred and thirty-three, be submitted to the people. In order to inform the people of the contents of this act it shall be the duty of the Secretary of State, after this section shall take effect and at least thirty days prior to the said election, to cause this act to be published at least once in at least ten newspapers published in the State. It shall be the duty of the Secretary of State to arrange, in accordance with

Referendum.

Notice.

the statutes of this State in such case made and provided, for such submission, of which submission the same notice shall be given as is required by law to be given of said election, and the people of the State may, at such election, vote for and against the sanction or rejection of this act in the following manner:

There shall be printed on each official ballot the following:

Marking
ballot.

If you favor the taking effect of the act entitled below, make an X or a + mark in the square opposite the word "Yes."

If you are opposed to the taking effect of the act entitled below, make an X or a + mark in the square opposite the word "No."

Proposition.

	Yes.	An act authorizing the creation of a debt of the State of New Jersey by the issuance of bonds of the State in the sum of five million dollars (\$5,000,000.00) for the relief of the unemployed and dependents in this State; providing the ways and means to pay the interest of said debt, and also to pay and discharge the principal thereof; and providing for the submission of this law to the people at a general election.
	No.	

The fact and date of the approval or passage of this act, as the case may be, shall be inserted in the appropriate place after the title in said ballot.

Canvass.

The said ballots so cast for and against this act shall be counted and the result thereof returned by the election officer, and a canvass of such election had in the same manner as is now provided for by law in the case of the election of a Governor, and the sanction or rejection of this act so determined

shall be declared in the same manner as the result of an election for a Governor, and if there shall be a majority of all the votes cast for and against it at such an election in favor of the sanction of this act, then all of the provisions of this act shall take effect forthwith.

18. This section and section seventeen of this act shall take effect immediately and the remainder of the act shall take effect as and when provided in the preceding sections, but this act shall be inoperative unless the act entitled "An act to reduce to fifty-eight million dollars (\$58,000,000.00) the debt authorized to be created by an act entitled 'An act authorizing the creation of a debt of the State of New Jersey by the issuance of bonds of the State in the sum of eighty-three million dollars (\$83,000,000.00) for highway improvements; providing the ways and means to pay the interest of said debt, and also to pay and discharge the principal thereof; and providing for the submission of this law to the people at a general election,' approved April eighteenth, one thousand nine hundred and thirty," becomes a law by the assent of the people. ^{When effective.}

Approved September 5, 1933.

CHAPTER 399

AN ACT to supplement an act entitled "An act making appropriations for the support of the State government and for several public purposes for the fiscal year ending June thirtieth, one thousand nine hundred and thirty-four, and regulating the disbursement thereof," approved June twenty-first, one thousand nine hundred and thirty-three.

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

Additional
appropriation
to Department
of Agriculture.

1. In addition to the sum appropriated for tuberculosis eradication in and by the act of which this act is a supplement, there is hereby appropriated to the Department of Agriculture out of the State fund; for the purpose of completing the tuberculosis eradication program and paying indemnities to the owners of cattle reacting to the tuberculin test, the sum of one hundred thousand dollars (\$100,000.00).

2. This act shall take effect immediately.

Approved September 14, 1933.

CHAPTER 400

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

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

1. Section thirty-seven of the act entitled “An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,” approved October nineteenth, one thousand nine hundred and three, is hereby amended to read as follows:

Section 37 amended.

37. The State appropriation and the State school tax shall not be apportioned in any year to any district which shall not have maintained a public school for at least nine months during the preceding school year; *provided*, that the State Commissioner of Education may, for good cause shown, remit said penalty; *and provided, further*, that said appropriation and said State school tax shall be apportioned to a new district, or to a district in which the school shall have been discontinued on account of the repairing of an old, or the erection of a new school building.

School term.

Proviso.

Proviso.

2. Section seventy-four of said act is hereby amended to read as follows:

Section 74 amended.

74. On or before the eighth day of February in each year, the board of education of such city school district shall prepare and deliver to each member of said board of school estimate an itemized statement of the amount of money estimated to be necessary for the current expenses of and for repairing and furnishing the public schools of such district for the ensuing school year, and also the amount

Estimate furnished.

which shall have been apportioned to such district by the county superintendent and authorized by law to be used to meet the expenses of such district for such year.

Sec. 75
amended.

3. Section seventy-five of said act is hereby amended to read as follows:

Moneys neces-
sary
determined.

75. Between the first and fifteenth day of February in each year, said board of school estimate shall fix and determine the amount of money necessary to be appropriated for the use of the public school in such district for the ensuing school year, exclusive of the amount which shall have been apportioned to it by the county superintendent of schools in the manner set forth in the preceding paragraph.

Certificates.

Said board of school estimate shall, on or before the last-named date, make two certificates of said amount, signed by at least three members of the said board, one of which certificates shall be delivered to the board of education of said school district and the other to the common council, board of finance or other body in the city having the power to make appropriation of money raised by taxes in such city. Said common council, board of finance or other body shall, upon receipt of said notice, appropriate by including the amount so certified as aforesaid in the tax ordinance and said amount shall be assessed, levied and collected in the same manner as money appropriated for other purposes in such city shall be assessed, levied and collected;

Appropriation
made.

provided, that any amount in excess of one and one-half per centum of the valuation of the assessable ratables of such city as determined by the county board of taxation, of the county in which said city is situated, shall be appropriated only with the concurrence and consent of said common council, board of finance or other body expressed by its resolution duly passed; *and provided, further*, that if the charter of the city shall limit the amount of tax or the rate of taxation in said city, so that the purposes of this section cannot be carried out, or shall otherwise by its terms prevent the carrying out of said purposes, said charter of limitation shall be here-

Proviso.

Proviso.

after held not to apply to the raising of money under the provisions of this section.

Whenever a city board of education shall decide that it had underestimated in its annual estimate under section seventy-four of this act, the amount of moneys necessary for the current expenses of and for repairing and furnishing the public schools of said school district for the said school year or whenever a city board of education shall decide that it is necessary to raise additional funds for repairing or making usable any property destroyed or made unusable by accident or other cause of such district which were not foreseen when its said annual estimate was made up or to defray the expenses of any and all emergencies which had arisen since the making of the said annual estimate, said board of education shall prepare and deliver to each member of the said board of estimate of the said school district, a statement of the amount of money estimated to be necessary for such purpose or purposes, said board of school estimate shall thereupon meet within a reasonable time and shall fix and determine the amount necessary for such purpose or purposes and shall make two certificates of such amount, one of which certificates shall be delivered to said board of education and the other to the common council, board of finance or other body in the city having the power to make appropriations of money raised by taxes in such city, hereinafter designated as the governing body; said governing body shall thereupon immediately appropriate such sum or sums for such purpose or purposes and shall raise said sum or sums in the manner provided by law for the raising of said funds by said city in emergencies and that the raising of the funds required by the certificate of the board of school estimate, in such a case, shall be considered an emergency. Upon raising of said funds the governing body shall cause said sum or sums to be forthwith paid to the custodian of school funds of the school district for said purpose or purposes.

Estimate of
additional
moneys
necessary.

Appropriation.

Payment to
custodian.

Section 79
amended.

Election of
members.

Election days
and polling
places.

Notices.

Failure to
post notices.

Fixing dis-
trict lines.

4. Section seventy-nine of said act is hereby amended to read as follows:

79. An election of members of the board of education shall be held in each township, incorporated town or borough school district, on the second Tuesday in February in each year, at a schoolhouse or such other convenient public place within the district as may be selected by the board of education. In case the second Tuesday falls on a holiday, the election shall be held on the following Wednesday. In any school district where the enrollment of school pupils exceeds one thousand, the board of education of such school district, in its discretion, may select an additional schoolhouse or schoolhouses or such other additional convenient public place or public places within the district for such election or for any special meeting of the legal voters of the district. Not less than seven notices of such election, specifying the day, time and place or places thereof, shall be posted by the district clerk at least ten days before the date of such election; one of such notices shall be posted on each schoolhouse within the district and at such other public places therein as the board of education of such district shall direct. Any district clerk who shall fail to post notices calling said election as required by this section shall pay a fine of twenty dollars, to be recovered in a court for the trial of small causes by any resident of said school district. A plurality of the votes cast shall be sufficient to elect a member of a board of education.

Whenever the board of education in any school district shall, under and by the authority of this act, establish two or more voting places in said district, they shall also and at the same time establish the lines of voting districts in said school district and shall give public notice thereof in the same manner as is herein otherwise provided for notice to be given of school meetings and elections. No person shall vote at any such election elsewhere than at the place designated for voters of the voting district in which said person resides.

5. Section one hundred and eighty-three-a be and the same is hereby repealed. Section 183(a) repealed.
6. Section two hundred thirty-eight of said act is hereby amended to read as follows: Section 238 amended.
238. The school year shall begin on the first day of July and end on the thirtieth day of June. School year.
7. Section seventy-nine-a be and the same is hereby repealed. Section 79(a) repealed.
8. This act shall take effect immediately.
Approved November 15, 1933.

CHAPTER 401

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

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

1. Notwithstanding any law to the contrary, boards of school estimate in districts where such body fixes and determines the amount to be appropriated and the voters in all other districts shall determine the amount to be raised for the school fiscal year which shall begin on the first day of July and end on the thirtieth day of June; *provided*, School fiscal year. that all districts which acted under the provisions of chapter twenty-eight and chapter forty-nine, P. L. one thousand nine hundred and thirty-three, and made their appropriations for a period less than twelve months from July first, one thousand nine hundred and thirty-three, shall determine the amount to be raised for the period from January first, one thousand nine hundred and thirty-four, Proviso.

- Certificates to state amount separately.** to June thirtieth, one thousand nine hundred and thirty-four, and also shall annually determine the amount to be appropriated for the succeeding school year. Certificates stating separately the amounts appropriated for the said six months period and for the amount appropriated for the full school year shall be delivered to the governing body of the municipality or municipalities co-extensive with any such district, and the said governing body shall cause to be levied the amount appropriated for the said six months plus not less than one-half of the amount appropriated for the full school year. The governing body shall, on or before March first, certify the aggregate amount to be levied to the county board of taxation, to the board of education and to the county superintendent, and an additional certificate to the assessor in districts in which the appropriations are made by the voters.
- Aggregate amount certified.**
- Unlevied amount raised.** In each succeeding year there shall be raised the unlevied amount of the preceding year's appropriation and not less than one-half of the appropriation for the ensuing school year.
- Certifying amount for full school year.** 2. Nothing in this act shall prevent a board of school estimate in districts in which such board fixes and determines the amount to be appropriated, or boards of education in districts where appropriations are made by the voters thereof, from certifying amounts to be appropriated for the full school year as provided in the act to which this act is a supplement or from causing the tax levy to be reduced by certifying the appropriations as provided in section one of this act. The provisions of this section shall apply to any districts now existing or which may hereafter be created.
- Application.**
- Repealer.** 3. All acts or parts of acts inconsistent with this act are hereby repealed.
4. This act shall take effect immediately.
- Approved November 16, 1933.

CHAPTER 402

AN ACT to repeal an act entitled "A supplement to an act entitled 'An act to regulate the practice of optometry, to license optometrists, and to punish persons violating the provisions thereof,' approved April seventeenth, one thousand nine hundred and fourteen," which said supplement was approved June twenty-third, one thousand nine hundred and thirty-three.

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

1. An act entitled "A supplement to an act entitled 'An act to regulate the practice of optometry, to license optometrists, and to punish persons violating the provisions thereof,' approved April seventeenth, one thousand nine hundred and fourteen," which said supplement was approved June twenty-third, one thousand nine hundred and thirty-three, be and the same is hereby repealed. Chap. 284,
P. L. 1933
repealed.
2. This act shall take effect immediately.
Approved November 23, 1933.

CHAPTER 403

AN ACT validating elections in various counties of this State, accepting the provisions of any act or acts of the Legislature submitted to the electorate of said counties, at said elections and confirming said elections.

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

1. Whenever in any of the counties of this State an election has heretofore been held to accept or Provisions
of acts to
be in force.

reject the provisions of any act or acts of the Legislature and at such election a majority of the votes cast were in favor of accepting the provisions of such act or acts, then the provisions of such act or acts together with the amendments and supplements thereto shall be deemed to apply to and be in operation and force in any such counties.

Validating
elections.

2. All elections held in any of the counties as aforesaid are hereby validated and confirmed, notwithstanding any defect in the notice of such election, or in the calling of the same, or in the method or manner of submission or certification thereof.

3. This act shall take effect immediately.

Approved November 23, 1933.

CHAPTER 404

AN ACT to validate bonds of townships and proceedings for their issuance.

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

Validating
bonds.

1. All proceedings heretofore had for the issuance and sale by townships of this State of bonds for lawful purposes are hereby ratified, validated and confirmed, and said bonds, when delivered and paid for at not less than par and accrued interest, shall be valid and binding township obligations, notwithstanding the ordinance authorizing the issuance and sale of said bonds may have been published after its final passage by title only and without the accompanying notice required by the law under which proceedings for said bonds were taken.

2. This act shall take effect immediately.

Approved November 23, 1933.

CHAPTER 405

AN ACT to amend and supplement a further supplement to an act entitled "An act concerning the manufacture, distribution and sale of certain beverages having an alcoholic content and providing for licenses, regulations and fees in connection therewith and penalties for violations thereof," approved April fifth, one thousand nine hundred and thirty-three, which supplement was approved August thirty-first, one thousand nine hundred and thirty-three.

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

1. Section fifteen of the act to which this act is an amendment and supplement be and the same is hereby amended to read as follows: Section 15 amended.

15. This act shall take effect immediately and shall become inoperative upon the adoption of the Twenty-first Amendment of the Constitution of the United States. Act inoperative.

2. All licenses of whatever character, issued pursuant to the provisions of an act entitled "An act concerning the manufacture, distribution and sale of certain beverages having an alcoholic content and providing for licenses, regulations and fees in connection therewith and penalties for violations thereof," approved April fifth, one thousand nine hundred and thirty-three, as amended, or pursuant to any supplement thereto, are hereby continued in full force and effect, without the payment of any additional license fee, unless sooner revoked, until the adoption of the Twenty-first Amendment of the Constitution of the United States. Licenses continued.

3. All ordinances and resolutions adopted or passed pursuant to the provisions of an act entitled "An act concerning the manufacture, dis- Ordinances and resolutions continued in force.

tribution and sale of certain beverages having an alcoholic content and providing for licenses, regulations and fees in connection therewith and penalties for violations thereof," approved April fifth, one thousand nine hundred and thirty-three, as amended, or pursuant to any supplement thereof, are hereby continued in full force and effect without further enactment, unless sooner repealed until the adoption of the Twenty-first Amendment of the Constitution of the United States.

4. This act shall take effect immediately.

Approved November 23, 1933.

CHAPTER 406

AN ACT to amend an act entitled "An act concerning tuberculosis," approved March twenty-eighth, one thousand nine hundred and twelve.

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

Section 1
amended.

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

County
hospital.

1. The board of chosen freeholders of any county shall have power to establish a county hospital for the care and treatment of persons suffering from the disease known as tuberculosis.

Powers of
freeholders:

When said board shall have voted to establish such hospital, it shall have the following powers:

Acquire
property;

To purchase and lease real property therefor, either within or without the boundaries of such county, or acquire such real property and easements therein, by condemnation proceedings, in the manner prescribed by an act entitled "An act to regulate the ascertainment of payment of compensation for property condemned or taken for public use" (Revision of 1900), and the supple-

by con-
demnation;

ments thereto and amendments thereof, but no real **location.**
 property shall be purchased, leased, or acquired
 by condemnation proceedings, by a county without
 its boundaries in another county without the con-
 sent of the State Board of Health and the board of
 chosen freeholders of such county in which such
 property is located.

To erect all necessary buildings, make all neces- **Buildings.**
 sary improvements and repairs and alter any ex-
 isting buildings for the use of said hospital; *pro-* **Proviso.**
vided, that the plans for such erection, alteration
 or repair shall first be approved by the State
 Board of Health.

To appoint a board of managers for said hos- **Managers.**
 pital as hereinafter provided:

In counties of the first class the board of chosen **Functions.**
 freeholders or such committee or committees
 thereof as such board may designate shall exercise
 all the functions herein conferred on the board of
 managers, and all the functions described in this
 act and the amendments thereto and supplements
 thereof as belonging to the board of managers
 shall, in counties of the first class, inhere in and be
 exercised by the board of chosen freeholders of
 such county or its said committee or committees.

Upon request of the board of managers or in **Equipment.**
 counties of the first class on its own initiative, to
 equip the hospital with all necessary furniture, ap-
 pliances, fixtures and other needed facilities for
 the care and treatment of patients and for the use
 of officers and employees thereof, and shall pur-
 chase all necessary supplies.

To cause to be assessed, levied and collected such **Taxation.**
 sums of money as it shall deem necessary for suit-
 able lands, buildings and improvements for said
 hospital, and for the maintenance thereof, and for
 all other necessary expenditures therefor; and to **Borrow**
 borrow money for the erection of such hospital and **money.**
 for the purchase of a site therefor on the credit of
 the county, and issue county obligations therefor,
 in such manner as it may do for other county pur-
 poses.

Trusteeship.

To accept and hold in trust for the county any grant or devise of land, within or without the boundaries of the county, or any gift or bequest of money or other personal property or any donation to be applied, principal or income, or both, for the benefit of said hospital, and apply the same in accordance with the terms of the gift.

2. This act shall take effect immediately.

Approved November 29, 1933.

CHAPTER 407

AN ACT to amend an act entitled "An act concerning banks, trust companies and savings banks having shares of capital stock," approved April twelfth, one thousand nine hundred and thirty-three.

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

Section 3
amended.

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

Dividends.

3. The rate of dividends to be paid on such preferred stock shall not exceed six per centum (6%) per annum and such dividends shall be cumulative, and the holders of such preferred stock shall have such priorities and voting rights and such stock shall be subject to retirement or conversion into common stock in such manner and on such terms and conditions as may be provided in the said certificate of amendment or incorporation. Notwithstanding any other provision of law, after providing for all expenses, interest and taxes accrued or due from said bank, or trust company, dividends may be declared and paid upon any one or more classes of preferred stock of such bank or trust company out of profits; *provided*, that after giving

On preferred
stock.

Proviso.

effect to the payment of such dividends, the unimpaired capital of the bank or trust company paying the same is not less than the aggregate par value of its preferred stock of all classes at the time outstanding, or the minimum capital required by law for such bank or trust company, whichever sum is the greater.

2. This act shall take effect immediately.

Approved November 29, 1933.

CHAPTER 408

AN ACT to amend an act entitled "A further supplement to an act entitled 'An act concerning trust companies' (Revision of 1899), approved March twenty-fourth, one thousand eight hundred ninety-nine," and which further supplement was approved March eighteenth, one thousand nine hundred twenty-five.

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

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

Section 1
amended.

1A. Any two or more corporations now organized under the act to which this act is a supplement, or under any special act, and all having their main offices or principal places of business in the same county, are hereby authorized to merge one or more of such corporations into another of them as is herein prescribed.

Trust
companies
may merge.

Any two or more corporations, any one or more of which is or are now organized under the act to which this act is a supplement, or under any special act, and the other or others of which corporations is or are, at the time this act takes effect, a banking

Banking
associations
becoming
trust com-
panies may
merge.

association or banking associations organized under the laws of the United States and doing business in this State and which after this act takes effect makes or make effective its or their dissolution as a national banking association or national banking associations, and becomes or become a trust company or trust companies under and pursuant to "A supplement to an act entitled 'An act concerning trust companies' (Revision of 1899), approved March eighth, one thousand nine hundred and twenty-four," and being chapter seventy-two of the laws of one thousand nine hundred and twenty-four, and all of which corporations have their main offices or principal places of business in the same county, are hereby authorized to merge one or more of such corporations into another of them as herein prescribed.

Trust companies in same municipality may merge.

1B. Any two or more corporations organized under the act to which this act is a supplement, or under any special act, any one or more of which corporations is or are organized after this act takes effect, and all having their main offices or principal places of business in the same municipality, are hereby authorized to merge one or more of such corporations into another of them as herein prescribed.

Certain banking organizations becoming trust companies may merge.

Any two or more corporations, any one or more of which is or are organized under the act to which this act is a supplement, or under any special act, and the other or others of which corporations is or are a banking association or banking associations now organized, or organized after this act takes effect, under the laws of the United States and doing business in this State and which after this act takes effect makes or make effective its or their dissolution as a national banking association or national banking associations and becomes or become a trust company or trust companies under and pursuant to "A supplement to an act entitled 'An act concerning trust companies' (Revision of 1899), approved March eighth, one thousand nine hundred and twenty-four," and being chapter

seventy-two of the laws of one thousand nine hundred and twenty-four, and all of which corporations have their main offices or principal places of business in the same municipality, are hereby authorized to merge one or more of such corporations into another of them as herein prescribed.

2. This act shall take effect immediately.

Approved November 29, 1933.

CHAPTER 409

AN ACT providing for the disposition of the bonds issued and delivered by the Delaware River Joint Commission in payment of its debt to the State of New Jersey authorizing its use thereof.

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

1. The State Treasurer, acting on behalf of the State of New Jersey, shall forthwith deliver to the Teachers' Pension and Annuity Fund a sufficient number of bonds of the Delaware River Joint Commission at par value as will liquidate the amount borrowed from said Teachers' Pension and Annuity Fund under the provisions of chapter two hundred twelve of the laws of one thousand nine hundred thirty-two, with interest as provided for in said statute, and the amount certified by the Teachers' Pension and Annuity Fund to the Comptroller of the Treasury of this State, as the annual appropriation payable July first, one thousand nine hundred and thirty-three, in accordance with the provisions of section two hundred fifty-three, of chapter eighty, P. L. one thousand nine hundred and nineteen, as amended by chapter one hundred sixty-seven, P. L. one thousand nine hundred and twenty-five, with interest (at four per centum per

Amount of
bonds delivered
to Teachers'
Pension Fund.

Amount
certified.

Law
governing.

annum) from July first, one thousand nine hundred thirty-three; and shall thereafter deliver to the Highway Extension Sinking Fund a sufficient number of said bonds to meet in whole or in part the requirements of the said Highway Extension Sinking Fund, and the balance of said bonds, if any, shall be delivered to the Treasurer of the State of New Jersey to await the disposition of the Legislature. The bonds so delivered to the Teachers' Pension and Annuity Fund are hereby made legal investments for said fund. All acts or parts of acts inconsistent herewith are hereby repealed to the extent of such inconsistencies.

2. This act shall take effect immediately.

Approved December 4, 1933.

Amount deliverable to highway fund.

Legal investments.

Repealer.

CHAPTER 410

A SUPPLEMENT to an act entitled "An act to establish a State highway system, and to provide for the improvement, betterment, reconstruction, resurfacing, maintenance, repair and regulation of the use thereof" (Revision of 1927), approved March thirtieth, one thousand nine hundred and twenty-seven.

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

Period of advertising.

1. In order to expedite the commencement of work on the projects to be financed from funds allotted under the National Industrial Recovery Act, the State Highway Commission may award contracts after advertising for bids for at least one week. Such publication shall be at least once in each of two newspapers printed in the county where the project is located, and at least once in a newspaper in Trenton, and may be inserted in one

or more American engineering periodicals. The advertisement shall give a brief description of the work and materials required, specify where plans and specifications can be seen, or had, the hour, date and place where the sealed proposals will be received and publicly opened and read, and such other pertinent information as the commission may include. Description.

2. The provisions of this act shall apply only to projects to be financed in whole or in part from funds allotted under the National Industrial Recovery Act. Application of funds.

3. This act shall take effect immediately.

Approved December 4, 1933.

CHAPTER 411

AN ACT to repeal sundry acts relative to narcotic drugs.

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

1. The following acts and parts of acts be and the same are hereby repealed: Sundry acts repealed.

(1908, c. 197, p. 399)

“A supplement to an act entitled ‘An act for the punishment of crimes’ (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,” approved April thirteenth, one thousand nine hundred and eight.

(1915, c. 24, p. 53)

“An act to amend an act entitled ‘A supplement to an act entitled “An act for the punishment of crimes” (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-

eight,' which said supplement was approved April thirteenth, one thousand nine hundred and eight," approved March second, one thousand nine hundred and fifteen.

(1915, c. 343, p. 636)

"An act to amend an act entitled 'A supplement to an act entitled "An act for the punishment of crimes" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,' approved April thirteenth, one thousand nine hundred and eight," approved April nineteenth, one thousand nine hundred and fifteen.

(1924, c. 107, p. 203)

"An act to amend 'An act to amend an act entitled "A supplement to an act entitled an act for the punishment of crimes" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight, which said supplement was approved April thirteenth, one thousand nine hundred and eight, and which said amendment was approved April nineteenth, one thousand nine hundred and fifteen,' " approved March eleventh, one thousand nine hundred and twenty-four.

(1929, c. 301, p. 702)

"A further supplement to an act entitled 'A supplement to an act entitled "An act for the punishment of crimes" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,' approved June fourteenth, one thousand eight hundred and ninety-eight, which said supplement was approved April thirteenth, one thousand nine hundred and eight, approved March eleventh, one thousand nine hundred and twenty-four," approved May sixth, one thousand nine hundred and twenty-nine.

2. This act shall take effect immediately.

Approved December 4, 1933.

CHAPTER 412

AN ACT to amend an act entitled "An act relating to the collection of delinquent municipal liens," approved April eleventh, one thousand nine hundred and thirty-three.

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

1. Chapter one of an act entitled "An act relating to the collection of delinquent municipal liens," approved April eleventh, one thousand nine hundred and thirty-three, be and the same is hereby amended so as to read as follows:

Section 1
amended.

1. Whenever the governing body of any municipality of this State shall, by resolution adopted during the calendar year one thousand nine hundred and thirty-three, declare that it is for the best interests of its citizens that the provisions of this act be made available to its property owners, then all taxes, assessments, tax sale certificates held by the municipality or other municipal liens in arrears on January first, one thousand nine hundred and thirty-three, and not yet paid and satisfied, together with the interest and penalties thereon, shall, when brought under the provisions of this act by compliance with section seven of this act, and subject to the conditions hereinafter set out, be totalled as of said date; and the payment of such totalled sum shall be spread over a period of five years, and the same shall be payable in monthly or quarterly installments as stated in said resolution commencing January first, one thousand nine hundred and thirty-four, with interest on the several unpaid balances at the rate of seven per centum per annum, payable on the same quarterly dates.

Resolution
as to municipal
liens being
totalled.

Paying in
installments.

2. This act shall take effect immediately.

Approved December 4, 1933.

CHAPTER 413

AN ACT to validate and confirm conveyances of land and mortgages made in the corporate names of corporations and conveyances to corporations which had expired by their own limitation or been annulled by the Legislature or otherwise dissolved prior to the execution and delivery of such conveyances or mortgages, and the record thereof.

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

Validating
certain
conveyances.

Proviso.

1. Every conveyance or mortgage of land by any corporation heretofore executed and delivered in the corporate name and any conveyance or mortgage of lands to any corporation heretofore delivered, after such corporation had expired by its own limitation or been annulled by the Legislature or otherwise dissolved; *provided*, such conveyance or mortgage by the corporation was executed by the person who was the president, or a vice-president thereof, at the date of its dissolution, and such deed or mortgage by the corporation has been of record for at least one year and any conveyance or mortgage to such corporation, after such corporation has expired by its own limitation where such corporation was later reinstated, is hereby validated and confirmed; and any and all such conveyances and mortgages, and the record thereof, shall be as valid and effectual in law and in equity as if executed and delivered by or to the directors of such corporation as trustees on dissolution.

2. This act shall take effect immediately.

Approved December 4, 1933.

CHAPTER 414

AN ACT to validate and confirm bonds heretofore issued by school districts in this State.

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

1. All bonds heretofore issued and now outstanding which were authorized by the voters of any school district in this State at an election duly called and held as provided by law are hereby validated and confirmed, notwithstanding any defect or irregularity in the proceedings for the sale of said bonds; *provided*, said bonds were sold at not less than par and accrued interest. Bond issue validated.

2. This act shall take effect immediately. Proviso.

Approved December 4, 1933.

CHAPTER 415

A SUPPLEMENT to an act entitled "An act to provide for the selection, location, appropriation and management of certain lands along the Palisades of the Hudson river for an interstate park and thereby to preserve the scenery of the Palisades," approved March twenty-second, one thousand nine hundred.

WHEREAS, By an act of the Legislature of New Jersey the Commissioners of the Palisades Interstate Park were authorized to construct, maintain and operate a parkway on top of the Palisades and for such purpose and the acquisition of the necessary lands therefor to apply for and Preamble.

accept grants or other aid from the Federal Emergency Administration of Public Works or other board or boards, or officer or officers, department or departments of the United States; and

Preamble.

WHEREAS, Said commissioners have heretofore also been authorized to sell such lands on top of the Palisades as in their judgment may be not necessary for park purposes, together with a right to grant easements over such lands for public improvements; therefore,

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

Certain conveyances to federal government.

1. In addition to the powers conferred by the act to which this is a supplement and the supplements thereto and amendments thereof, the Commissioners of the Palisades Interstate Park shall have the power to grant and convey for a nominal consideration to the United States Government or any appropriate agency thereof such parcels of any land or rights therein now owned by the said commissioners or hereafter acquired by them on top of the Palisades as may in their opinion be proper and necessary for the purpose of laying out and constructing a parkway on top of the Palisades.

Repealer.

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

Approved December 4, 1933.

CHAPTER 416

AN ACT to repeal an act entitled "An act authorizing and empowering counties, cities, towns, townships, boroughs, villages and other municipalities of this State to construct and maintain public works and improvements, and jointly with Federal agencies to provide for the payment of the cost of such construction and maintenance," approved June twenty-sixth, one thousand nine hundred and thirty-three.

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

1. An act entitled "An act authorizing and empowering counties, cities, towns, townships, boroughs, villages and other municipalities of this State to construct and maintain public works and improvements, and jointly with Federal agencies to provide for the payment of the cost of such construction and maintenance," approved June twenty-sixth, one thousand nine hundred and thirty-three, be and the same is hereby repealed.

Chap. 328,
P. L. 1933,
repealed.

2. This act shall take effect immediately.

Approved December 4, 1933.

CHAPTER 417

AN ACT validating, confirming and ratifying all contracts between counties or municipalities of this State and the United States of America.

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

1. All contracts heretofore entered into between counties or municipalities of this State and the

Contracts
between
municipal
and federal
government
validated.

United States of America are hereby validated, confirmed and ratified, notwithstanding that such contracts may cover or contain provisions pertaining or relating to any other matter than the actual sale of notes or bonds of such counties or municipalities heretofore authorized or to be hereafter authorized pursuant to an act entitled "An act to authorize and regulate the issuance of bonds and other obligations and the incurring of indebtedness by county, city, borough, village, town, township or any municipality governed by an improvement commission," approved March twenty-second, one thousand nine hundred and sixteen, and the acts amendatory thereof and supplemental thereto.

2. This act shall take effect immediately.
Approved December 4, 1933.

CHAPTER 418

AN ACT to repeal an act entitled "An act authorizing and empowering counties and municipalities bordering on the Atlantic ocean to construct and maintain seawalls, bulkheads, jetties and other approved devices necessary and proper to prevent coast erosion, and thus protect the property of this State within such counties and municipalities, and to provide for the payment of the cost of such construction and maintenance," approved June twenty-sixth, one thousand nine hundred and thirty-three.

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

Chap 327,
P. L. 1933
repealed.

1. An act entitled "An act authorizing and empowering counties and municipalities bordering on the Atlantic ocean to construct and maintain seawalls, bulkheads, jetties and other approved devices necessary and proper to prevent coast erosion, and

thus protect the property of this State within such counties and municipalities, and to provide for the payment of the cost of such construction and maintenance," approved June twenty-sixth, one thousand nine hundred and thirty-three, be and the same is hereby repealed.

2. This act shall take effect immediately.
Approved December 4, 1933.

CHAPTER 419

AN ACT permitting receivers, liquidators and officials of the State of New Jersey to accept bonds of the Home Owners' Loan Corporation, which bonds are authorized pursuant to an act of Congress, approved June thirteenth, one thousand nine hundred and thirty-three, entitled "An act to provide emergency relief with respect to home mortgage indebtedness, to refinance home mortgages, to extend relief to the owners of homes occupied by them and who are unable to amortize their debt elsewhere, to amend the Federal Home Loan Bank Act, to increase the market for obligations of the United States and for other purposes," in payment of mortgages or mortgage securities constituting a part of the assets of any corporation organized under the laws of the State of New Jersey and subject to the supervision and control of the Department of Banking and Insurance.

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

1. Whenever there shall come into the custody and control of a receiver or liquidator appointed by any court of competent jurisdiction or under authority of any statute of this State, or into the cus-

Acceptance
of certain
bonds in
payment
of mortgages.

tody and control of any official of this State acting under authority of the order or decree of any court or by virtue of any existing statute, mortgages or mortgage securities constituting a part of the assets of any corporation organized under the laws of this State and subject to the supervision and control of the Department of Banking and Insurance or any superseding department or departments of this State government, and such receiver, liquidator or official is charged with the duty of collecting such mortgages or mortgage securities, and if it shall be deemed by such receiver, liquidator or official to be to the best interest of the creditors and stockholders of any such corporation to accept bonds issued by the Home Owners' Loan Corporation, which bonds are authorized pursuant to an act of Congress, approved June thirteenth, one thousand nine hundred and thirty-three, entitled "An act to provide emergency relief with respect to home mortgage indebtedness, to refinance home mortgages, to extend relief to the owners of homes occupied by them and who are unable to amortize their debt elsewhere, to amend the Federal Home Loan Bank Act, to increase the market for obligations of the United States and for other purposes," in payment of such mortgages or mortgage securities, then it shall be lawful for any such receiver, liquidator or official to accept said bonds issued by the Home Owners' Loan Corporation in payment of said mortgage, mortgages or mortgage securities.

Purpose of
act remedial.

2. This act shall be deemed to be remedial in its purpose and to be enacted to enable a liquidating officer to use such discretion as will enable him to dispose of mortgages and mortgage securities to better advantage than they can be disposed of under existing conditions.

Explanation
of terms.

3. The words "receiver," "liquidator" and "official" as used in the preceding sections of this act shall include any person or group of persons, who under appointment, order or decree of any court of competent jurisdiction, or by virtue of any stat-

ute of this State, shall be authorized and empowered to take custody and control of the assets of any corporation organized under the laws of this State and subject to the supervision and control of the Department of Banking and Insurance, and to dispose of the same by sale or otherwise for the benefit of creditors and stockholders of any such corporation.

4. This act shall take effect immediately.

Approved December 4, 1933.

CHAPTER 420

AN ACT to supplement an act entitled "An act to regulate and control the purchase, distribution and sale of fluid milk and cream and to declare an emergency, and for this purpose to create a State board of milk control, defining its powers and duties and providing penalties for violations," approved May twenty-third, one thousand nine hundred and thirty-three.

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

1. It shall be lawful for the State board of milk control of the State of New Jersey to file a bill in the Court of Chancery in the name of this State on the relation of said board, for an injunction to prohibit any habitual violation of the act and/or any of the orders or rules or regulations issued by said board and/or any other violation of any of the provisions of this act, and every such action shall proceed in the Court of Chancery according to the rules and practice of bills filed in the name of the Attorney-General on the relation of individuals or departments; and cases of emergency shall have precedence over other

Injunction
against
violators
of milk
regulations.

litigation pending at the time in the Court of Chancery, and the final hearing may be had within such time and on such notice as the Chancellor shall direct.

2. This act shall take effect immediately.

Approved December 4, 1933.

CHAPTER 421

AN ACT to amend the title of an act entitled "An act to provide for the proper construction, grading, drainage, maintenance and repair of unimproved town, township, village, and borough roads of the State, and to provide State aid therefor," approved March twentieth, one thousand nine hundred and sixteen, as amended April twenty-first, one thousand nine hundred and thirty, and to amend and further supplement said act.

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

New title.

1. The title of the act to which this act is an amendment and supplement is hereby amended so as to read as follows: "An act to provide for the proper construction, grading, drainage, maintenance and repair of unimproved town, township, village, and borough roads of the State, and unimproved roads in cities of the State, now or hereafter having a population of not more than six thousand inhabitants, and to provide State aid therefor."

Municipalities included in act.

2. The provisions of the act of which this act is an amendment and supplement, so far as they relate to the towns, townships, villages, and boroughs of this State, are hereby extended to include all incorporated cities of this State now or hereafter

having a population of not more than six thousand inhabitants, and the reference throughout the act to the words town, township, village, and borough, shall be construed and intended to include incorporated cities of the State now or hereafter having a population of six thousand or less.

3. This act shall take effect December thirty, one thousand nine hundred and thirty-three. Act effective.

Approved December 4, 1933.

CHAPTER 422

AN ACT making an appropriation of money to cover the compensation and expenses of judges of the court of common pleas when holding the circuit courts where such services have heretofore or shall hereafter be rendered.

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

1. For the purpose of paying the compensation and expenses of judges of the court of common pleas when holding the circuit courts pursuant to designation of the Chief Justice, whether such services were heretofore or shall hereafter be rendered, there is hereby appropriated the sum of thirty-two thousand dollars (\$32,000.00). All bills for compensation and expenses shall be approved by the Chief Justice and shall be paid out of the Treasury of this State as other bills are now paid.

Appropriation for common pleas judges holding circuit courts.

2. This act shall take effect immediately.

Approved December 4, 1933.

CHAPTER 423

AN ACT to supplement an act entitled "An act to revise and amend 'An act for the taxation of railroad and canal property,' approved April tenth, one thousand eight hundred and eighty-four," approved March twenty-seventh, one thousand eight hundred and eighty-eight.

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

Time for hearing tax appeals on 1933 assessment.

1. Notwithstanding any existing law to the contrary, at any time before December sixteenth, one thousand nine hundred and thirty-three, the State Board of Tax Appeals may determine any appeals concerning assessments of property or the taxation of property for the year one thousand nine hundred and thirty-three made under the act to which this act is a supplement and, at any time before said date, said board may certify its determination of said appeals to the State Tax Commissioner, and the State Tax Commissioner shall then forthwith certify any corrections or any changes in any of said assessments to the Comptroller of the Treasury.

Determination and corrections certified.

Time for payment of taxes.

2. Excepting the undisputed part or portion of the taxes levied by the State Tax Commissioner on railroad and canal property for the year one thousand nine hundred and thirty-three against the railroad and canal companies now prosecuting appeals before the State Board of Tax Appeals, and excepting the taxes levied by the State Tax Commissioner for said year against companies who did not file any appeal with said board, all taxes levied against any railroad or canal company for the year one thousand nine hundred and thirty-three, under the act to which this act is a supplement, shall be due and payable to the State Treasurer on or before January fifteenth, one thousand nine hundred

and thirty-four, and excepting, as otherwise provided by law, the payment or collection of said taxes shall not be stayed by any court. In the event the whole or any part of said taxes in dispute in said pending appeals remain unpaid on January sixteenth, one thousand nine hundred and thirty-four, said taxes shall from thenceforth bear interest at the rate of one per centum (1%) for each month until paid, notwithstanding recourse be had to any court to review said taxes. That portion of the taxes as aforesaid which is not in substantial dispute between any of such appealing companies and the State and all taxes levied as aforesaid against a railroad or canal company, or its property in railroad or canal use, concerning which no appeal is pending before the State Board of Tax Appeals shall be paid at the time and in the manner now provided by law, anything herein to the contrary notwithstanding. In the event any such appealing railroad or canal company and the State Tax Commissioner, on behalf of the State, are unable to agree as to the amount of the part of the taxes levied for the year one thousand nine hundred and thirty-three not in substantial dispute in said pending appeals, the State Board of Tax Appeals shall determine such undisputed amount.

3. With respect to that part or portion of the taxes for the year one thousand nine hundred and thirty-three levied upon property separately assessed in the different taxing districts, under the act to which this act is a supplement, and which part or portion of taxes is required hereunder to be paid on or before January fifteenth, one thousand nine hundred and thirty-four, the warrants of the Comptroller of the Treasury in favor of the several county treasurers for the amount of said part or portion of said taxes shall be transmitted to the respective county treasurers on or before January twenty-fifth, one thousand nine hundred and thirty-four; and on or before February first, one thousand nine hundred and thirty-four, the respective county treasurers shall pay to the col-

Interest on
unpaid taxes.

Undisputed
taxes.

Amount
determined.

Comptroller
transmits to
county
treasurer.

County
treasurer
transmits
to taxing
districts.

lector or other proper officer of each taxing district entitled thereto the amount of said part or portion of said taxes to which said district is entitled under the act to which this act is a supplement.

4. This act shall take effect immediately.

Approved December 4, 1933.

CHAPTER 424

AN ACT concerning savings banks.

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

Savings banks
may issue
capital notes
or debentures.

1. Any savings bank may from time to time issue capital notes or debentures upon such terms and conditions as the board of managers may prescribe, and sell the same to any officer, board, commission, corporation or body created by the Federal Government, or pledge any such capital notes or debentures as security for any loan or loans of money from any such officer, board, commission, corporation or body, and may, from time to time, extend, refund or renew any such capital notes or debentures; *provided*, that such capital notes or debentures may, in whole or in part or to any degree, be subordinated to claims of the depositors or other creditors of any such savings bank, and/or be made prior to the claims or interests of depositors in and to the surplus of any such savings bank;

Proviso.

Proviso.

Proviso.

further provided, that no such capital notes or debentures shall be so issued, sold or pledged without the approval of the Commissioner of Banking and Insurance; *and further provided*, that nothing in this act contained shall be deemed or construed to require the approval by the Commissioner of Banking and Insurance of the acceptance by any such savings bank of such loans, secured or unsecured,

from any such officer, board, commission, corporation or body, or other source, as it may from time to time require in the transaction of its business in the usual course.

2. This act shall take effect immediately.

Approved December 4, 1933.

CHAPTER 425

A SUPPLEMENT to an act entitled "An act to establish a State highway system, and to provide for the improvement, betterment, reconstruction, resurfacing, maintenance, repair and regulation of the use thereof" (Revision of 1927), approved March thirtieth, one thousand nine hundred and twenty-seven.

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

1. Whenever the State Highway Commission shall determine that it is necessary, for the preservation of a part of the State highway system, to prevent water from coming in contact with and damaging a State highway, said commission is hereby authorized to enter upon any lands adjacent to said highway and to reconstruct, by contract or by its own forces, such banks or other structures and to construct such drain or drains as may be necessary to accomplish the preservation of said highway.

Right to enter lands to preserve highways.

2. Such entry upon lands shall not be a trespass and the work above mentioned shall not be considered a taking for public use.

Entry not trespass.

3. This act shall take effect immediately.

Approved December 4, 1933.

CHAPTER 426

AN ACT to amend an act entitled "An act to provide for the incorporation of public housing corporations, the regulation thereof, the supervision of the construction, operation, maintenance and renting of all housing projects and community facilities to be erected and furnished by said corporation, and to fix, limit, supervise and regulate the capital structure, income, dividends and management of such corporations," approved March twenty-third, one thousand nine hundred and thirty-three.

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

Section 16
amended.

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

Expenses paid
by applicants.

16. The expenses of the board in connection with the performance of its duties under this act, and the reasonable compensation and expenses of the director of the housing corporation appointed by the board, to be approved by the board, shall in all cases be paid to it by the applicants for a charter, or the housing corporation, in connection with whose affairs such expenses are incurred, to be paid or secured at such times, in such manner and in such amounts, as may be fixed by the board.

Approved December 4, 1933.

CHAPTER 427

AN ACT providing for the recovery of damages by persons bitten by dogs and creating a liability of the owners of such dogs.

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

1. The owner of any dog which shall bite any person while such person is on or in a public place, or lawfully on or in a private place, including the property of the owner of such dog, shall be liable for such damages as may be suffered by the person bitten, regardless of the former viciousness of such dog or the owner's knowledge of such viciousness. A person is lawfully upon the private property of such owner within the meaning of this act when he is on such property in the performance of any duty imposed upon him by the laws of this State or by the laws or postal regulations of the United States of America, or when he is on such property upon the invitation, express or implied, of the owner thereof.

Owner of
dog liable
for damages
caused by bite.

When lawfully
on property.

2. This act shall take effect immediately.

Approved December 4, 1933.

CHAPTER 428

AN ACT concerning the acceptance of grants and the borrowing of money by counties, municipalities and school districts, from the United States of America, through the Federal Emergency Administrator of Public Works, or other Federal agency heretofore or hereafter created.

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

Definitions:

1. Definitions. For the purposes of this act the following terms shall have the following meanings:

Federal government;

(a) Federal Government means the United States of America, acting through the Federal Emergency Administrator of Public Works, or such other Federal agency as has heretofore or may hereafter be designated or created under the National Industrial Recovery Act, and any acts amendatory thereof or supplemental thereto, or revisions thereof, or such other acts of the Congress of the United States as may hereafter be passed for like or similar purposes.

Public works projects;

(b) Public works project or projects means any building, improvement or other public undertaking which any county, municipality or school district, or any two or more counties or municipalities, are authorized or required by law to undertake or any lawful purpose, not a current expense, for which they are authorized or required by law to make an appropriation, and for the financing of which the county, municipality or school district is to receive a loan or a grant or both from the Federal Government.

Governing body;

(c) Governing body means the board of chosen freeholders, board of commissioners, council, township committee, board of finance, improvement commission, or such board or body as now has the power to make appropriations of money.

(d) Municipality means any city, borough, town, township or village, or any municipality governed by a board of commissioners, or any municipality governed by an improvement commission or by a board of finance. Municipality;

(e) Resolution means a written act of the governing body adopted by a majority of all the members of such body. Resolution.

2. It shall be lawful for any county, municipality or school district to apply for and accept grants or loans of money or both from the Federal Government for carrying out any public works project which such county, municipality or school district may lawfully undertake and to subscribe to and comply with any rules and regulations made by the Federal Government with respect to any such grants or loans. Application for and acceptance of grants or loans.

3. Any municipality may authorize any public works project by resolution of its governing body. Such resolution shall be published in full at least once in a newspaper published in the municipality, or, if there be no such newspaper, in a newspaper published in the county and circulating in the municipality. Such resolution shall be subject to referendum in the manner or mode of procedure in which an ordinance of a municipality is subject to referendum, as prescribed in an act entitled "An act concerning municipalities," being chapter one hundred fifty-two of the laws of one thousand nine hundred and seventeen. Authorization by resolution.

4. For the financing of a public works project, any county or municipality may authorize the issuance of negotiable bonds to the Federal Government by resolution adopted by the governing body. Such resolution may be the resolution authorizing the project or a subsequent resolution. The resolution authorizing bonds shall be published in full together with a statement substantially in the following form: Referendum.

Bond issue.

Form of statement.

STATEMENT

Statement. The resolution published herewith has been passed and the ten-day period of limitation within which a suit, action or proceeding questioning the validity of such resolution can be commenced has begun to run from the date of this publication.

.....
Clerk.

Publication. Such publication shall, in the case of a county, be in a newspaper at the county seat, and in the case of a municipality, in a newspaper published in the municipality, or if there be no such newspaper, in a newspaper published in the county and circulating in the municipality. After the lapse of said ten days, bonds, notes or interim certificates issued pursuant to such resolution shall be valid and binding obligations of any such county or municipality and incontestable for any cause.

Bonds a valid obligation.

Provision for financing projects. 5. Any municipality may authorize and issue to the Federal Government its negotiable bonds for the financing of a public works project, part of the cost of which is to be specially assessed on property specially benefited, before such project has been completed or such special assessment has been confirmed; in such case, the governing body shall estimate by resolution the part of the cost which will be specially assessed and the bonds issued to finance such part shall mature in annual installments, the first of which shall become due not more than three years and the last of which shall become due not more than fifteen years from the date of the bonds.

Sale of bonds to federal government. 6. Any county, municipality or school district may issue and sell at one time or from time to time at private sale to the Federal Government, bonds for the financing of any public works project.

Municipality may contract with federal government. 7. Any county, municipality or school district may enter into agreements or contracts with the Federal Government, and may do any or all other

things necessary or advisable in connection with any grant or loan of money by the Federal Government in connection with any public works project. The making and execution of any such agreement or contract may be authorized by resolution of the governing body setting forth such proposed contract in full and such resolution need not be published.

8. The agreement or contract referred to in section seven of this act, and the resolutions authorizing the issuance or sale of bonds may provide for, and any county, municipality or school district may issue and sell at private sale to the Federal Government in connection with any public works project, notes, temporary bonds, interim certificates or other negotiable instruments, which may be issued before or after the sale of the definitive bonds and may be funded by or may be exchanged for the definitive bonds bearing the same date or a subsequent date.

Sale of securities to federal government.

Funding by definitive bonds.

9. Any bonds and any notes, temporary bonds, interim certificates or other negotiable instruments issued to the Federal Government for the financing of any public works project may be in such form and be subject to such terms and conditions, with such privileges as to registration, conversion, reconversion, redemption or exchange as may be provided by the agreement or contract referred to in section seven of this act, or in the absence of provisions therefor in the contract, as may be determined by resolution adopted by the governing body.

Details of issue.

10. Nothing in this act contained shall affect the provisions of any other law in so far as such law limits amount of indebtedness or requires a vote of the people or the approval or the concurrence of any officer of a county or municipality in the authorization or the financing of a public works project, or the action of any commission, board or body required by any other law as a condition precedent to the appropriation of money or the approval of any commission, board or department of the State required by any other law.

Other legislation not affected.

Continuance
of proceedings.

11. Any proceedings heretofore taken under any other law by any county, municipality, or school district, relating to the subject matters of this act, may be continued under such other law or under this act, or, at the option of the governing body, may be discontinued and new proceedings instituted.

Intention
of act.

12. This act is intended to aid in relieving the public emergency arising from unemployment by simplifying the procedure for the authorization and financing of public works projects. This act shall be liberally construed and the powers hereby granted and the duties hereby imposed shall be construed to be independent and severable. If any one or more sections, sentences, or clauses of this act shall, for any reason, be adjudged unconstitutional or invalid, such judgment shall not affect or invalidate the remaining sections, sentences or clauses or other provisions of this act, but shall be confined in its operation to the specific provision so held unconstitutional or invalid.

Liberally
construed.

Constitu-
tionality.

13. This act shall take effect immediately.
Approved December 4, 1933.

CHAPTER 429

A SUPPLEMENT to an act entitled "An act providing for the retirement and pensioning of court attendants in counties of the second class of this State," approved April sixteenth, one thousand nine hundred and twenty-nine.

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

Court
attendant, a
veteran, may
withdraw from
retirement
system.

1. Any court attendant of the counties of the second class of the State of New Jersey, being a veteran of any war, and who is a member of the re-

tirement system created pursuant to the provisions of the act to which this act is a supplement, may, at any time, make application to withdraw from the said system, and upon making of such application, of which ten days' notice shall be given, he shall be entitled to have and receive, upon demand, the amount of his said payments, with interest thereon at the rate of four per centum (4%) per annum, without prejudice to his right as a veteran to any benefit to which he might be entitled under any other laws of the State of New Jersey.

Payments
returned
with interest.

2. This act shall take effect immediately.

Approved December 4, 1933.

CHAPTER 430

A SUPPLEMENT to an act entitled "An act to establish a State Highway System, and to provide for the improvement, betterment, reconstruction, resurfacing, maintenance, repair and regulation of the use thereof" (Revision of 1927), approved March thirtieth, one thousand nine hundred and twenty-seven.

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

1. Whenever the State Highway Commission shall determine that lands, the fee to which it has acquired or shall acquire in the name of the State, are no longer required for highway purposes, said commission may exchange or sell at private sale and convey said lands for the purpose of acquiring other lands required for highway purposes.

Sale of
unused land.

2. Such sale or exchange may be made to or with any person, corporation, municipality or county on such terms as the State Highway Commission shall determine are to the best interests of the State.

Terms.

Fulfillment of
agreement.

3. Any agreement heretofore made between the State Highway Commission and a municipality concerning the purchase, sale or exchange of lands may be consummated by the State Highway Commission with the nominee of such municipality upon such terms and conditions as may be agreed upon between the State Highway Commission and such municipality.

4. This act shall take effect immediately.

Approved December 4, 1933.

CHAPTER 431

A FURTHER AMENDMENT to an act entitled "An act providing for divorce and for decrees of nullity of marriage, and for alimony and the maintenance of children" (Revision of 1907), approved May seventeenth, one thousand nine hundred and seven.

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

Section 1
further
amended.

1. Section one of the act of which this act is amendatory, as amended by act approved March nineteenth, one thousand nine hundred and twenty-eight (chapter sixty-five of the laws of one thousand nine hundred and twenty-eight), and as further amended by an act approved April twenty-seventh, one thousand nine hundred and thirty-one (chapter three hundred and eleven of the laws of one thousand nine hundred and thirty-one), is further amended to read as follows:

Causes for
decrees of
nullity;
Husband or
wife living;

1. Causes for decrees of nullity. Decrees of nullity of marriage may be rendered in all cases which:

Other wife or husband living. Either of the parties has another wife or husband living at the time of a second or other marriage;

Relation within prohibited degrees. The parties are within the degrees prohibited by law, but when any such marriage shall not have been annulled during the lifetime of the parties the validity thereof shall not be inquired into after the death of either party;

Consanguinity;

Impotence. The parties, or either of them, was at the time of marriage physically and incurably impotent; *provided*, the party making the application was ignorant of such impotency or incapability at the time of the marriage, or has not subsequently ratified the marriage;

Impotence;

Proviso.

Incapacity to consent. The parties, or either of them, was, at the time of the marriage, incapable of consenting thereto and the marriage has not been subsequently ratified; *provided*, that where the party capable of consent is the applicant such party shall have been ignorant of the other's incapacity at the time of the marriage, and shall not have confirmed the marriage subsequently to the other party regaining capacity;

Incapacity;

Proviso.

Wife under age. At the suit of the wife, when she was under the age of eighteen years at the time of the marriage, unless such marriage be confirmed by her after arriving at such age;

Wife under age;

Husband under age. At the suit of the husband, when he was under the age of eighteen years at the time of the marriage, unless such marriage be confirmed by him after arriving at such age. No decree of nullity shall be made where a child of the parties has been born, either before or after the marriage, or is likely to be born, unless the court upon an examination of all the facts of the case shall be of the opinion that such decree will not be against the best interests of the child.

Husband under age.

If child.

Effect of decree on legitimacy of issue. A decree of nullity of marriage shall not render illegitimate the issue of any marriage so dissolved, except where the marriage, not being a ceremonial marriage, is dissolved because either of the parties to such marriage had another wife or husband living at the time of a second or other marriage. Such

Legitimacy.

marriage shall be deemed void from the beginning, and the issue thereof shall be illegitimate.

Repealer.

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

3. This act shall take effect immediately.

Approved December 4, 1933.

CHAPTER 432

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

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

Section 243
amended.

1. Section two hundred forty-three of an act entitled "An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof," approved October nineteenth, one thousand nine hundred and three, be and the same is hereby amended to read as follows:

Referendum;
acceptance of
Article VI.

243. The acceptance of the provisions of this act contained in Article VI relating to boards of education in city school districts shall be submitted to the qualified voters of any town, township or borough at a general or municipal election, or at an annual or special meeting of the school districts to be held therein, whenever the town council, township committee or other governing body of such municipality, or the board of education of the school district situate in such municipality, shall have, by resolution, directed that such question shall be so submitted; *provided*, upon the pres-

When.

Proviso.

entation of a petition signed by thirty per centum (30%) or more of the voters voting at the last general election in such municipality requesting the right to vote upon the acceptance of the provisions of this act contained in Article VI as aforesaid, to the town council, township committee or other governing body, such town council, township committee or other governing body shall pass the resolution aforesaid and submit such question at the next municipal or general election, and, *provided further*, that such petition may be presented to the board of education of the district situate in such municipality, and upon such presentation of the petition aforesaid, such board of education shall pass the resolution aforesaid and submit such question at the next annual meeting of the school district if said annual meeting is to be held within thirty days of the filing of said petition, and if more than thirty days, such board of education shall forthwith call a special meeting of said school district for the purpose of submitting such question to the voters of said district. The question to be submitted shall be for or against the adoption of the provisions of Article VI of an act entitled "An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof," approved October nineteenth, one thousand nine hundred and three, and if a majority of the votes cast upon said question shall be for the adoption of the provisions of said article, the school district in such municipality shall thereafter in all respects be governed by the provisions of Article VI relating to city school districts, and the board of education therein shall have all the powers and duties given and imposed by the several provisions of said article.

Proviso.

Proposition—
city school
districts.

2. This act shall take effect immediately.

Approved December 4, 1933.

CHAPTER 433

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

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

Reopening
trust com-
panies.

1. Whenever any trust company now or hereafter incorporated or existing under any law of the State of New Jersey, whose property and business shall have been taken over by the Commissioner of Banking and Insurance of the State of New Jersey and is in process of liquidation, such trust company, subject to the approval of the Commisisoner of Banking and Insurance, may be reorganized and reopened in manner herein described.

How effected.

2. Such reorganization may be effected by the sale and transfer of any part or all of the assets of such trust company to a newly incorporated trust company, which corporation, however, in consideration of such sale and transfer, will assume all or any part of the deposit and other liabilities of said trust company.

When reor-
ganization ef-
fective.

3. Such reorganization plan shall become effective (1) when the Commissioner of Banking and Insurance shall be satisfied that the plan of reorganization is fair and equitable as to all depositors and creditors of such trust company in process of liquidation and is in the public interest and shall have approved the plan, subject to such conditions, restrictions and limitations as he may prescribe, and (2) When after such notice of such reorganization as the Commissioner of Banking and Insurance may require (a) depositors and other creditors of such trust company in process of liquidation, representing at least seventy-five per centum of its total deposits and other liabilities, as shown by

the books thereof, and (b) stockholders owning at least two-thirds of its outstanding capital stock, as shown by the books thereof, shall have consented and approved, in writing, the plan of reorganization; *provided, however*, that the claims of depositors or other creditors which under existing law, are entitled to preference in payment, shall not be included among the total deposits and other liabilities of said trust company in determining the seventy-five per centum thereof, as above provided.

Proviso.

4. In any such plan of reorganization, depositors and creditors of said trust company in process of liquidation may be permitted to purchase common stock of the newly incorporated trust company and to use any part or all of their deposit and claim in payment thereof.

Depositors and creditors may buy common stock with deposits.

5. This act shall not be construed as intended to have any effect or in any manner change or nullify any other plan of reorganization of any other trust company, authorized by the Commissioner of Banking and Insurance to reopen and/or to resume its normal business prior to the passage of this act.

Other plans not affected.

6. In any reorganization which shall have been approved and shall have become effective as provided herein, all depositors and other creditors and stockholders of such trust company, whether or not they shall have consented to such plan of reorganization, shall be fully and in all respects subject to and bound by the provisions of this act, and claims of all depositors and other creditors shall be treated and considered as if they had consented to such plan of reorganization.

Depositors and creditors bound by act.

7. This act shall take effect immediately.

Approved December 4, 1933.

CHAPTER 434

AN ACT imposing taxes upon the sale of alcoholic beverages and providing for the collection thereof.

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

ARTICLE I

SHORT TITLE AND DEFINITIONS

101. Short Title.

Short title. This act shall be known as the "Alcoholic Beverage Tax Act."

102. Definitions.

Definitions; For the purposes of this act the following words and terms shall be deemed to have the meaning herein given to them:

Absolute alcohol; (a) "Absolute Alcohol" shall mean dehydrated alcohol containing not less than ninety-nine per centum (99%) by weight of ethyl alcohol.

Alcoholic beverages; (b) "Alcoholic Beverages" shall mean "Liquors," "Beer," "Still Wine," "Sparkling Wine," and "Fortified Wine" as defined in this act.

Beer; (c) "Beer" shall mean beer, lager beer, ale, stout, porter, and all similar fermented malt beverages.

Civil Service; (d) "Civil Service Act" shall mean an act entitled "An act regulating the employment, tenure and discharge of certain officers and employees of this State, and of the various counties and municipalities thereof, and providing for a Civil Service Commission, and defining its powers and duties," being chapter one hundred fifty-six of the laws of one thousand nine hundred and eight, together with all amendments thereof and supplements thereto.

Commissioner; (e) "Commissioner" shall mean the State Tax Commissioner.

- (f) "Container" shall mean the receptacle immediately surrounding the alcoholic beverage and not the carton, box, case, sack, bag or other covering in which such containers may be packed, placed, or transported. Container;
- (g) "Department" shall mean the State Tax Department. Department;
- (h) "Fortified Wine" shall mean any wine the alcoholic content of which shall have been increased, by whatever process, beyond that produced by natural fermentation. Fortified wine;
- (i) "Licensed Manufacturer" shall mean any person holding a valid and unrevoked brewery, winery, distillery, or rectifier's license issued pursuant to the provisions of any relevant act of this State. Licensed manufacturer;
- (j) "Liquors" shall mean all distilled or rectified spirits, alcohol, brandy, whisky, rum, gin and all similar distilled alcoholic beverages, including all dilutions and mixtures of one or more of the foregoing, such as liqueurs, cordials and similar compounds. Liquors;
- (k) "Person" shall mean a natural person, an association, a partnership or a corporation. Person;
- (l) "Sale" shall mean the disposing of alcoholic beverages for a consideration and shall include the gratuitous giving out of any such beverage. Sale;
- (m) "Sparkling Wine" shall mean champagne and any other effervescent wine charged with carbon dioxide, whether artificially or as the result of secondary fermentation of the wine within the container. Sparkling wine;
- (n) "Still Wine" shall mean any non-effervescent wine and shall include any fortified wine vermouth and any artificial or imitation wine or compound sold as "still wine", and any fruit juices containing one-half of one per centum or more of alcohol by volume but shall not include cider containing less than 3.2 per centum (3.2%) of alcohol by volume. Still wine;
- (o) "Taxpayer" shall mean any person chargeable with the payment of a tax pursuant to the provisions of this act. Taxpayer;

Treasurer. (p) "Treasurer" shall mean the treasurer of the State of New Jersey.

ARTICLE II

POWERS OF COMMISSIONER

201. Power to administer act.

Execution of act. The commissioner is hereby authorized and empowered to carry into effect and execute the provisions of this act and in pursuance thereof to make and enforce such rules and regulations as he may deem necessary for the administration and enforcement of the same. In case of any conflict between the rules and regulations made by the commissioner with any rules and regulations made by the State Alcoholic Beverage Commissioner pursuant to the provisions of an act entitled "An act concerning alcoholic beverages," such conflict shall be determined by the Board of Alcoholic Beverage Appeals provided for in the same act. He may require a bond or other surety for the payment of the taxes, penalties, and interest imposed by and payable pursuant to this act, and for compliance with the provisions of this act and with the rules and regulations of the commissioner made pursuant hereto.

If conflict.

Determination.

Surety.

202. Power to examine.

Examination of books, records, etc. The commissioner shall have power, whenever he deems it expedient, to make or cause to be made by deputy, auditor or investigator, an examination or investigation of the books, records, papers, vouchers, accounts, documents and tax stamps or crowns of any person engaged in the manufacture, distribution, transportation, importation, or sale of alcoholic beverages, and as well of the premises of any such person, for the purpose of administering the provisions of this act or of any other act of this State imposing taxes upon the sale of alcoholic beverages. It shall be the duty of every such person, and of every director, officer, agent or employee of every such person to exhibit to the com-

Premises examined.

Exhibition of books, records, premises obligatory.

missioner, his deputy, auditor or investigator, all of the books, records, papers, vouchers, accounts, documents, and tax stamps or crowns of the said person and as well of the premises of said person, and to facilitate as far as it may be in his or their power so to do any such examination or investigation. It shall be lawful for the commissioner, his deputies, auditors and investigators to take any oath or affirmation of any person signing a deposition, statement, return or report required by the commissioner in the administration of this act or any other act of this State imposing taxes upon the sale of alcoholic beverages.

Oaths.

203. Power to conduct hearings.

The commissioner or his deputies, auditors or investigators shall have power to conduct hearings and to administer oaths to, and to examine under oath, any person engaged in the manufacture, distribution, transportation, importation, or sale of alcoholic beverages and the directors, officers, agents and employees of any such person and as well all other witnesses, relative to the alcoholic beverage business of such person, in respect to any matter incident to the administration of this act or any other act of this State imposing taxes upon the sale of alcoholic beverages.

Hearings.

Witnesses.

204. Power to subpoena witnesses; fees.

The commissioner shall have power by subpoena, to compel the attendance of witnesses and the production of any books, records, papers, vouchers, accounts, documents, tax stamps and crowns of any person engaged in the manufacture, distribution, transportation, importation or sale of alcoholic beverages, or of any other person, at any such hearing. The fees of witnesses required to attend any such hearing shall be the same as those allowed to witnesses appearing in the Supreme Court. Such fees shall be paid in the manner provided for the payment of other expenses incident to the administration of this act.

Subpoenas.

Witness fees.

205. Procedure to compel witnesses to attend and to testify.

Power to
compel at-
tendance.

Examination
by court.

Must produce
papers, etc.,
or be in con-
tempt.

If a person subpoenaed to attend any hearing refuses to appear, be examined or to answer any question, or to produce any books, records, papers, vouchers, accounts, documents, tax stamps and crowns when ordered so to do by the commissioner or any deputy, auditor or investigator designated by him to conduct such hearing, the commissioner or such deputy, auditor or investigator may apply to the Supreme Court or any justice thereof, who shall have the power of the court for that purpose, upon proof by affidavit of the facts, to make an order returnable in not less than two, nor more than ten days, directing such person to show cause before the court or a justice thereof, why he should not comply with the direction or order of the commissioner, or of the deputy, auditor or investigator so appointed by the commissioner. Upon the return of such order, the court or justice before whom the matter shall come, shall examine such person under oath, and such person shall be given an opportunity to be heard, and if the court or justice shall determine that such person refused without legal excuse to obey the command of such subpoena, or to be examined, or to answer a question, or to produce any book, paper, voucher, record, account, document, stamp, or crown, which he was ordered to answer or produce, said court or justice may order said person to comply forthwith with such subpoena or order, and any failure to obey such order of the court or of such justice, may be punished by said court or by said justice as a contempt of the Supreme Court.

206. Power to appoint assistants.

Deputies,
other assis-
tants.

Offices.
Not under
civil service.

The commissioner shall have power to appoint one or more deputies and such auditors, investigators, agents, and clerical and other assistants as he may deem necessary, and to establish, maintain and equip one or more offices at such places within this State as he shall determine. The appointment

of a deputy or deputies and of auditors, investigators and agents shall be free of the provisions and limitations imposed by the civil service act or by any other act except this act. The appointment of clerical assistants except as herein otherwise provided, shall be subject to the provisions of the civil service act. The rate of compensation of all employees engaged in the administration of this act shall be fixed by the commissioner with the approval of the State Commissioner of Finance. The present employees of the Beverage Tax Division in the State Tax Department shall be continued therein, free of the provisions and limitations imposed by the civil service act or by any other act except this act, unless and until dismissed by the commissioner or transferred to the Department of Alcoholic Beverage Control. Hereafter the salaries of such employees shall be fixed by the commissioner with the approval of the State Commissioner of Finance.

Clerical help
under civil
service.

Compensa-
tion.

Continuance
of certain
employees.

Future
salaries.

207. Power to dismiss.

The commissioner shall have power to dismiss any employees in the Beverage Tax Division of the State Tax Department without assigning cause therefor.

Dismissal.

ARTICLE III

IMPOSITION OF TAX

301. Tax rates.

There are hereby levied and imposed upon alcoholic beverages sold or delivered for consumption within this State the following excise taxes:

Tax
rates:

(a) Beer—three and one-third cents ($\$0.03\frac{1}{3}$) a gallon or fraction thereof.

Beer;

(b) Liquors—at the rate of one dollar ($\$1.00$) a gallon.

Liquor;

(c) Still wines containing not in excess of twenty-one per centum (21%) of absolute alcohol—at the rate of ten cents ($\$.10$) a gallon.

Still wines
under 21%;

- Still wines over 21%;
Sparkling wines.
- (d) Still wines containing more than twenty-one per centum (21%) of absolute alcohol—at the rate of twenty-five cents (\$.25) a gallon.
(e) Sparkling wines—at the rate of forty cents (\$.40) a gallon.
302. When taxes not imposed.
No tax imposed by this act shall be payable on any sale of alcoholic beverages by any licensed manufacturer for resale and consumption in any other State, accompanied by the actual transportation of such beverages out of this State; *provided, however,* that if any such beverages shall thereafter be brought back into this State the original manufacturer thereof shall then pay such tax unless the same has been paid by some other person.
- Proviso.
303. Tax to be paid but once.
Nothing in this act shall be construed to require the payment of such tax more than once on any alcoholic beverages sold within this State.
- One tax only.
304. Sales of alcoholic beverage warehouse receipts not taxable sales.
For the purposes of this act, sales of warehouse receipts, given upon the storage of alcoholic beverages, shall not be construed as sales of the beverages represented by the receipts, but the tax herein imposed upon the sale of such beverages, if not paid prior thereto, shall be paid upon the removal of the same from the warehouse, if that shall occur in this State, if not, then upon the first subsequent sale of said beverages in this State.
- As to warehouse receipts.
305. No reduction for beverage loss.
No reduction of tax shall be allowed on any claim that beverages sold were lost by leakage or that any beverages sold were returned or destroyed as unfit for consumption.
- No allowance for loss.

ARTICLE IV

COLLECTION OF TAXES

401. Payment of tax.

The taxes imposed by this act shall be due and payable at the time of sale. The commissioner, upon such terms and conditions as he may prescribe, may permit a postponement of payment to a date not later than the fifteenth day of the month next following the month in which the sales so taxed were made; *provided*, that when alcoholic beverages are delivered by the manufacturer into a bonded warehouse, the commissioner may further postpone and by rule and regulation fix the time and method of payment of the tax.

When taxes
due and
payment.

Proviso.

402. Tax a debt; proceedings to recover; preferred in insolvency.

The taxes imposed by this act and interest and penalties thereon from the time the same shall be due and payable, shall be a personal debt due from the taxpayer to the State of New Jersey, recoverable in any court of competent jurisdiction in an action at law to be commenced by the Attorney-General, at the request of the commissioner, in the name of the State of New Jersey. Said debt shall be preferred in any distribution of the assets of the taxpayer whether in insolvency or otherwise. The proceeds of any judgment obtained hereunder shall be paid to the commissioner.

Taxes a
personal debt.

Recovery.

Debt a
preferred
lien.

403. Certification of debt; judgment; procedure thereon.

As an additional or alternative remedy, the commissioner may issue a certificate to the clerk of the Supreme Court or to any county clerk that any person is indebted under this act in an amount named in such certificate and thereupon the clerk to whom such certificate shall have been issued shall immediately enter upon his record of docketed judg-

Docketing
certificate
of indebted-
ness.

ments the name of such person, the amount of the debt so certified and the date of making such entries, and the making of the entries shall have the same force and effect as the entry of a docketed judgment in the office of such clerk, and the commissioner shall have all of the remedies and may take all of the proceedings for the collection thereof which may be had or taken upon the recovery of a judgment in an action at law upon contract. Every person who shall be licensed to manufacture, distribute, transport, import or sell alcoholic beverages under any law of this State shall by the acceptance of such license be deemed to have consented to the procedure set forth in this section.

Collection.

Acceptance by licensee deemed consent to procedure.

404. Release of lien.

Releasing lien.

Proviso.

Proviso.

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 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 be made with the commissioner of such bond or other security as he shall deem adequate to secure the payment of any judgment, the lien of which is sought to be released.

405. Compromise of claims.

Compromising taxes, etc.

The commissioner shall have the power, with the approval of the Attorney-General and the State Finance Commissioner, to compromise any claim for taxes, penalties, or interest which shall be alleged to be due pursuant to the provisions of this act, or of any other act of this State imposing taxes upon the sale of alcoholic beverages.

406. Payment evidenced by beverage tax stamps or crowns.

Payment of taxes evidenced by stamp on container.

(a) From and after March first, one thousand nine hundred and thirty-four, the payment of the taxes herein imposed shall be evidenced by the

affixing of beverage tax stamps or crowns to the containers in which all alcoholic beverages are placed, received, stored, shipped, or delivered for sale. Such stamps or crowns shall be affixed to each individual container within forty-eight (48) hours after such beverages are placed therein or received within this State.

(b) The commissioner shall prescribe, prepare and have available for sale stamps or crowns of such denominations and quantities as may be necessary for the payment of tax imposed by this act. He shall make provision for the sale of such stamps or crowns in such places and at such times as may be reasonably necessary.

Supplying stamps.

(c) Stamps shall be affixed in such a manner that their removal will require continued application of steam or water.

Stamps firmly affixed.

(d) Vendors of alcoholic beverages without this State may purchase stamps or crowns from the commissioner and affix them in the manner prescribed by him to containers of alcoholic beverages to be sold in this State, in which case the recipient of such alcoholic beverages within the State shall not be required to purchase and affix stamps or crowns thereon.

Sale of stamps to outside vendors.

(e) In case any alcoholic beverages upon which stamps or crowns have been placed within this State have been sold and shipped to a regular dealer of such beverages in another State and shall not have been returned to this State for resale, the seller in this State shall be entitled to a refund of the actual amount of tax paid upon such proof as may be required by the commissioner that the alcoholic beverages were so sold and shipped and not returned to this State for consumption or resale. Any such refund shall be paid by the treasurer upon the certificate of the commissioner out of the tax monies paid to the treasurer as provided in this act.

Refund of stamp tax on beverages shipped outside of state.

ARTICLE V

ADMINISTRATIVE PROVISIONS

501. Reports to the commissioner.

Monthly
report.

What shown.

Tax paid at
time of filing
report.

Every person who shall manufacture, distribute, transport, import or sell any alcoholic beverages in this State shall file with the commissioner on or before the fifteenth day of each month a report under oath, on such form as the commissioner shall prescribe, which report shall disclose the amount of alcoholic beverages manufactured, distributed, transported, imported, purchased and sold by such person during the preceding month, and such other information as the commissioner may require. Every such person shall pay to the commissioner upon the filing of such report the amount of tax which shall be due from such person by reason of the sales of alcoholic beverages disclosed in said report, unless previously paid.

502. Records to be kept.

Records kept
by pro-
ducers.

Form.

Preserva-
tion of rec-
ords.

Every person who shall manufacture, distribute, transport or sell alcoholic beverages, or import the same for sale shall keep complete and accurate records of all alcoholic beverages purchased, sold, manufactured, improved, brewed, fermented, distilled, produced, imported or transported within this State. Such records shall be of a kind and in the form prescribed by the commissioner and shall be safely preserved for five (5) years in such a manner as to insure permanency and accessibility for inspection by the commissioner or any duly authorized employee of said commissioner.

503. Commissioner's records; authentication; confidential character.

Records kept
by com-
missioner.

The commissioner shall keep a record of all of his official acts and shall preserve copies of all decisions, rules, regulations and orders made by him. Copies of any rule, regulation, order or decision

made by him and of any paper or papers filed in any office maintained by him in the administration of this act may be authenticated under his official seal and when so authenticated shall be evidence in all courts of this State of the same weight and force as the originals thereof. For authenticating any such copy he shall receive a fee of one dollar (\$1.00). The records and files of the commissioner respecting the administration of this act shall be considered confidential and privileged and neither the commissioner nor any employee concerned with the administration of this act or the custody of any such records or files shall be required to produce any of them for the inspection of any person or use in any action or proceeding in any court except in behalf of the commissioner in an action or proceeding under the provisions of this act to which the commissioner is a party or in behalf of any party to any action or proceeding under the provisions of this act when the reports or files or the facts shown thereby are directly involved in such action or proceeding. Nothing herein contained shall be construed to prohibit the delivery to a taxpayer or to his duly authorized representative of a certified copy of any report or other paper filed by him pursuant to the requirements of this act, nor to prohibit the publication of statistics so classified as to prevent the identification of particular reports and the items thereof nor to prohibit the inspection by the Attorney-General or other legal representative of this State of the reports or files relating to the claim of any taxpayer who shall bring an action to set aside or review any tax imposed hereunder or against whom an action or proceeding has been instituted in accordance to the provisions of this act, nor to prohibit the examination of said records and files by the Comptroller or auditor of this State or by their respective duly authorized employees.

Certifying records.

Fee.

Records confidential.

Use in court.

Certified copy of report supplied filer.

Review of imposed tax.

504. Preservation of reports.

All reports filed with the commissioner pursuant to the provisions of this act shall be preserved for

Preservation of reports.

five (5) years and thereafter may be destroyed by order of the commissioner.

505. Audit of returns; protests and additional taxes.

Reports
audited.

(a) As soon as practicable after a report is filed under the provisions of this act, the commissioner shall cause it to be examined and audited.

In case of
deficiency.

(b) If the commissioner shall determine in the case of any taxpayer that there is a deficiency with respect to the payment of any tax under this act, he shall mail notice of such deficiency to the taxpayer stating the grounds for his determination. If the taxpayer shall be aggrieved by such determination, he shall within twenty (20) days from receipt of such notice file a protest in writing signed by him, or his duly authorized representative or agent, which shall be under oath and shall set forth the reasons therefor. Thereafter the commissioner shall grant a hearing to the taxpayer if the same shall be requested, and following the hearing he shall make an order fixing the amount of deficiency payable. The filing of any such protest shall not stay the right of the commissioner to collect the tax in any manner herein provided nor abate penalties for nonpayment.

Protest.

Hearing
on protest.

Protest not
to stay col-
lection.

Refunding
deficiency.

(c) Upon the filing of any such protest the protesting taxpayer may pay to the commissioner the amount of the deficiency claimed by the commissioner, who shall retain within his control the amount so paid and who shall upon determination of the deficiency liability refund to such taxpayer all or such part of the amount so paid as may be payable to the taxpayer as a result of the determination in accordance with the provisions of this section.

Failure on
part of tax-
payer to act.

(d) If the taxpayer shall fail to attend such hearing, or shall fail to request a hearing, the tax shall be assessed by the commissioner in such an amount as he shall determine to be owing. If the taxpayer shall fail to file a protest within twenty (20) days after receipt of a notice of deficiency the tax shall

be assessed in the amount stated in said notice. All taxes assessed or deficiencies fixed by order pursuant to the provisions of this section shall be paid within ten (10) days after notice and demand shall have been mailed to the taxpayer by the commissioner. If such payment be not made within ten (10) days there shall be added to the amount of the deficiency so fixed or assessed a sum equivalent of five per centum (5%) thereof and in addition thereto interest at the rate of one per centum (1%) per month for each month or fraction thereof that the same shall remain unpaid, to be calculated from the date the tax was originally due.

Payment of taxes.

Penalty for delay.

(e) If the commissioner has reasonable grounds to believe that the assessment or collection of any deficiency of tax will be jeopardized by delay he shall have authority to assess the tax deficiency without prior notice to the taxpayer and to proceed to collect the same and the action of the commissioner shall be stayed by the filing of a protest only upon the giving of such security as shall be satisfactory to the commissioner.

Assessing tax deficiency.

Collection.

(f) If any person shall fail to make a report as herein required, the commissioner is authorized to make an estimate of the taxable liability of such person from any information he may obtain and to audit and state an account according to such estimate so made by him for the taxes, penalties, and interest due to the State from such person.

Failure to make report.

506. Refunds and credits.

(a) The taxpayer at any time within one (1) year after the payment of any original or additional tax assessed against him may file with the commissioner a claim under oath for refund in such form as the commissioner may prescribe, stating the grounds therefor; *provided, however*, that no claim for refund shall be required or permitted to be filed with respect to a tax paid after protest has been filed with the commissioner or after proceedings on appeal have been commenced as provided herein below.

Claim for refund.

Proviso.

Use of over-
payment.

(b) If upon examination of such claim for refund it shall be determined by the commissioner that there has been an overpayment of tax, the amount of such overpayment shall be first credited against any other tax then due from the taxpayer under this act, and any balance thereof shall be refunded to the taxpayer. If the commissioner shall reject the claim for refund in whole or in part, he shall make an order accordingly and mail a copy thereof to the taxpayer, by registered mail, to his last known address.

Rejection of
claim.

Refunding
money im-
properly col-
lected.

(c) Where no questions of fact or law are involved and it appears from the records of the commissioner that any monies have been erroneously or illegally collected from any taxpayer or other person or have been paid by any taxpayer or other person under a mistake of fact or law, the commissioner shall have the power at any time, upon making a record in writing of his reasons therefor, to issue his certificate to the treasurer authorizing him to refund to such taxpayer or person such monies so determined to have been erroneously or illegally paid.

Authority for
refund.

(d) Refunds shall be paid by the treasurer upon the certificate of the commissioner out of the tax monies paid to the treasurer as provided in this act.

ARTICLE VI

APPEALS

601. Appeals from decisions of commissioner.

Provisions
for taking
appeals.

Any person who shall be aggrieved by any decision of the commissioner denying any hearing requested hereunder, or by any order or assessment having the effect of fixing, correcting, amending or modifying the amount of any tax to be paid by such person, or by any decision declining so to do, or by any certification of debt to the clerk of a court, may appeal from the action of the commissioner in making any such decision, assessment, or order, or issuing any such certificate, to the State Board of

Tax Appeals by filing a petition of appeal with said board in the manner and form and within the time and subject to such terms and conditions as said board shall by reasonable rules and regulations prescribe, but no such appeal shall stay the collection of any such tax or the enforcement of the same by entry as a judgment, unless as provided by order of such board, after giving security approved by the commissioner or said board.

Appeal not to stay collection.

602. Refunds upon appeal.

If by the decision or order of the State Board of Tax Appeals, the taxpayer shall be adjudged to be entitled to a refund, the same shall be paid by the treasurer, upon presentation to him by the taxpayer of a certified copy of such decision or order, out of the tax monies paid to him pursuant to the provisions of this act.

Refund on appeal.

ARTICLE VII

PENALTIES

701. Sales without affixing tax stamps.

Any person who, on or after March first, one thousand nine hundred and thirty-four, shall sell, possess for sale, offer for sale or otherwise dispose of, or who shall purchase, or possess contrary to the provisions of this act any alcoholic beverages upon the containers of which stamps or crowns as required by this act shall not be affixed or attached shall be guilty of a misdemeanor and punished accordingly.

Failure to attach stamps.

Penalty.

702. Counterfeiting stamps or crowns; illegal use.

Any person who falsely or fraudulently makes, forges, alters or counterfeits, or causes to be falsely or fraudulently made, forged, altered or counterfeited, any stamp or crown which may be prescribed by the commissioner, pursuant to the provisions of this act; or any person who knowingly and willfully utters, publishes, passes, tenders as

Counterfeiting.

Using counterfeit stamps.

Penalty. true, buys or sells any such false, altered, forged or counterfeited stamps or crowns; or any person who uses more than once any stamps or crowns prescribed pursuant to the provisions of this act; or any person who falsely and fraudulently claims credit for crowns or stamps asserted to have been affixed to any containers of alcoholic beverages exported out of this State, shall in any such case be guilty of a misdemeanor and punished accordingly.

703. Tax evasion offenses.

False reports. Any person who shall make any false or fraudulent report or any false statement in any report with intent to defraud the State or to evade the payment of any tax, penalty, or interest or any part thereof imposed by this act, or who shall aid or abet another in any attempt to evade the payment of any tax, penalty, or interest or any part thereof imposed by this act; or any person who shall make or permit to be made for any corporation, association or partnership any false report or any false statement in any report required to be filed by this act with the intent to evade the payment of any tax hereunder, shall be guilty of a misdemeanor and punished accordingly.

Penalty.

704. False swearing.

Perjury. Any person who shall knowingly swear to, affirm, or verify any false or fraudulent statement with intent to evade the payment of any tax hereunder, shall be guilty of a misdemeanor and punished accordingly.

705. Sales and importation prohibited unless tax paid or secured.

Importing beverages when tax unpaid. Any person who shall import for sale or sell any alcoholic beverages in this State when the tax upon the sale of such beverages as herein imposed shall not have first been paid or the payment thereof secured to the satisfaction of the commissioner shall be guilty of a misdemeanor and punished accordingly.

Penalty.

706. General penalty.

Any person who shall violate any of the provisions of this act, by any act or omission not heretofore mentioned in this article, shall be guilty of a misdemeanor and punished accordingly.

General penalties.

707. Revocation.

In case any person having a license to manufacture, distribute, transport, import or sell alcoholic beverages issued pursuant to any law of this State shall fail to pay any tax, penalty or interest which he is required to pay under the provisions of this act, or fails to comply with any provision of this act, or with any rule or regulation made by the commissioner pursuant to this act, notice whereof has been given to such licensee, the commissioner may forward a statement of the facts showing such default to the authority which issued such license and request the revocation of said license on account of such default, whereupon said license may be revoked and no new, restored or reissued license may thereafter be given or issued to such licensee without the consent of the commissioner.

Failure to pay tax or comply with law.

Revocation of license.

ARTICLE VIII

MISCELLANEOUS

801. Interest of employees in alcoholic beverage business prohibited.

(a) No officer or employee of the division of the State Tax Department which shall be concerned with the administration of the provisions of this act shall directly or indirectly, individually or as a member of a partnership or as a stockholder of a corporation or other association, have any interest whatsoever in the manufacture, distribution, transportation, importation or sale of alcoholic beverages, or in any enterprise or industry dealing with alcoholic beverages; nor shall any such person receive any commission or profit or have any interest whatsoever in any purchase or sale of alcoholic beverages; *provided, however,* that nothing herein

Officials and employees not interested in business.

Proviso.

contained shall prevent any such person from purchasing or possessing for consumption and not for resale any alcoholic beverages.

Penalty for violation.

(b) Any person who shall violate any of the provisions of this section may be conditionally suspended or dismissed by the commissioner.

802. Expense of administering.

Meeting expenses.

The expense of administering this act shall be paid by the treasurer upon the vouchers of the commissioner, out of the monies collected pursuant to the provisions of this act. There is hereby appropriated out of the monies to be collected by the commissioner under this act the sum of one hundred thousand dollars (\$100,000.00) for the expenses of administering this act during the fiscal year ending June thirtieth, nineteen hundred and thirty-four. Thereafter, provision shall be made for the administration of this act in the annual or supplemental appropriation bills.

Funds available.

803. Disposition of taxes, penalties, and interest.

Disposition of various receipts.

All monies received and collected by the commissioner in accordance with the provisions of this act shall be accounted for and forwarded by him to the treasurer, who shall deposit the same in the general account of the State.

804. Repealer.

Repealer.

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

805. Constitutionality.

Constitutionality.

The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional, the decision of the court respecting such provision or provisions shall not affect the validity of any other provisions which can be given effect without such invalid provision or provisions.

806. Effective date.

Act effective.

This act shall take effect on December fifth, one thousand nine hundred and thirty-three.

Approved December 4, 1933.

CHAPTER 435

AN ACT to further amend an act entitled "A supplement to an act entitled 'An act relating to courts having criminal jurisdiction and regulating proceedings in criminal cases' (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight," which supplement was approved April third, one thousand nine hundred and twenty-eight.

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

1. In any county of this State having less than three hundred thousand inhabitants, as shown by the last preceding Federal census, any judge of the inferior court of common pleas designated, assigned, or requested to hold the courts of oyer and terminer, common pleas, quarter sessions, special sessions and orphans' court in counties other than that of his original appointment, sitting alone, shall constitute and may hold the court of oyer and terminer, when thereunto requested in writing by the justice of the Supreme Court within whose district said court of oyer and terminer shall be, which said request shall be filed in the minutes of said court of oyer and terminer.

Common pleas
judge may
hold court of
oyer and
terminer.

At whose
direction.

2. This act shall take effect immediately.
Approved December 5, 1933.

CHAPTER 436

AN ACT concerning alcoholic beverages.

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

1. For the purpose of this act, the following words and terms shall be deemed to have the meanings herein given to them:
- Terms defined: (a) "Alcoholic Beverage." Any fluid or solid capable of being converted into a fluid, suitable for human consumption, and having an alcoholic content of more than one-half of one per centum by volume, including beer, lager beer, ale, porter, naturally fermented wine, treated wine, blended wine, fortified wine, sparkling wine, distilled liquors, blended distilled liquors and any brewed, fermented or distilled liquors fit for use for beverage purposes or any mixture of the same, and fruit juices.
- Alcoholic beverage; (b) "Building." A structure of which licensed premises are or may be a part, including all rooms, cellars, outbuildings, passageways, closets, vaults, yards, attics, and every part of the structure of which the licensed premises are a part, and of any other structure to which there is a common means of access, and any other appurtenances.
- Building; (c) "Civil Service Act." The act entitled "An act regulating the employment, tenure and discharge of certain officers and employes of this State, and of the various counties and municipalities thereof, and providing for a civil service commission, and defining its powers and duties," approved April tenth, one thousand nine hundred and eight, and all acts amendatory thereof and supplementary thereto.
- Civil Service Act; (d) "Commissioner." The State Commissioner of Alcoholic Beverage Control.
- Commissioner; (e) "Container." Any glass, can, bottle, vessel or receptacle of any material whatsoever used for
- Container;

holding alcoholic beverages, which container is covered, corked or sealed in any manner whatsoever.

(f) "Eligible." The status of a person who is a citizen of the United States, a resident of this State, of good moral character and repute, and of legal age. Eligible;

(g) "Governing board or body or other controlling authority." The board or body which governs a municipality, including a board of aldermen in municipalities so governed. Governing board, etc.;

(h) "Importing." The act of bringing or of causing to be brought any alcoholic beverage into this State. Importing;

(i) "Illicit Beverage." Any alcoholic beverage manufactured, distributed, bought, sold, or transported in violation of this act, or on which any Federal tax or tax imposed by the laws of this State has not been paid. Illicit beverage;

(j) "Licensed Building." Any building containing licensed premises. Licensed building;

(k) "Licensed Premises." Any premises for which a license under this act is in force and effect. Licensed premises;

(l) "Magistrate." A judge of the court of quarter sessions in and for any county, or a judge of a city or district criminal court, or a police judge or justice or recorder of any municipality, and all justices of the peace; *provided, however*, that no justice of the peace shall sit as a magistrate under this act within the corporate limits of a municipality having a police judge or justice or recorder, or a city criminal court or within the corporate limits of any municipality included in any criminal district in which there shall be a district criminal court; *and further provided*, that no magistrate shall take any complaint or hear any cause arising out of the limits of the particular municipality in and for which he may have been appointed or elected. Magistrate;

(m) "Manufacturer." Any person who, directly or indirectly, personally or through any agency whatsoever, engages in the making or other processing whatsoever of alcoholic beverages. Proviso;

Manufacturer;

- Municipality;** (n) "Municipality." Any city, town, township, village, or borough, including a municipality governed by a board of commissioners or improvement commission, but excluding a county.
- Municipal board;** (o) "Municipal Board." The municipal board of alcoholic beverage control as established by this act.
- Officer;** (p) "Officer." Any sheriff, deputy sheriff, constable, police officer, member of the Department of State Police, or any other person having the power to execute a warrant for arrest or any inspector of the Department of Alcoholic Beverage Control.
- Original container;** (q) "Original Container." Any container in which an alcoholic beverage has been delivered to a retail licensee.
- Person;** (r) "Person." Any natural person or association of natural persons, association, trust, company, partnership, corporation, organization, or the manager, agent, servant, officer, or employee of any of them.
- Premises;** (s) "Premises." The physical place at which a licensee is or may be licensed to conduct and carry on the manufacture, distribution or sale of alcoholic beverages, but not including vehicular transportation.
- Retailer;** (t) "Retailer." Any person who sells alcoholic beverages to consumers.
- Rules and regulations;** (u) "Rules and Regulations." The rules and regulations established from time to time by the commissioner.
- Sale;** (v) "Sale." Every delivery of an alcoholic beverage otherwise than by purely gratuitous title, or the solicitation or acceptance of an order for an alcoholic beverage, and including exchange, barter, traffic in, keeping and exposing for sale, serving with meals, delivering for value, peddling, possessing with intent to sell, and the gratuitous delivery or gift of any alcoholic beverage by any licensee.
- Unlawful alcoholic beverage activity;** (w) "Unlawful alcoholic beverage activity." The manufacture, sale, distribution or transportation of any alcoholic beverage in violation of this act, or the importing, owning, possessing, keeping

or storing in this State of alcoholic beverages with intent to manufacture, sell, distribute or transport alcoholic beverages in violation of this act, or the owning, possessing, keeping or storing in this State of any implement or paraphernalia for the manufacture, sale, distribution or transportation of alcoholic beverages with intent to use the same in the manufacture, sale, distribution or transportation of alcoholic beverages in violation of this act, or to aid or abet another in the manufacture, sale, distribution or transportation of alcoholic beverages in violation of this act, or the aiding or abetting of another in any of the foregoing activities.

(x) "Unlawful property." All illicit beverages and all implements and paraphernalia for the manufacture, sale, distribution or transportation of illicit beverages used in the manufacture, sale, distribution or transportation of illicit beverages or owned, possessed, kept or stored with intent to use the same in the manufacture, sale, distribution or transportation of illicit beverages, whether such use be by the person owning, possessing, keeping, or storing the same, or by another with the consent of such person.

Unlawful property;

(y) "Wholesaler." Any person who sells an alcoholic beverage for the purpose of resale either to a licensed wholesaler or to a licensed retailer, or both.

Wholesaler.

Any definition herein contained shall apply to the same word in any other form. Thus "sell" means to make a "sale" as above defined.

Use of words.

2. It shall be unlawful to manufacture, sell, transport, rectify, blend, treat, fortify, mix, process or distribute alcoholic beverages in this State, except in accordance with this act, and except for personal consumption.

Unlawful action.

3. There is hereby established a State Department to be known as the Department of Alcoholic Beverage Control. The chief executive of said department shall be the State Commissioner of Alcoholic Beverage Control. His term shall commence upon the effective date of this act and shall termi-

State department.

Chief.

Term.

Successor.	nate on the first day of April, in the year nineteen hundred and forty, but he shall serve until his successor has been elected and qualified. His successor shall be elected by a joint session of the Legislature for a term of seven years beginning on the first day of April, nineteen hundred and forty, and every seven years thereafter.
Salary.	The commissioner shall receive compensation at the rate of \$13,000 per annum.
Bond.	Before entering upon the discharge of his duties, he shall give bond, to be approved by the Governor, in the sum of \$30,000.
Duty.	It shall be the duty of the commissioner to supervise the manufacture, distribution and sale of alcoholic beverages in such a manner as to promote temperance and eliminate the racketeer and bootlegger.
Commissioner.	The first State Commissioner of Alcoholic Beverage Control shall be D. Frederick Burnett, of the village of South Orange, in the county of Essex, who shall hold said office until the first day of April, nineteen hundred and forty, or until his successor is elected and qualified as aforesaid. Any vacancy in said office shall be filled by joint session of the Legislature for the unexpired term only.
Term of office.	
Commissioner empowered to:	4. The commissioner is hereby empowered:
Maintain offices, etc.;	(a) To maintain suitable headquarters for said department and such other offices and establishments within the State as he may determine necessary.
Appoint deputy commissioners;	(b) To appoint and have at all times three deputy commissioners who shall each receive compensation at the rate of \$4,000 per annum, and who shall be removable by the commissioner at will, and who shall be respectively in charge of the divisions hereby created in said department, to wit: Administration, Licensing and Investigation, and Inspection and Compliance. Each such deputy shall, before entering upon the duties of his office, give bond, to be approved by the commissioner, in the sum of \$8,000. Deputy commissioners shall not be subject to the civil service act.
Bond;	
Appoint clerical force;	(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 civil service act.

(d) To appoint such inspectors and investigators as he may deem necessary and to fix their duties, terms of service and compensation. Inspectors and investigators shall (1) not be subject to the civil service act, (2) not receive a salary in excess of \$3,500 per annum, and (3) be removable by the commissioner at will. Each inspector and investigator, before entering upon the duties of his office, shall give bond, to be approved by the commissioner, in the sum of \$7,000. Inspectors shall have authority to arrest, without warrant, for violations of this act committed in their presence, and shall have all the authority and powers of peace officers to enforce this act. Investigators shall have full authority to conduct any investigation ordered by the commissioner.

Appoint
inspectors and
investigators;

Bond.

(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 act, and to determine the specified duty, salary or fee and term of service. Such experts or specialists shall not be subject to the civil service act.

Appoint
specialists
and experts.

5. Each municipality having a population of fifteen thousand (15,000) or more, as determined by the last federal census, is hereby authorized to establish in and for such municipality, by resolution or ordinance of the governing board or body or other controlling authority now established by law in respect to said municipality, a municipal board of alcoholic beverage control, which shall consist of three persons, who shall be chosen and appointed by said governing board or body or other controlling authority of said municipality, for a term of three years; *provided, however*, that one of the initial appointments shall be for one year, another for two years, and the third for three years; *provided, further*, that in the case of any vacancy occurring before the expiration of any term, the appointment to fill such vacancy shall be only for the unexpired term. Each member of such

Municipal
beverage
control
board.

Proviso.

Proviso.

Salary.

Member removable.	municipal board shall receive an annual salary in an amount to be determined by the governing board or body or other controlling authority of said municipality. Each such member shall be removable by the appointing authority for cause and before entering upon his duties shall give a bond, to be approved by the appointing authority, in twice the amount of his annual salary. Such members shall not be subject to the civil service act and may be members of said governing board or body or other controlling authority of said municipality; <i>provided, however</i> , that in any such municipality wherein there is no board of aldermen but wherein there is a board of public works, all licenses shall be granted by such board of public works.
Bond.	
Members not subject to Civil Service.	
Proviso.	
Municipal board to appoint in- spectors, etc.	6. Each municipal board is hereby empowered to appoint such inspectors, investigators, employees and agents as it may deem necessary and to fix their duties and terms of service. The salaries of such appointees shall be determined by the governing board or body or controlling authority of said municipality in and for which they are appointed. Such appointees shall be subject to the provisions of the civil service act, in all municipalities in which said civil service act has or shall have been adopted. Each such appointee shall be removable by the municipal board for cause, and before entering upon his duties shall give a bond, to be approved by the municipal board, in a sum equal to twice the amount of his annual salary.
Salaries.	
Appointees removable.	
Persons eligible.	7. No person shall be appointed to any office, position or employment under this act unless he is eligible as hereinbefore defined; <i>provided, however</i> , that clerical employees need not be of legal age.
Proviso.	
Employees not to have interest in manufacture, etc.	8. No person appointed to any office, position or employment under this act while holding said office, position or employment, shall directly or indirectly, individually or as a member of a partnership or as a stockholder of a corporation or any other association have any interest whatsoever in the manufacture, sale or distribution of alcoholic beverages, or in any enterprise or industry dealing or connected

with alcoholic beverages or kindred or cognate thereto; nor shall any such person accept any gift, gratuity, or anything of value whatsoever from any licensee or applicant for a license, directly or indirectly; *provided, however*, that it shall not be a violation of this act for such person to purchase or possess for consumption and not for resale any alcoholic beverages. Proviso.

9. All bonds made or furnished by any person appointed to any office, position or employment under this act shall be given to the State of New Jersey and be conditioned for the faithful performance of the duties of such appointee and for his compliance with all the provisions of this act and shall remain in force and effect notwithstanding expiration of office or appointment or employment or removal therefrom. Form of bonds.

10. Licenses shall be of the following classes: Classes of licenses:
 Class A—Manufacturer's license
 Class B—Wholesaler's license
 Class C—Retailer's license
 Class D—Transportation license.

11. Class A licenses shall be subdivided and classified as follows: Class A. licenses:

(1) Brewery license. The holder of this license shall be entitled, subject to rules and regulations, to brew any malt alcoholic beverages and to distribute and sell his products to wholesalers and retailers licensed respectively in accordance with this act, and to maintain a warehouse. The fee for this license shall be three thousand five hundred dollars (\$3,500.00). Brewery license;
Fee;

(2) a. Plenary winery license. The holder of this license shall be entitled, subject to rules and regulations, to manufacture any fermented wines, and to blend, fortify and treat wines, and to distribute and sell his products to wholesalers and retailers respectively licensed in accordance with this act, and to maintain a warehouse. The fee for this license shall be five hundred dollars (\$500.00). Plenary winery license;
Fee;

(2) b. Limited winery license. The holder of this license shall be entitled, subject to rules and Limited winery license;

regulations, to manufacture for sale any naturally fermented wines and fruit juices in a quantity dependent upon the following fees and not in excess of five thousand gallons per year and to be expressed in said license and to distribute and sell his said products to wholesalers and retailers respectively licensed in accordance with this act, and to consumers, and to maintain a warehouse. The fee for this license shall be graduated as follows: to so manufacture between twenty-five hundred (2,500) and five thousand (5,000) gallons per annum, two hundred dollars (\$200.00); to so manufacture between one thousand (1,000) and twenty-five hundred (2,500) gallons per annum, one hundred dollars (\$100.00); to so manufacture between two hundred (200) and one thousand (1,000) gallons per annum, twenty-five dollars (\$25.00); to so manufacture less than two hundred (200) gallons per annum, one dollar (\$1.00).

Fee;

Plenary
distillery
license;

(3) a. Plenary distillery license. The holder of this license, shall be entitled, subject to rules and regulations, to manufacture any distilled alcoholic beverages and rectify, blend, treat and mix, and to distribute and sell his products to wholesalers and retailers respectively licensed in accordance with this act, and to maintain a warehouse. The fee for this license shall be seven thousand five hundred dollars (\$7,500.00).

Fee;

Limited
distillery
license;

(3) b. Limited distillery license. The holder of this license shall be entitled, subject to rules and regulations, to manufacture, in a quantity dependent upon the following fees and not in excess of ten thousand (10,000) gallons per year and to be expressed in said license, any alcoholic beverages distilled from fruit juices and rectify, blend, treat and mix, and to distribute and sell his said products to wholesalers and retailers respectively licensed in accordance with this act and to maintain a warehouse. The fee for this license shall be graduated as follows: To so manufacture not more than five thousand (5,000) gallons per annum, one thousand dollars (\$1,000.00); and to so manufacture not

Fee;

more than ten thousand (10,000) gallons per annum, twenty-five hundred dollars (\$2,500.00).

(4) Rectifier and blender license. The holder of this license shall be entitled, subject to rules and regulations, to rectify, blend, treat and mix distilled alcoholic beverages, and to fortify, blend and treat fermented alcoholic beverages, and prepare mixtures of alcoholic beverages, and to distribute and sell his products to wholesalers and retailers respectively licensed in accordance with this act, and to maintain a warehouse. The fee for this license shall be one thousand five hundred dollars (\$1,500.00).

Rectifier
and blender
license;

Fee;

12. Class B licenses shall be subdivided and classified as follows:

Class B.
licenses:

(1) Plenary wholesale license. The holder of this license shall be entitled, subject to rules and regulations, to distribute to retailers, licensed in accordance with this act, alcoholic beverages, and to maintain a warehouse and salesroom. The fee for this license shall be one thousand five hundred dollars (\$1,500.00).

Plenary
wholesale
license;

Fee;

(2) Limited wholesale license. The holder of this license shall be entitled, subject to rules and regulations, to distribute to retailers, licensed in accordance with this act, brewed malt alcoholic beverages and naturally fermented wines, and to maintain a warehouse and salesroom. The fee for this license shall be seven hundred and fifty dollars (\$750.00).

Limited
wholesale
license;

Fee.

13. Class C licenses shall be subdivided and classified as follows:

Class C.
licenses:

(1) Plenary retail consumption license. The holder of this license shall be entitled, subject to rules and regulations, to sell for consumption on the licensed premises any alcoholic beverages by the glass or other open receptacle, and also to sell all alcoholic beverages in original containers for consumption off the licensed premises. The fee for this license shall be fixed by the governing board or body or other controlling authority of the municipality in which the licensed premises are

Plenary
retail
consumption
license;

Fee;

situated, by resolution or ordinance, at not less than three hundred and fifty dollars (\$350.00) and not more than one thousand five hundred dollars (\$1,500.00).

Plenary retail
distribution
license;

Fee;

(2) Plenary retail distribution license. The holder of this license shall be entitled, subject to rules and regulations, to sell any alcoholic beverages for consumption off the licensed premises, but only in original containers. The fee for this license shall be fixed by the governing board or body or other controlling authority of the municipality in which the licensed premises are situated by resolution or ordinance at not less than two hundred dollars (\$200.00), and not more than one thousand dollars (\$1,000.00).

Plenary retail
transit
license;

Fee.

Proviso;

Proviso;

Class D
license:

Transporta-
tion license.

(3) Plenary retail transit license. The holder of this license shall be entitled, subject to rules and regulations, to sell any alcoholic beverages for consumption only on railroad trains, airplanes and boats, while in transit. The fee for this license shall be one hundred and fifty dollars (\$150.00), except for boats under five (5) tons gross tonnage and for each such boat the fee shall be ten dollars (\$10.00); *provided, however*, that a license issued under this provision to a railroad or air transport company shall cover all dining and club cars and planes operated by any such company within the State of New Jersey; *and provided, further*, that a license for a boat issued under this provision shall apply only to the particular boat for which issued.

14. Class D licenses shall be as follows:

Transportation license. The holder of this license shall be entitled, subject to rules and regulations, to transport alcoholic beverages into, out of, through and within the State of New Jersey and to maintain a warehouse. The fee for this license shall be two hundred dollars (\$200.00). Vehicles transporting alcoholic beverages shall carry a transit receipt specifying the names and addresses of the owner of the alcoholic beverages, of the consignor, and of the consignee, and the destination.

15. Any licensee entitled to maintain a warehouse or salesroom shall, if approved by the commissioner, secure a separate license for each additional warehouse or salesroom desired, and pay the fee therefor, each additional warehouse or salesroom being deemed a separate place of business.

Separate
license for
each ware-
house.

16. Before any Class A, Class B or Class D license shall be issued, each such licensee shall give a bond to the State of New Jersey, to be approved by the State Tax Commissioner as to form and amount, conditioned for the payment of all taxes and penalties imposed upon alcoholic beverages or the manufacture, sale or distribution thereof by the laws of this State.

Bond.

17. It shall be the duty of the commissioner to administer the issuance of manufacturers', wholesalers', plenary retail transit, and transportation licenses, in accordance with this act.

Commissioner
to administer
issuance of
certain
licenses.

18. It shall be the duty of the governing board or body or controlling authority, as the case may be, of each municipality, except in such municipalities as shall have created municipal boards pursuant to this act, in which latter event it shall be the duty of such respective municipal boards, to administer the issuance of plenary retail consumption and plenary retail distribution licenses within their respective municipalities, in accordance with this act, and forthwith to report the issuance of all such licenses to the commissioner. The issuing authorities constituted by this section are sometimes hereinafter referred to as "other issuing authority."

Municipal
board, etc.,
to administer
issuance of
certain
licenses.

19. If the commissioner or other issuing authority shall refuse to issue any license, the applicant shall be notified forthwith of such refusal by a notice served personally upon the applicant, or sent to him by registered mail addressed to him at the address stated in the application. Said applicant or any taxpayer opposing such application may within thirty days after the date of service or of mailing of said notice appeal to the Board of Alcoholic Beverage Appeals from the action of the

Upon refusal
to grant
license.

Appeal.

Hearing.	commissioner or other issuing authority. The Board of Alcoholic Beverage Appeals shall thereupon fix a time for the hearing of the appeal and before hearing the same shall give at least five days' notice of the time so fixed to both said applicant, such taxpayer, the commissioner and other issuing authority.
Commissioner's duties; Enforcement;	<p>20. It shall be the duty of the commissioner to administer and enforce this act and administer the Department of Alcoholic Beverage Control; to make an annual report to the Governor of the activities of his department; to investigate applicants for Class A, Class B, Class D and plenary retail transit licenses, and all licensees, and to inspect all licensed premises; to conduct hearings in accordance with this act; to make and conduct searches, seizures and forfeitures in accordance with this act; to dispose of articles seized and forfeited; to maintain proper records; to maintain a petty cash fund not in excess of one thousand dollars (\$1,000); to requisition the purchase of necessary supplies and equipment; to co-operate with municipalities and municipal boards in enforcing this act; to keep full and correct minutes; to publish lists of all licenses issued; and to do, perform, take and adopt all other acts, procedures and methods designed to insure the fair, impartial, stringent and comprehensive administration of this act. The enumeration of the above specific duties shall not be construed to limit or restrict in any way the general authority given by this act to the commissioner.</p> <p>21. It shall be the duty of each other issuing authority to receive applications for such licenses as such other issuing authority is authorized to issue; to investigate applicants and to inspect premises sought to be licensed; to conduct public hearings on applications and revocations; to enforce primarily the provisions of this act and the rules and regulations so far as the same pertain or refer to or are in any way connected with retail licenses, except plenary retail transit licenses; to maintain proper records; to keep full and correct minutes;</p>
Report;	
Investigate;	
Make searches;	
Records;	
Requisition supplies;	
Minutes;	
Publish list of licenses;	
Administer act;	
Construing.	
Duties of issuing authority.	

and to do, perform, take and adopt all other acts, procedures and methods designed to insure the fair, impartial, stringent and comprehensive administration of this act. The enumeration of the above specific duties shall not be construed to limit or restrict in any way the general authority given by this act to each said other issuing authority.

22. Applicants for licenses shall answer such questions and make such declarations as shall be prescribed by rules and regulations. No retail license shall be issued to a natural person unless he shall have been a resident of the State of New Jersey for at least five years, continuously, immediately prior to the submission of the application. No license of any class shall be issued to any alien; to any person under legal age; or to any person who has been convicted of a crime involving moral turpitude or of two or more violations of this act. In case of applications by corporations, the names and addresses of all stockholders, holding one (1) or more per centum of any of the stock thereof, of all officers, and of all members of the board of directors must be stated in the application, and if one or more of such officers or members or any holder, directly or indirectly, of ten (10) per centum or more in beneficial interest of the capital stock of the corporation would fail to qualify as an individual applicant in all respects, except as to residence and age, no license of any class shall be granted.

In the case of application by a partnership, the application shall contain the names and addresses of all of the partners. No license shall be issued unless all of the partners would qualify as individual applicants.

A photostatic copy of all federal licenses, permits and/or stamps necessary to the lawful conduct of the business for which a State license is sought must accompany the license application, together with a deposit of the full amount of the required license fee, which deposit to the extent of ninety per centum thereof shall be returned to the ap-

License requirements:

Residence;

Citizenship;

In case applicant is a corporation.

In case applicant is a partnership.

Photostatic copy of Federal licenses, etc., to accompany application.

Deposit full amount of fee.

plicant by the commissioner or other issuing authority if the application is denied, and the remaining ten per centum shall constitute an investigation fee and be disposed of as hereinafter provided.

Notice of
intention
published.

Every applicant for a license shall cause a notice of intention to make such application to be published, in a form prescribed by rules and regulations, once a week for two weeks successively in a newspaper, printed in the English language, published and circulated in the municipality in which the licensed premises are located; *provided, however*, that if there shall be no such newspaper, then such notice shall be published in a newspaper, printed in the English language, published and circulated in the county in which the licensed premises are located; *provided, further*, that no publication shall be required with respect to applications for transportation licenses.

Proviso.

Proviso.

Applications
sworn to.

All applications shall be duly sworn to by each of the applicants, except in cases of applications by corporations, which shall be duly sworn to by the president or vice-president. All statements in said applications required to be made by law or by rules and regulations shall be deemed material, and any person who shall knowingly misstate any material fact, under oath, in said application shall be guilty of a misdemeanor and punished accordingly. Fraud, misrepresentation, false statements, misleading statements, evasions or suppression of material facts in the securing of a license are grounds for revocation.

Term of
license.

Proviso.

Proviso.

Not trans-
ferable.

23. All licenses shall be for a term of one year from the first day of July in each year; *provided, however*, that all such licenses issued prior to July first, one thousand nine hundred and thirty-four, shall expire at midnight on June thirtieth, one thousand nine hundred and thirty-four; *and further provided*, that the respective fees for any such license shall be prorated according to the date of such license and based on the respective annual fee as in this act provided. Licenses are not transferable. A separate license is required for each specific

place of business and the operation and effect of every license is confined to the licensed premises. No retail license of any class shall be issued to any holder of manufacturer's or wholesaler's license, and no manufacturer's or wholesaler's license shall be issued to the holder of a retail license of any class. Any person who shall exercise or attempt to exercise, or hold himself out as authorized to exercise, the rights and privileges of a license except the licensee and then only with respect to the licensed premises, shall be guilty of a misdemeanor.

Each place licensed.

License regulation.

False representation a misdemeanor.

In case of death, bankruptcy, receivership or incompetency of the licensee, or if for any other reason whatsoever the operation of the business covered by the license shall devolve by operation of law upon a person other than the licensee, the commissioner or other issuing authority may, in his or its discretion, extend said license for a limited time, not exceeding its term, to the executor, administrator, trustee, receiver or other person upon whom the same has devolved by operation of law as aforesaid. Under no circumstances, however, shall a license, or rights thereunder, be deemed property, subject to inheritance, sale, pledge, lien, levy, attachment, execution, seizure for debts, or any other transfer or disposition whatsoever, except to the extent expressly provided by this act.

License may be extended in case of death, etc.

License not deemed property.

On application made therefor setting forth the same matters and things with reference to the premises to which a transfer of license is sought as are required to be set forth in connection with an original application for license as to said premises, and after publication of notice of intention to apply for transfer, in the same manner as is required in case of an application for license as to said premises, the commissioner or other issuing authority may transfer any license issued by him or it respectively to a different place of business than that specified therein, by endorsing permission upon such license.

Transfer license.

No person who would fail to qualify as a licensee under this act shall be knowingly employed by or

Employment regulations.

- connected in any business capacity whatsoever with the licensee; *provided, however*, that specialized technical workers required in any business may, with the approval of the commissioner, and subject to rules and regulations, be employed although failing to qualify as to residence or citizenship.
- Proviso.**
- Disposition of fees.** 24. License and investigation fees collected by the commissioner shall be promptly paid, when earned, to the State Treasurer, and thereupon shall become part of the free treasury funds of this State.
- No fee exemption.** Any statute or exemption to the contrary, notwithstanding, no license shall be issued to any person except upon payment of the full fee therefor or as above prorated; *provided, however*, that no license shall be required and no fee charged in connection with the retail sale of alcoholic beverages for consumption on the premises where sold, when sold at any camp, post or regimental exchange duly organized under the regulations of the United States Army or Navy or Marine Corps or, if the consent of the State Military Board shall have been first obtained, under the State National Guard regulations.
- Proviso.**
- Delivery of beverage by licensee.** 25. Licensees may deliver alcoholic beverages in their own vehicles, solely, however, for their own respective business in connection with and as defined in their respective licenses, without possessing a transportation license; *provided, however*, that the vehicles while so used shall be marked in the manner prescribed for all vehicles authorized to transport alcoholic beverages under a transportation license, as shall be provided in rules and regulations.
- Proviso.**
- Regulation of use by druggists, etc.** 26. Druggists and pharmacists duly registered under the laws of the State of New Jersey as such may, upon their respective registered premises as aforesaid, without license hereunder, purchase and use alcoholic beverages for the compounding of physicians' prescriptions and for the preparation of mixtures and medicines, unfit for use as beverages, and sell same after being so compounded or prepared, subject to rules and regulations; *pro-*
- Proviso.**

vided, however, that they may not sell alcoholic beverages otherwise than as aforesaid and particularly shall not sell the same in either original containers or by glass or other open containers, except under a license obtained under this act permitting the same. Hospitals may purchase and use alcoholic beverages for the compounding of physicians' prescriptions, and for the preparation of mixtures and medicines unfit for use as beverages, and for dispensing to patients in accordance with physicians' orders and prescriptions, without license therefor, subject to rules and regulations.

Use by
hospitals.

Wholesale licensees may sell alcoholic beverages directly to druggists and pharmacists, registered as aforesaid, and to hospitals, for use as herein authorized, subject to rules and regulations.

Wholesale
licensees
may sell to
hospitals, etc.

27. This act is not designed to prohibit sales of industrial alcohol, denatured alcohol, alcoholic mixtures or compositions unfit for use as beverages, or articles of commerce containing alcohol which are unfit for use as beverages without license hereunder. To prevent violations of and secure the better enforcement of this act, the commissioner shall have and exercise the same powers of investigation with respect to all the matters in this paragraph set forth as are by this act accorded to him in connection with sales of alcoholic beverages.

In reference
to sale of
alcohol.

Prevention of
violations.

28. Any license may be suspended or revoked by the commissioner or by the other issuing authority who issued such license, as the case may be, for any of the following causes: violation of any of the provisions of this act; manufacture, transportation, distribution or sale of alcoholic beverages in a manner or to an extent not permitted by the license or by law; nonpayment of any excise tax or other payment required by law to be paid to the State Tax Commissioner; failure to have at all times a valid, unrevoked permit, license or special tax stamp, or other indicia of payment, of all fees, taxes, penalties and payments required by any law of the United States; failure to have at all times proper stamps or other proper evidence of

License may
be revoked,
etc., for:

Violation of
act;
Exceeding
limits of
license;

Nonpayment
of taxes;

Failure to
have Federal
permit, etc.;

Failure to
have stamps;

Violation of rules and regulations.	payment of any tax required to be paid by any law of this State; any violation of rules and regulations; any other act or happening occurring after the time of making of an application for a license which if it had occurred before said time would have prevented the issuance of the license; or for
Notice given before suspension.	any other cause designated by this act. No suspension or revocation of any license shall be made until a five-day notice of the charges preferred against the licensee shall have been given to him personally or by mailing the same by registered mail addressed to him at the licensed premises and a reasonable opportunity to be heard thereon afforded to him. A suspension or revocation of li-
How suspension of license effected.	cense shall be effected by a notice in writing of such suspension or revocation, designating the effective date thereof, and in case of suspension, the term of such suspension, which notice may be served upon the licensee personally or by mailing the same by registered mail addressed to him at the licensed premises. Such suspension or revocation shall apply to the licensee and to the licensed premises.
Revocation effective.	Any revocation shall render the licensee ineligible to receive any other license, of any kind or class under this act, for a period of two years from the effective date thereof and may, in the discretion of the commissioner or the other issuing authority as the case may be, render the licensed premises ineligible to become the subject of any further license, of any kind or class under this act, during said period of two years. No refund shall be made of any portion of a license fee after issuance of a license. In the event of any suspension or revocation of any license, the licensee may, within thirty (30) days after the date of service or of mailing of said notice of suspension or of revocation, appeal to the Board of Alcoholic Beverage Appeals from the action of the commissioner or other issuing authority, as the case may be, in suspending or revoking such license. The Board of Alcoholic Beverage Appeals shall thereupon fix a time for the hearing of the appeal and before hearing the same
No refund of fees.	
Appeal.	
Hearing.	

shall give at least five (5) days' notice of the time so fixed to both said licensee and to the commissioner or the other issuing authority, as the case may be, who effected such suspension or revocation.

29. Subject to rules and regulations, the commissioner and other issuing authority as the case may be, by resolution, may impose any condition or conditions to the issuance of any license deemed necessary and proper to accomplish the objects of this act and secure compliance with the provisions hereof, and all such licenses shall become effective only upon compliance with the conditions so stated and shall be revocable for subsequent violation thereof.

Sundry
regulations.

30. No license shall be issued to any person to whom a license shall have been issued under an act entitled "An act concerning the manufacture, distribution and sale of certain beverages having an alcoholic content and providing for licenses, regulations and fees in connection therewith and penalties for violations thereof," approved April twelfth, one thousand nine hundred and thirty-three, as amended and supplemented, and who shall have failed to pay to the State of New Jersey or to any municipality of this State any tax, license fee or penalty which shall have accrued pursuant to the provisions of said act, unless such person shall have posted with the State Tax Commissioner, or the municipality, as the case may be, a cash deposit in an amount, or a bond in form, with sureties and in an amount satisfactory to the State Tax Commissioner, or the municipality; as the case may be, to secure the payment of said tax, license fee or penalty, and this provision shall remain in force and effect notwithstanding the repeal of the aforesaid act.

License re-
fused for
failure to pay
obligations un-
less bonded.

31. Whenever any change shall occur in the facts as set forth in any application for license, the licensee shall file with the commissioner or other issuing authority, as the case may be, a notice in writing of such change within ten days after the occurrence thereof; said change, when so notified,

Licensee to
notify in
event of
change.

shall thereupon become part of said application for license to the end that subsequent changes must likewise be so notified; *providing, however, that no* notice need be given by corporate licensees of changes in stockholdings therein unless and until the aggregate of such changes, if made before the time of said application, would have prevented the issuance of the license.

Investiga-
tions.

May examine
under oath.

32. The commissioner and each other issuing authority is hereby authorized and empowered to make, or cause to be made, such investigations as he or it shall deem proper in the administration of this act and of any and all other acts now or which may hereafter be in force and effect concerning alcoholic beverages, or the manufacture, distribution or sale thereof, or the collection of taxes thereon, including the inspection of premises for which the license is sought, of any building containing the same, of licensed buildings, examination of the books, records, accounts, documents and papers of the licensees or on the licensed premises, and every applicant for a license, and every licensee, and every director, officer, agent and employee of every licensee, shall, on demand, exhibit to the commissioner or other issuing authority, as the case may be, or to his or its deputies or investigators, or inspectors or agents all of the matters and things which the commissioner or other issuing authority, as the case may be, is hereby authorized or empowered to investigate, inspect or examine, and to facilitate, as far as may be in their power so to do, in any such investigation, examination or inspection, and they shall not in any way hinder or delay or cause the hindrance or delay of same, in any manner whatsoever. For the purpose of any investigation, examination or inspection, the commissioner and each other issuing authority is hereby authorized and empowered to examine, under oath, any and all persons whatsoever and to compel by subpoena the attendance of witnesses and the production of books, records, accounts, papers and documents of any person or persons and to take

any oath or affirmation of any person to any deposition, statement, report or application required in the administration of this act, or of any and all other acts now or which may hereafter be in force and effect concerning alcoholic beverages, or the manufacture, distribution and sale thereof, or the collection of taxes thereon. The fees of witnesses required to attend before the commissioner or other issuing authority shall be the same as those allowed to witnesses in the Supreme Court.

Witness' fees.

If a person subpoenaed to attend any hearing refuses or fails to appear or to be examined, or to answer any question or to produce any books, records, accounts, papers and documents when ordered so to do by the commissioner, the commissioner or other issuing authority, as the case may be, may apply to the Supreme Court, or any justice thereof, who shall have the power of the court for that purpose, to make an order returnable not less than two nor more than ten days, directing such person to show cause before the court or a justice thereof why he should not comply with the subpoena or direction or order of the commissioner or of the other issuing authority, as the case may be, and upon the return of such order the court or justice shall examine such person, under oath, and thereupon make such order as may be required, and any refusal or failure to obey such order of the court or such justice may be punished by said court or by said justice as a contempt of the Supreme Court.

Failure to obey subpoena.

Each deputy commissioner shall have and exercise all the powers conferred by this act upon the commissioner to the extent that the same shall be delegated to him by the commissioner by rules and regulations.

Deputy commissioners' powers.

One of such deputy commissioners shall be designated by the commissioner with power to perform all of the duties of the commissioner in case of his absence or inability to act for any cause and who shall also have authority to so act in the event of the death of the commissioner until a successor has been appointed and qualified.

Deputy to act for commissioner.

Service of subpœnas.	33. It shall be the duty of each chief of police, or of other official who for the time being shall exercise the functions of the office of chief of police, of each municipality, upon request of the commissioner, to cause to be served any subpœna which may be directed to any person residing or being within said municipality. No fee shall be charged for this service by said chief of police or by the members of any municipal police department.
No fee.	
Service by other officers.	Subpœnas may also be served by any officer as hereinbefore defined, or by any deputy, agent or employee of the commissioner or of the issuing authority, as the case may be.
Official seal.	34. The commissioner shall adopt an official seal. Copies of any act, rule, regulation, order or decision made by him and of any paper or papers filed in any office maintained by him, may be authenticated under said seal and when so authenticated shall be evidence in all courts of this State of the same weight and force as the originals thereof. For authenticating any such copy he shall receive a fee of one dollar, to be accounted for by him as in case of license fees, as hereinbefore provided. All records and files of the department shall be open for inspection, pursuant to rules and regulations.
Fee for authenticating.	
Records and files open to inspection.	
Alcoholic Beverage Appeals Board.	35. The Governor, the President of the Senate and the Speaker of the House of Assembly shall constitute the Alcoholic Beverage Appeals Board, and they shall serve without additional compensation.
Board empow- ered to hear appeals.	The said board is hereby empowered and it is its duty to hear and conduct all appeals provided for by this act, and thereupon to render written decisions stating conclusions and reasons therefor upon each matter so appealed, and said decisions shall be binding upon all persons and shall be honored and forthwith executed by the commissioner and other issuing authority, as the case may be. The said board is hereby authorized to order the commissioner or other issuing authority, as the case may be, to issue a license when and if, after a hearing on the appeal of an applicant therefor, the
May au- thorize com- missioner to issue license.	

board shall decide that a license was improperly refused by the commissioner or other issuing authority, as the case may be; to order the commissioner or other issuing authority, as the case may be, to suspend or revoke a license, or to forthwith terminate the suspension or cancel the revocation of a license, when and if, after a hearing on appeal, the board shall reverse the decision of the commissioner or other issuing authority, as the case may be; to establish procedure and rules; and to make all findings, rulings, decisions and orders as may be right and proper and consonant with the spirit of this act.

Establish
procedure
and rules.

36. The commissioner is hereby authorized and empowered to make such general rules and regulations and such special rulings and findings as may be necessary for the proper regulation and control of the manufacture, sale and distribution of alcoholic beverages and the enforcement of this act, in addition thereto, and not inconsistent therewith, and to alter, amend, repeal and publish the same from time to time. Such rules and regulations may cover the following subjects: specification of duties of holders of any office, position or employment in the Department of Alcoholic Beverage Control; instructions for municipalities and municipal boards; all forms necessary or convenient in the administration of this act; tax paid, licensed vehicle and other insignia; inspections, investigations, searches, seizures, findings and such activities as may become necessary from time to time; hours of sale; sales on credit; sales to defectives and habitual drunkards; out-of-door sales; limitation of sales; unfair competition; racketeering; prostitution; solicitation; disorderly houses; criminals; disreputable characters; gambling, slot machines and gambling devices; control of signs and other displays on licensed premises; use of screens; identification of licensees and their employees; employment of aliens, minors and females; storage; warehouses; transportation; health and sanitary requirements; standards of cleanliness, orderliness

Commissioner
empowered to
make rules
and regula-
tions.

Subjects
covered by
rules and
regulations.

and decency; sampling and analysis of products; standards of purity and labeling; records to be kept by licensees and availability thereof; practices unduly designed to increase consumption of alcoholic beverages; gifts of equipment, products and things of value; and such other matters whatsoever as are or may become necessary in the fair, impartial, stringent and comprehensive administration of this act.

May limit number of licenses and hours of sale.

37. Each issuing authority, other than the commissioner, may as regards each respective municipality limit the number of licenses to sell alcoholic beverages at retail and the hours between which the sales of alcoholic beverages at retail may be made and regulate the conduct of any business licensed to sell alcoholic beverages at retail, and the nature and condition of the premises upon which any such business is to be conducted, all subject, however, to appeal to the Board of Alcoholic Beverage Appeals, as hereinafter provided.

Local control.

The governing board or body or other controlling authority of each municipality may by resolution prohibit within its respective municipality either (1) the retail sale of alcoholic beverages, other than brewed malt alcoholic beverages and naturally fermented wines for consumption on the licensed premises by the glass or other open receptacle, or (2) the retail sale of all kinds of alcoholic beverages for consumption on the licensed premises by the glass or other open receptacle, or (3) the sale of all alcoholic beverages at retail, except for consumption on railroad trains, airplanes and boats, or (4) the sale of all alcoholic beverages on Sundays. Any such resolution shall be instantly effective in and for such municipality and shall not be subject to appeal to the Board of Alcoholic Beverage Appeals; *provided, however*, that any such resolution shall be subordinate to any referendum subsequently held pursuant to this act.

Proviso.

Person affected by rule or regulation may appeal.

38. If any person affected or who might be affected by any rule or regulation made by the commissioner or by any condition imposed by the com-

missioner or other issuing authority upon the issuance of any license, or by any limitation of the number of licenses or of the hours between which sales of alcoholic beverages at retail may be made or by any regulation affecting the conduct of any business licensed to sell alcoholic beverages at retail or the nature and condition of the premises upon which any such business is to be conducted, shall consider himself aggrieved thereby, he may appeal to the Board of Alcoholic Beverage Appeals in respect to the form, content or subject matter of said rule or regulation or condition, and thereupon the board, after public hearing, may set aside, vacate and repeal the rule or regulation or condition complained of or change, alter, amend or otherwise modify the same.

39. No sales of alcoholic beverages shall be made in any public buildings belonging to or under the control of the State or any political subdivision thereof except as to the National Guard as hereinbefore provided, and except as permitted by the commissioner in specified cases and subject to rules and regulations.

Sale on
State prop-
erty pro-
hibited.

40. It shall be unlawful for any owner, part owner, stockholder or officer or director of any corporation, or any other person whatsoever interested in any way whatsoever in any brewery, winery, distillery or rectifying and blending plant, or any wholesaler of alcoholic beverages, to conduct, own either in whole or in part, or be directly or indirectly interested in the retailing of any alcoholic beverages except as provided in this act. And it shall be unlawful for any owner, part owner, stockholder or officer or director of any corporation, or any other person whatsoever, interested in any way whatsoever in the retailing of alcoholic beverages to conduct, own either in whole or in part or to be a shareholder, officer or director of a corporation or association, directly or indirectly, interested in any brewery, winery, distillery or rectifying and blending plant, except as provided for in this act, or with any manufacturing, wholesaling or import-

Unlawful
for owner,
etc., of dis-
tillery, etc., to
be interested
in retail
sale.

ing interests of any kind whatsoever outside of the State.

Referendum.

41. If, at any time after this act becomes effective, a petition, signed by at least fifteen per centum 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 or other controlling authority thereof, requesting a referendum on the question hereinafter stated, such governing board, body or authority shall adopt forthwith a resolution directing the clerk of the county in which such municipality is situated to print, pursuant to the act entitled "An act to regulate elections" (Revision 1930), and the acts amendatory thereof and supplementary thereto (which last mentioned act and its amendments and supplements is hereinafter referred to as the general election law), upon the official ballot to be used in said municipality at the next ensuing general election a question to read: "Shall the retail sale of alcoholic beverages, other than brewed malt alcoholic beverages and naturally fermented wine, for consumption on the licensed premises by the glass or other open receptacle pursuant to the 'Act concerning alcoholic beverages' be permitted in this municipality?" Thereupon the clerk or secretary of said governing board, body, or other controlling authority of such municipality shall forthwith deliver to such county clerk a certified copy of such resolution. If said copy shall be delivered to said county clerk not less than thirty days before said general election, he shall cause such question to be printed in an appropriate place on the ballot to be used in said municipality at the next ensuing general election pursuant to said general election law and thereupon all proceedings with respect to the referendum on said question shall be subject to and governed by said general election law as in other cases of the submission of public questions to the electorate.

Proposition.

**Certified copy
sent to
county
clerk.**

**Proposition
printed on
ballot.**

If a majority of the legal voters voting upon said question shall vote "Yes", the retail sales as aforesaid of said alcoholic beverages and the issuing of licenses pursuant to this act shall continue in said municipality as if no such election had been held. Canvass.

If a majority of the legal voters voting upon said question shall vote "No", then the clerk of the governing board, body or other controlling authority of said municipality shall forthwith in writing notify the commissioner and municipal board, if any, as the case may be, having authority to issue such licenses, of the action taken by the legal voters of said municipality, and after thirty days have elapsed after the date of said vote the retail sale of alcoholic beverages, other than brewed malt alcoholic beverages and naturally fermented wines, for consumption on the licensed premises by the glass or other open receptacle (such retail sale being sometimes hereinafter called "prohibited sale"), shall be unlawful in said municipality and constitute a violation of this act, and it shall forthwith upon said vote be unlawful for the other issuing authority of said municipality, having authority to issue licenses, to issue any license in respect to such municipality which shall permit such prohibited sale, and all licenses theretofore issued in respect to such municipality which shall have licensed such prohibited sale shall, to the extent that they permitted such prohibited sale, become void and inoperative thirty days after the date of said vote. Determining
result of
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 said municipality in the third year thereafter. Limited
referendum.

42. If, at any time after this act becomes effective, a petition, signed by at least fifteen per centum 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 or other Referendum.

controlling authority thereof, requesting a referendum on the question hereinafter stated, such governing board, body or authority shall adopt forthwith a resolution directing the clerk of the county in which such municipality is situated to print, pursuant to the act entitled "An act to regulate elections" (Revision 1930), and the acts amendatory thereof and supplementary thereto (which last mentioned act and its amendments and supplements is hereinafter referred to as the general election law), upon the official ballot to be used in said municipality at the next ensuing general election a question to read: "Shall the retail sale of all kinds of alcoholic beverages, for consumption on the licensed premises by the glass or other open receptacle pursuant to the 'Act concerning alcoholic beverages' be permitted in this municipality?"

Proposition. Thereupon the clerk or secretary of said governing board, body or other controlling authority of such municipality shall forthwith deliver to such county clerk a certified copy of such resolution. If said copy shall be delivered to said county clerk not less than thirty days before said general election, he shall cause such question to be printed in an appropriate place on the ballot to be used in said municipality at the next ensuing general election pursuant to said general election law and thereupon all proceedings with respect to the referendum on said question shall be subject to and governed by said general election law as in other cases of the submission of public questions to the electorate.

Certified copy sent to county clerk. Proposition printed on ballot.

Canvass. If a majority of the legal voters voting upon said question shall vote "Yes", the retail sales as aforesaid of said alcoholic beverages and the issuing of licenses pursuant to this act shall continue in said municipality as if no such election had been held.

Determining result of referendum. If a majority of the legal voters voting upon said question shall vote "No", then the clerk of the governing board, body or other controlling authority of said municipality shall forthwith in writing notify the commissioner and municipal board, if any, as the case may be, having authority to

issue such licenses, of the action taken by the legal voters of said municipality, and after thirty days have elapsed after the date of said vote, the retail sale of all kinds of alcoholic beverages for consumption on the licensed premises by the glass or other open receptacle (such retail sale being sometimes hereinafter called "prohibited sale"), shall be unlawful in said municipality and constitute a violation of this act, and it shall forthwith upon said vote be unlawful for the other issuing authority of said municipality having authority to issue licenses to issue any license in respect to such municipality which shall permit such prohibited sale and all licenses theretofore issued in respect to such municipality which shall have licensed such prohibited sale shall, to the extent that they permitted such prohibited sale, become void and inoperative thirty days after the date of said vote.

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 said municipality in the third year thereafter. Limited referendum.

43. If, at any time after this act becomes effective, a petition, signed by at least fifteen per centum 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 or other controlling authority thereof, requesting a referendum on the question hereinafter stated, such governing board, body or authority shall adopt forthwith a resolution directing the clerk of the county in which such municipality is situated to print, pursuant to the act entitled "An act to regulate elections" (Revision 1930), and the acts amendatory thereof and supplementary thereto (which last mentioned act and its amendments and supplements is hereinafter referred to as the general election law), upon the official ballot to be used in said municipality at the next ensuing general Referendum.

Certified copy
sent to
county
clerk.

Proposition
printed on
ballot.

Canvass.

Determining
result of
referendum.

election, a question to read: "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 the 'Act concerning alcoholic beverages' be permitted in this municipality?" Thereupon the clerk or secretary of said governing board, body or other controlling authority of such municipality, shall forthwith deliver to such county clerk a certified copy of such resolution. If said copy shall be delivered to said county clerk not less than thirty days before said general election, he shall cause such question to be printed in an appropriate place on the ballot to be used in said municipality at the next ensuing general election, pursuant to said general election law and thereupon all proceedings with respect to the referendum on said question shall be subject to and governed by said general election law as in other cases of the submission of public questions to the electorate.

If a majority of the legal voters voting upon said question shall vote "Yes," retail sales of alcoholic beverages and the issuing of retail licenses pursuant to this act shall continue in said municipality as if no such election had been held.

If a majority of the legal voters voting upon said question shall vote "No," then the clerk of the governing board, body or other controlling authority of said municipality shall forthwith in writing notify the commissioner and municipal board, if any, as the case may be, having authority to issue such licenses, of the action taken by the legal voters of said municipality and thereupon it shall be unlawful for the other issuing authority of said municipality, having authority to issue plenary retail consumption, plenary retail distribution and limited retail consumption licenses, to issue any such licenses in respect to such municipality, and all such licenses therefor issued in respect to such municipality shall become void and inoperative thirty days after the date of said vote, and thereupon the municipal board of such municipality shall

be dissolved, and the offices of its members shall terminate and all its activities hereunder shall cease; *provided, however*, that if in a later referendum held pursuant to this act a majority of the legal voters voting upon the same question last above stated shall vote "Yes," a municipal board for such municipality may forthwith be appointed in the same manner and with the same effect as when this act first became effective.

Proviso.

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 said municipality in the third year thereafter.

Limited referendum.

44. If, at any time after this act becomes effective, a petition, signed by at least fifteen per centum 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 or other controlling authority thereof, requesting a referendum on the question hereinafter stated, such governing board, body or authority shall adopt forthwith a resolution directing the clerk of the county in which such municipality is situated to print, pursuant to the act entitled "An act to regulate elections" (Revision 1930), and the acts amendatory thereof and supplementary thereto (which last mentioned act and its amendments and supplements is hereinafter referred to as the general election law), upon the official ballot to be used in said municipality at the next ensuing general election, a question to read: "Shall the sale of alcoholic beverages be permitted on Sundays in this municipality?" Thereupon the clerk or secretary of said governing board, body or other controlling authority of such municipality shall forthwith deliver to such county clerk a certified copy of such resolution. If said copy shall be delivered to said county clerk not less than thirty days before said general election, he shall cause such question to be printed in an appropriate place

Referendum on Sunday sales.

Proposition.

Certified copy sent to county clerk.

Proposition printed on ballot.

on the ballot to be used in said municipality at the next ensuing general election, pursuant to said general election law and thereupon all proceedings with respect to the referendum on said question shall be subject to and governed by said general election law as in other cases of the submission of public questions to the electorate.

Canvass.

If a majority of the legal voters voting upon said question shall vote "Yes," the sale of alcoholic beverages on Sundays pursuant to the provisions of this act shall continue in said municipality as if no such election had been held.

Determining
result of
referendum.

If a majority of the legal voters voting upon said question shall vote "No," then the clerk of the governing board, body or other controlling authority of said municipality shall forthwith in writing notify the commissioner and municipal board, if any, as the case may be, having authority to issue such licenses of the action taken by the legal voters of said municipality, and thereupon it shall be unlawful for any person to sell alcoholic beverages in said municipality on Sundays.

Limited
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 said municipality in the third year thereafter.

County
boards certi-
fied to com-
missioner.

45. All municipal boards created under this act shall be certified to the commissioner in writing under seal of the municipality, if any, and attested by the clerk thereof, or person performing for the time being the duties of clerk, and all appointments thereto shall become effective upon filing of a certificate of an acceptance thereof by each member thereof with the commissioner.

Temporary
licenses.

46. Anything hereinbefore to the contrary notwithstanding, during the two (2) months immediately following the effective date of this act, it shall be lawful, subject to rules and regulations, for the commissioner and for each other issuing authority to issue a temporary license to any person who shall file an application for license completely executed

on forms prescribed by the commissioner, and who shall deposit the properly prorated annual fee for such license, without any investigation or advertisement, and pursuant to such temporary license it shall be lawful for such licensee to conduct thereafter and carry on until the termination of said two (2) months' period or until revocation of such temporary license, whichever shall first occur, on the premises prescribed in the application, the business for which the temporary license shall be issued in accordance with all the provisions of this act, applicable to the kind and class of license applied for. No temporary retail license, however, shall be issued in and for any municipality in which the governing board or body or controlling authority thereof shall have prohibited by resolution the business sought to be conducted within such municipality pursuant to the power hereinbefore reserved to the governing board, body or other controlling authority of any municipality.

No temporary license issued where municipality prohibits sale.

47. No person shall knowingly purchase, receive or procure any illicit beverage. Any person who shall violate this provision shall be guilty of a misdemeanor and punished by a fine of not less than ten dollars (\$10.00) and not more than one hundred dollars (\$100.00), or imprisonment for not less than two days and not more than ten days, or by both such fine and imprisonment, in the discretion of the court.

Purchase of illicit beverage a misdemeanor.

Fine. Penalty.

48. Any person who shall manufacture, sell, distribute or transport any alcoholic beverage in violation of this act, or who shall import, own, possess, keep or store in this State alcoholic beverages with intent to manufacture, sell, distribute or transport alcoholic beverages in violation of the provisions of this act, or who shall own, possess, keep or store in this State any implement or paraphernalia for the manufacture, sale, distribution or transportation of alcoholic beverages with intent to use the same in the manufacture, sale, distribution or transportation of alcoholic beverages in violation of this act, or to aid or abet another in the manufacture, sale,

Manufacture, etc., in violation of act a misdemeanor.

- distribution or transportation of alcoholic beverages in violation of this act, all of which shall be violations of this act, shall be guilty of a misdemeanor and punished by a fine of not less than one hundred dollars (\$100.00) and not more than five hundred dollars (\$500.00) or imprisonment for not less than thirty days and not more than six months, or by both such fine and imprisonment, in the discretion of the court.
- Fine. Penalty.**
- Violation of act a misdemeanor.**
49. Any person who shall knowingly violate any of the other provisions of this act shall be guilty of a misdemeanor and punished by a fine of not less than fifty dollars (\$50.00) and not more than two hundred fifty dollars (\$250.00) or imprisonment for not less than ten days and not more than ninety days, or by both such fine and imprisonment, in the discretion of the court.
- Fine. Penalty.**
- To aid in violation of act a misdemeanor.**
50. Any person who shall knowingly aid or abet another in the violation of this act shall be guilty of a misdemeanor punishable in the same manner as the violation aided or abetted.
- Second offenses.**
51. In case any person shall, after conviction of an offense under this act, be convicted of another offense under this act, such other and subsequent offense shall be punishable by a fine or imprisonment, the maximum and minimum limits of which shall be twice the limits otherwise by this act imposed, or by both such fine and imprisonment, in the discretion of the court.
- Lease terminated upon 5 days' notice after violation.**
52. Any violation of this act upon any leased premises by any lessee or sublessee, or by any other person with the knowledge and consent of the lessee or sublessee, shall, at the option of lessor, immediate or remote, upon five days' written notice to such lessee or sublessee of the exercise of said option and the cause therefor, cause the term of said lease forthwith, at the expiration of said five days, to cease and come to an end, and the right to possession of the leased premises shall thereupon revert to the lessor, together with such further rights in the lessor as may be reserved to him by the terms of said lease and/or by law, noncom-

pliance with this act and the exercise of lessor's option being a limitation upon the term of the lease. The lessor may enforce his right of possession hereunder by summary proceedings as for term ended, as prescribed by an act entitled "An act concerning landlords and tenants," approved March twenty-seventh, one thousand eight hundred and seventy-four, and the acts amendatory thereof and supplementary thereto. *Provided, however,* this section shall not affect any lease made and entered into prior to the effective date of this act.

Lessor may enforce rights.

Proviso.

53. No person shall knowingly keep, occupy or maintain any premises, building, vehicle or place whatsoever wherein unlawful property is owned, possessed, kept, stored, manufactured, sold, distributed or transported, and all unlawful property may be seized by any officer and be confiscated and disposed of as in this act provided.

Unlawful property may be confiscated.

54. Any magistrate, hereinafter termed the issuing magistrate, may issue a search warrant in the manner hereinafter provided, to search any premises, building, vehicle or place whatsoever containing, or believed upon probable cause, to contain unlawful property; *provided, however,* no search warrant shall issue to search any private dwelling, occupied exclusively as such, unless there is probable cause to believe it is being used for, or in connection with, unlawful alcoholic beverage activity and provided that such use be evidenced by oath of some person, on his own knowledge.

Issuing search warrant.

Proviso.

55. A search warrant shall only issue after (1) proof under oath, which may be by written affidavit or deposition, has been produced before the issuing magistrate setting forth facts tending to establish the grounds of the application, or probable cause for believing that such grounds exist, and (2) naming or describing the person or describing the premises, building, vehicle or other place to be searched. If the issuing magistrate is satisfied of the existence of the grounds of the application, or that there is probable cause to believe their existence, he must issue a search warrant, signed by

When search warrant may be issued.

Service of warrant.	him with the title of his office, to any officer, or officers, stating the particular grounds, or probable cause, for its issuance, and the name or names of the person or persons sworn in support thereof, and commanding him forthwith to search the person, or the premises, building, vehicle or place to be searched. A search warrant shall be served by the officer, or any of the officers, to whom the same is directed, but by no other person excepting in aid of said officer, he being present and acting in its execution.
Execution of warrant.	56. The officer or officers to whom the search warrant is directed may break open any outer or inner door or window of any premises, building, vehicle or other place, or anything contained therein, to execute the warrant if, after pronouncement of his authority and purpose, he does not receive admission, and also when necessary for his own liberation or that of any person aiding him in the execution of the warrant.
Searching at night.	57. No search warrant shall be served in the nighttime except for special cause shown to the satisfaction of the issuing magistrate and upon insertion in the warrant of a direction that it may be served in the nighttime.
Return of warrant.	58. Every search warrant shall be executed and returned to the issuing magistrate within ten days after its date, after which time, unless executed, it shall be void.
Inventory made of property seized.	59. Any officer who shall seize any property under a search warrant shall give a copy of the warrant, together with an itemized receipt for the property, to the person from whom it was taken or in whose possession it was found or, in the absence of any person, such officer shall leave said copy and receipt in the place where he found the property. The officer who executes a search warrant shall return the same to the issuing magistrate, together with a written inventory of the property taken, made in the presence of at least one credible person other than the officer. The magistrate shall, upon request, exhibit the inventory to
Officer to make return to issuing magistrate.	
Inventory exhibited upon request.	

any person claiming the property and to the applicant for the warrant and allow copies to be made thereof.

60. In case any person shall be deprived of any property, or the possession of any property, under color of any search warrant, except substantially in accordance with the procedure herein set forth, the issuing magistrate, upon timely application therefor, shall require the return of said property, except such property as shall be proven beyond a reasonable doubt to be unlawful property.

Return of
illegally
seized
property.

61. Any person who shall knowingly and wilfully obstruct, resist or oppose any officer or person assisting an officer, in serving or executing, or attempting to serve or execute, any search warrant authorized by this act shall be guilty of a misdemeanor and punished accordingly.

Resisting
officer a
misdemeanor.

62. Any person who shall maliciously and without probable cause procure a search warrant to be issued and executed shall be guilty of a misdemeanor and punished accordingly.

Procuring
warrant with-
out cause a
misdemeanor.

63. Any person who shall intentionally search any private dwelling occupied exclusively for dwelling purposes, without a warrant therefor, or who shall maliciously and without probable cause, and without a warrant therefor, search any other building, premises, vehicle or place, shall be guilty of a misdemeanor and punished accordingly.

Search
without war-
rant a
misdemeanor.

64. Any officer knowing, or having reasonable cause to believe that any person is engaged in unlawful alcoholic beverage activity, it shall be his duty to investigate, under proper search warrant when necessary, which it shall be his further duty to apply for, and to seize all property which he shall know, or have reasonable ground to believe is unlawful property, including in the case of illicit alcoholic beverages within any vehicle, except the vehicle of a common carrier, the vehicle containing the same, and to arrest all persons whom he shall know, or have reasonable ground to believe, are committing, or have committed, a misdemeanor under this act and to make complaint against such

Officer to
make com-
plaint.

Seized
property.

Seized prop-
erty returned
upon execu-
tion of bond.

In lieu of bond
may pay re-
tail value to
commissioner.

May replevin.

persons as in other cases of misdemeanors. All property when seized shall be under the jurisdiction of the commissioner subject to this act. Any seized property shall be returned to any person claiming the same upon execution and delivery by him to the commissioner of a bond in a form and with sureties satisfactory to the commissioner in a sum double the retail value of the property, as appraised by the commissioner, conditioned, (1) to pay to the commissioner for the use of the State the full retail value of said property in case the same shall appear to have been unlawful property, and (2) in case it shall appear that said property was not unlawful property, to pay such part of the retail value thereof as may represent the value of the outstanding right, title, interest, lien or claim of any other person, to such other person, which bond shall be enforceable, as other obligations for payment of money, by civil action in any court of competent jurisdiction, first by the commissioner, to be instituted within one year from the date thereof, and, secondly, by such other person as third party beneficiaries, at any time after final judgment in such action by the commissioner, or after the expiration of said year in case no such action shall have been instituted by the commissioner in the meantime. In lieu of such bond, the claimant to the said seized property may pay to the commissioner for the use of the State the retail value thereof in cash, as appraised by the commissioner, under protest, subject to the right of the person making the payment to recover said sum upon establishing that the property was not unlawful property by an action to be commenced within one year from the date of such payment, and not thereafter, in any court of competent jurisdiction. Said claimant may, in lieu of either remedy, bring an action of replevin for the said property against the commissioner in any court of competent jurisdiction according to the forms and procedure, including the delivery of a bond, of said court, said action to be commenced within thirty days from the

seizure of such property and not thereafter. If the commissioner shall be satisfied that property seized was not unlawful property he may return the same to the person or place from whom the same were taken. If any seized property, other than illicit beverages, shall not be reclaimed within thirty days, the commissioner shall, subject to rules and regulations, sell the same at public sale for the use of the State. All monies received by the commissioner hereunder shall be reserved during the time allowed any person an opportunity of establishing a right thereto and shall immediately thereafter be accounted for by the commissioner as in the case of license fees received hereunder.

Goods not
claimed.

All seized illicit beverages shall be held by the commissioner for thirty days after seizure and unless reclaimed within that time as authorized by this act shall be destroyed at the expiration of said time, or upon a final determination of a replevin suit for the same, favorable to the commissioner, if such suit shall have been instituted and delivery of possession of the property thereunder shall not have been required. The commissioner shall cause an advertisement of all seized property, with a description thereof, to be published in a newspaper, printed in the English language, published and circulating in the municipality wherein the property was seized, or if there be no such newspaper in said municipality then in a newspaper printed in the English language published and circulating in the county where said property was seized, once a week for two weeks successively commencing within ten days after said seizure, and shall cause notice of such seizure, with a description of the property, to be posted in three public places convenient to the place of seizure, including, if reasonably possible, the premises, building or place from which the seized property was taken, within ten days from the date of such seizure. Property seized and released shall thereafter be subject to further seizure because of ownership, possession or use thereof in connection with further unlawful alcoholic beverage activities.

Disposition
of seized
beverages

Advertising
seized prop-
erty.

Released prop-
erty subject to
further
seizure.

Liens, etc., on
seized
property.

Commissioner's
rights subject
to lien, etc.

Innocent
party to file
statement.

Right of
preference
established.

Proviso.

65. No person bona fide having a title, lien or other right or interest in any unlawful property other than illicit beverages and unlawful property suited to the manufacture, sale, distribution, storage or transportation of alcoholic beverages, and no other purpose, shall be deprived by reason of this act of such title, lien or other right or interest unless it shall appear that such person had knowledge of the unlawful use to which such property was put or a knowledge of such facts and circumstances as would have led a person of ordinary prudence to discover such use, or unless such person having either such knowledge shall have failed to report said knowledge to the commissioner, and furnished the commissioner a notice of said title, lien or other right or interest within a reasonable time. The right of the commissioner shall be subject to the title, lien or other right or interest as existing at the time of seizure of the property and shall be saved to the innocent party having such title, lien or other right or interest, as follows: Such innocent party shall, at any time before sale of the seized property by the commissioner file with him a statement setting forth the nature of the title, lien or other right, or interest so held and the amount or value thereof. The validity of said title, lien or other right or interest, and the right of the person asserting the same to preference and payment hereunder and the amount or value thereof shall thereupon be established by such person to the satisfaction of the commissioner or established by a suit against the commissioner for the recovery of such amount or value, not exceeding the net proceeds of sale after deduction of the expense of the seizure and sale, including storage and all court costs, in a court of competent jurisdiction, to be instituted within thirty days after the sale of said property by the commissioner and not thereafter. Such amount or value, so established, shall thereupon be paid to such innocent person out of the net proceeds of sale by the commissioner; *provided, however,* that the commissioner may, prior to a sale

of such seized property, surrender the same in specie to such innocent person, if satisfied of the validity of the claim, of the right of the person asserting the same to preference as aforesaid, and that the amount or value of the said title, lien or other right or interest exceeds the value of the property. All sales by the commissioner shall convey the commissioner's right, title and interest which shall be that of sole and absolute ownership, free and clear of all outstanding title, rights, interest and liens, which outstanding title, rights, interest and liens shall in the cases herein provided, be transferred and attached to the proceeds of sale to be availed of as herein provided, but otherwise shall be extinguished and void. No delivery of seized property by the commissioner, except after sale thereof by him, shall affect or impair any right, title or interest therein or thereto, or lien thereon.

Sales to convey commissioner's rights.

Delivery of property to impair lien.

Detention of evidence.

66. Nothing in this act contained shall prohibit the detention of evidence pursuant to law.

67. No seized property shall be sold or destroyed except upon order of a magistrate. Any magistrate may, upon showing of facts tending to establish the right of the commissioner to sell or destroy any seized property, and upon such notice, if any, in the discretion of the magistrate, as the circumstances of the case may admit, make an order for sale or destruction hereunder. In case any alcoholic beverage shall be subject to be destroyed hereunder, any magistrate may, in lieu of ordering such destruction, direct the State Department of Health to analyze such alcoholic beverage, and upon being satisfied by the certificate of the State Department of Health or otherwise, that the alcoholic beverage is of a standard suitable for medicinal purposes, may order that the same be retained by the commissioner for the use of State institutions and all free hospitals. Such use shall be subject to rules and regulations and in accord with the recommendations and approval of the State Department of Health.

Order by magistrate.

Seized alcoholic beverages given to hospitals.

Place of
sale.

68. In case of sale of an alcoholic beverage in which a delivery is accompanied by transportation, whether by a common carrier or otherwise, the sale shall be deemed to be made in the county wherein the delivery was made or in the county where the transfer of title, or agreement for sale, was made, or in the county from or to which the shipment was made, and prosecution for said sale may be had in any one of said counties.

Each violation
a separate
offense.

69. Every violation of this act shall constitute a separate offense. In any affidavit, information, complaint or indictment for a violation of this act, separate offenses may be united, and the defendant may be tried on one or more counts at one trial, and the penalty for each separate offense may be imposed. It shall not be necessary in any affidavit, information, complaint or indictment involving a sale of alcoholic beverages to give the name of the purchaser thereof, and it shall not in any affidavit, information, complaint or indictment be necessary to include any defensive negative averments, but it shall be sufficient to state the act or acts constituting the violation and that the same was or were then and there prohibited by law, saving, however, to all defendants the right to require a bill of particulars as in other cases.

Unnecessary
to name pur-
chaser in
affidavit.

Officers to
exercise
diligence.

70. It shall be the duty of all officers to use all due diligence to detect violations of this act and to apprehend the offenders and to make a proper complaint before a magistrate. Arrests may be made as in other cases of misdemeanors.

Constitu-
tionality.

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

Appropriation.

72. There is hereby appropriated out of the fees to be collected by the commissioner under this act the sum of one hundred thousand dollars (\$100,000.00) for the expenses of administering this act during the fiscal year ending June thirtieth, nine-

teen hundred and thirty-four. Thereafter, provision shall be made for the maintenance of this department in the annual or supplemental appropriation bills.

73. For the purposes of this act, a sale of a warehouse receipt given upon the storage of an alcoholic beverage shall not be construed as a sale of the beverage represented by the receipt. Sale of warehouse receipt.

74. This act is intended to be remedial of abuses inherent in liquor traffic and shall be liberally construed. Act remedial.

75. To provide for contingencies where it would be appropriate and consonant with the spirit of this act to issue a license but the contingency has not been expressly provided for, the commissioner may for special cause shown, subject to rules and regulations, issue a temporary permit for a specific sale during a limited time of a specified quantity of alcoholic beverages, the fee for which permit shall be ten dollars (\$10.00), payable to the commissioner and to be accounted for by him as are license fees. This provision is intended to apply to such contingencies as where a licensee shall have stock on hand at the expiration of his license and cannot otherwise lawfully dispose of it, or where a licensee dies having such stock on hand and the license expires before the alcoholic beverages are disposed of by his personal representative, or in the case of the foreclosure of a chattel mortgage covering alcoholic beverages. The expression of the foregoing specific contingencies is designed merely to illustrate the intention of this provision and the enumeration of these contingencies shall not by implication exclude any other application of this provision otherwise falling within its true intent and meaning or in anywise limit the general power to cover emergencies herein given. Providing for contingencies.

76. Anything to the contrary hereinbefore notwithstanding, no license shall be issued for the sale of alcoholic beverages within two hundred (200) feet of any church or public school house, except to hotels, clubs and fraternal organizations which Limiting places that may be licensed.

own or are actually in possession of the licensed premises at the time this act becomes effective.

Sale to minor
a misdemeanor.

77. Anyone who sells any alcoholic beverage to a minor shall be guilty of a misdemeanor and punished accordingly.

Bottling for
sale without
license a
misdemeanor

78. Any person, except a person holding a brewery, distillery, winery or rectifier's license under this act, who shall bottle alcoholic beverages for sale or resale shall be guilty of a misdemeanor and punished accordingly.

Act
effective.

79. This act shall take effect immediately, but no licenses shall be granted hereunder until legal promulgation shall have been made of the ratification of the Twenty-first Amendment to the Constitution of the United States of America.

Passed December 6, 1933.

CHAPTER 437

AN ACT to amend an act entitled "A supplement to an act entitled 'An act to secure the purity of foods, beverages, confectionery, condiments, drugs and medicines, and to prevent deception in the distribution and sales thereof' (Revision of 1907), approved May twentieth, one thousand nine hundred and seven," approved June twenty-first, one thousand nine hundred and thirty-three.

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

Section 2
amended.

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

Punctuation.

After the word "sherbet" and preceding the word "ice" insert a comma (,).

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

Section 3
amended.

After the word "sherbet" and preceding the word "ice" insert a comma (,).

Punctuation.

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

Section 4
amended.

After the word "sherbet" and preceding the word "ice" insert a comma (,).

Punctuation.

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

Section 5
amended.

5. It shall be the duty of every person, copartnership, association and corporation operating a plant

License.

for the manufacture of ice cream, sherbet, ices, or fruit ices intended for sale and distribution within this State to apply to the Department of Health of the State of New Jersey for a license to sell or distribute said products within this State and to register with the department each and every brand or product produced or manufactured or sold in or from such plant on or before the first day of December, one thousand nine hundred and thirty-three, and thereafter before the first day of July of each succeeding year and pay to the Department of Health of the State of New Jersey at the same time such application for registration and license is filed an annual license fee as follows: For each ice cream manufacturer producing or distributing annually within this State not in excess of ten thousand (10,000) gallons, five dollars (\$5.00); in excess of ten thousand (10,000) gallons and not in excess of twenty-five thousand (25,000) gallons, ten dollars (\$10.00); in excess of twenty-five thousand (25,000) gallons and not in excess of fifty thousand (50,000) gallons, twenty-five dollars (\$25.00); in excess of fifty thousand (50,000) gallons and not in excess of one hundred thousand (100,000) gallons, fifty dollars (\$50.00); in excess of one hundred thousand (100,000) gallons, one hundred dollars (\$100.00).

Each product
registered.

License fee.

Application for license.	The application for a license and registration shall be made on a form to be supplied by the department; the application shall have attached thereto the affidavit of the person or of some member or officer of the association, copartnership or corporation applying therefor stating that the facts set forth therein are true and correct.
Issue of license.	Upon approval of application for registration and license and payment of required license fee and also approval of sanitary condition in an ice cream plant, the Department of Health of the State of New Jersey shall issue to each applicant a license or certificate of registration which shall expire June thirtieth of each year.
Expiration.	
Funds for enforcement.	The Department of Health of the State of New Jersey is hereby authorized, for the purpose of providing funds to defray the cost of the enforcement of this act, and the act to which this act is amendatory to use so much of the moneys received for licenses as stated herein, as is necessary for such enforcement.
Illegal production.	It shall be illegal for any person, copartnership, association or corporation to sell or distribute any ice cream, sherbet, ices or fruit ices in the State of New Jersey unless such products have been manufactured in a plant, the owner or operator of which is licensed under the provisions of this act to sell or distribute said products in the State of New Jersey.
Section 6 amended.	5. Section six of the act of which this act is amendatory be and the same is hereby amended so that the same shall read as follows:
Violations.	6. Upon evidence duly ascertained by the Department of Health of the State of New Jersey, or furnished the said department by any local board of health, or body exercising the powers thereof, that the licensee licensed under the provisions of this act is violating any of the rules, regulations or statutes as hereinbefore provided, it shall be the duty of the Department of Health of the State of New Jersey, upon hearing and proof of allegation to revoke the license of said licensee, and no license shall be renewed or restored until the Department of Health
Revocation of license.	

of the State of New Jersey is satisfied that all of the provisions of this act are strictly complied with; *provided, however*, that the Department of Health of the State of New Jersey, when in its judgment the protection of the public health warrants may, before hearing, suspend said license pending said hearing and in the event that said license is suspended, it shall be unlawful for said person to engage in the business for which said license was granted during such period of suspension.

Proviso.

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

Section 7 amended.

7. This act shall be enforced by the same boards or agencies and in the same manner as the act to which this act is a supplement, and all penalties incurred under this act shall be sued for and recovered by the same boards or agencies and in the same manner as penalties incurred under provisions of the act to which this act is a supplement.

Enforcement of act.

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

Section 9 amended.

9. If for any reason any section or provision of this act shall be questioned in any court and shall be held to be unconstitutional or invalid, the same shall not be held to affect other sections or provisions of this act.

Constitutionality.

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

Repealer.

3. This act shall take effect immediately.

Approved December 7, 1933.

CHAPTER 438

AN ACT providing for the assessment and taxation of lands owned by or held in trust for the State for park purposes.

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

Taxation of
park lands.

Proviso:
improvements
excepted.

Tax bills
rendered to
and paid
by State.

1. All lands in the State of New Jersey, used or to be used solely for park purposes, whether the same be owned by the State, held in trust for or for the use of the State, and whether the title thereto be in the name of the State, any commission, board or corporation, shall be assessed and taxed in the municipalities wherein such lands are situate, for State, school, county, municipal and improvement purposes, in the same manner as other real property owned by individuals; *provided, however*, that there shall not be included in the assessed valuation of such lands any improvements constructed or erected by the State, or any board or commission having jurisdiction or control of any State or interstate park. Bills for taxes or assessments for any such lands shall be rendered to the State, by the proper municipal officers, in the same manner as to individual property owners, and when approved by the State Comptroller shall be paid by the State Treasurer to the proper official of the municipality rendering the bill, which payment shall be made without interest charges on or before June first of the calendar year following the year in which such bills are payable by individual property owners.

2. This act shall take effect immediately.

Approved December 7, 1933.

CHAPTER 439

AN ACT to supplement an act entitled "An act concerning municipal and county finances," approved March twenty-eighth, one thousand nine hundred and seventeen.

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

1. Any municipality or county having power to issue tax anticipation notes or bonds or tax revenue notes or bonds pursuant to and within the limitations prescribed by the act entitled "An act concerning municipal and county finances," approved March twenty-eighth, one thousand nine hundred and seventeen, and the acts amendatory thereof and supplemental thereto, may, notwithstanding any provision contained in such acts or any other act, issue such bonds or notes in such denomination or denominations as may be fixed and determined by the governing body of such municipality or county. Issuance of tax notes, etc.

2. Any officer authorized or required either by law or by resolution of the governing body of the municipality or county issuing any such note or bond having a face amount of fifty dollars or less, to sign such bond or note or any statement required by law to appear thereon, may sign such bond or note or such statement by causing a facsimile of his signature to be lithographed or engraved thereon. Any such bond or note may be sealed with a printed, lithographed or engraved facsimile of the corporate seal of such county or municipality. Details of issue.

3. Any such bond or note may either be sold for cash in the manner provided by the act to which this act is a supplement, or the acts amendatory thereof and supplemental thereto, or may be issued in lieu of cash of an amount equivalent to the Sale.

Use of
proceeds.

face of such bond or note for the purpose of making any payment which might lawfully be made from the taxes or tax revenues in anticipation of the collection of which said bond or note is issued, including the payment of any valid claim then due for salaries or services or materials or supplies or the payment of any amounts required to be paid to any county or school district or custodian of school moneys of any school district or other public officer or body.

Acceptance
for certain
payments.

4. Any municipality or county issuing any such note or bond may, by resolution adopted by its governing body prior to the issuance of such note or bond, provide that such note or bond shall be accepted in payment and discharge of all taxes, assessments or other charges which may have become or may thereafter become payable to such municipality or county or in payment and discharge of any particular class or classes of taxes, assessments and other charges which shall be described in such bond or note. Any such resolution shall have the force of contract between such municipality and the holders of such bond or note.

Force of
contract.

5. This act shall take effect immediately.

Approved December 7, 1933.

CHAPTER 440

AN ACT appropriating to the Washington Association of New Jersey the sum of five thousand dollars (\$5,000.00).

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

Appropriation to
Washington
Association.

1. There is hereby appropriated to the Washington Association of New Jersey the sum of five thousand dollars (\$5,000.00), to be paid out of the treas-

ury of this State on the warrant of the Comptroller upon a bill presented by said Washington Association.

2. The acceptance of the said sum of five thousand dollars (\$5,000.00) by the said Washington Association of New Jersey shall be in full of all claims which the said Washington Association now has or may hereafter have against the State of New Jersey by reason of any contract which the said State may have made with said association.

Acceptance in full of claims.

3. This act shall take effect immediately.

Approved December 7, 1933.

CHAPTER 441

AN ACT to amend an act entitled "An act to amend and supplement an act entitled 'An act to impose a tax on the sale of motor vehicle fuels as herein defined; regulating the sale of such fuels; providing for the collection of said tax, for reports of sales of such motor fuels, and for the disposition of the revenues derived from such tax, and fixing penalties for the violation of the terms thereof,' approved April first, one thousand nine hundred and twenty-seven," approved April twenty-first, one thousand nine hundred and thirty.

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

1. Section two of the act to which this act is an amendment, which adds a new section, 8-a, to the act entitled "An act to impose a tax on the sale of motor vehicle fuels as herein defined; regulating the sale of such fuels; providing for the collection of said tax, for reports of sales of such motor fuels, and for the disposition of the revenue derived from

Section 2 amended.

such tax, and fixing penalties for the violation of the terms thereof," approved April first, one thousand nine hundred and twenty-seven, be and the same is hereby amended to read as follows:

Section 8-a added.

2. Add a new section to said act to be known as section 8-a:

Amount set aside to sinking fund.

8-a. From the remainder of the moneys received in accordance with the act to which this act is an amendment and forwarded by the Commissioner of Motor Vehicles to the treasurer of the State of New Jersey there shall, beginning with the calendar year nineteen hundred thirty-three, be annually set aside and deducted before such moneys are turned over to the State Highway Commission as directed in section eight hereof a sum equal to the sum required for State Highway Sinking Fund purposes as directed by Chapter 262, P. L. 1922, and Chapter 181, P. L. 1927 (known as the State road tax). The sum as certified by the State Comptroller for the State road tax for the year nineteen hundred thirty-three shall be taken as the amount apportioned to the several counties for collection from the several municipalities for State road tax purposes for nineteen hundred thirty-three. Of this sum five million dollars thereof shall be paid to the several municipalities of the State in accordance with the apportionment heretofore made by the State Comptroller.

Distribution to counties.

Amount distributed to municipalities.

Disposition of remainder.

The remaining one million one hundred seventy-two thousand three hundred forty-nine dollars and eighty-seven cents shall be considered as an offset, for the State road tax assessed and levied in the several counties and municipalities of the State for the year nineteen hundred thirty-three as directed by Chapter 262, P. L. 1922, and Chapter 181, P. L. 1927, to the amount of such tax. Such offset shall be distributed as a credit so as to make the total distribution of motor fuel money for the year 1933 equal to the amount to be collected in the several counties as the State road tax for the said year nineteen hundred thirty-three, and the Comptroller of the Treasury is hereby authorized and directed to make such adjustments as will effectuate the pur-

Offset.

pose of this act. The State Treasurer is hereby directed to turn over the sum of one million one hundred seventy-two thousand three hundred forty-nine dollars and eighty-seven cents aforesaid to the State Highway Sinking Fund as a proportionate credit to the several counties against the State road tax as assessed and levied in such counties. The county treasurer shall credit each taxing district with the proportionate difference between the State road tax as assessed and levied in the several taxing districts in such counties for the year nineteen hundred thirty-three and the amount distributed or to be distributed by the State Treasurer from the tax on motor fuels to be expended for the control of traffic and the repair and improvement of streets. The municipality and the county treasurer shall deduct such proportionate credit or make such adjustment as may be required in the payment of their State road tax and remit only the difference between the tax as assessed and the amount distributed or to be distributed to such municipality as heretofore apportioned by the State Comptroller and the several county treasurers. In lieu of the State road tax provided to be assessed and levied in the several counties of the State for the year nineteen hundred thirty-four and subsequent years under Chapter 262, P. L. 1922, and Chapter 181, P. L. 1927, which State road tax is provided to meet the interest and amortization charges for the bonds issued under the above mentioned acts, the State Treasurer shall turn over the amount required for sinking fund purposes as aforesaid from the revenues received from the tax upon motor vehicle fuel as provided by Chapter 334, P. L. 1927, and Chapter 239, P. L. 1930, to the State Highway Sinking Fund. The State Comptroller is hereby relieved of the obligation of certifying the State road tax in such years to the several counties so long as the revenues derived from the tax on motor vehicle fuels hereby appropriated shall be sufficient to support the requirements of the State Highway Sink-

Treasurer
to turn over
remaining sum
to sinking
fund.

Taxing
districts
credited.

Proportionate
credit
deducted.

In lieu of
State road tax.

Comptroller
relieved of
certification.

To certify
requirements
for sinking
fund purposes.

ing Fund. The Sinking Fund Commission for the State highway bonds shall hereafter certify the annual requirements for sinking fund purposes to the State Treasurer. Such certification shall be taken to be the amount herein appropriated in this section (8-a).

Repealer.

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

3. This act shall take effect immediately.

Approved December 7, 1933.

CHAPTER 442

AN ACT to amend an act entitled "A further supplement to an act entitled 'An act defining motor vehicles and providing for the registration of the same and licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof, and proceedings for the violation of the provisions of the act and penalties for said violations,' approved April eighth, one thousand nine hundred and twenty-one, approved April twenty-first, one thousand nine hundred and thirty-one," which supplement was approved April twenty-seventh, one thousand nine hundred and thirty-three.

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

Section 1
amended.

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

Farmers'
trucking
license.

1. In addition to the motor vehicle licenses authorized to be issued pursuant to the provisions

of the act to which this act is a further supplement, the Commissioner of Motor Vehicles shall issue upon application therefor a license plate for trucks marked "farmer," which shall be issued upon evidence satisfactory to the commissioner that the applicant is a farmer and is actually engaged in the growing, raising and producing of farm products as an occupation; which license so as aforesaid issued shall be placed upon motor trucks engaged exclusively in the carrying or transporting of applicant's farm products, raised or produced on his farm and farm supplies, and not engaged in hauling for hire.

Use of
license plates.

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

Section 2
amended.

2. The applicant therefor shall pay a rate equal to one-half the present registration fee now provided for trucks under the terms of the act to which this act is a further supplement; *provided, however*, that where the owner or owners of any such motor trucks shall have paid the license fee for one thousand nine hundred and thirty-three, such owner or owners shall be entitled to renew and have issued to them licenses for the calendar year one thousand nine hundred and thirty-four upon the payment of a fee of one dollar (\$1.00) to the Department of Motor Vehicles.

Registration
fee.

Proviso.

Extension of
license.

2a. The term "farmer" as used in this act shall be taken and construed to mean any person engaged in the raising, growing and producing of farm products on a farm not less than three acres in area, and who does not engage in the business of buying farm products for resale.

Farmer
defined.

"Farm products" means any food-crop, cattle, hogs, poultry, dairy products and other agricultural products designed and to be used for food purposes.

Farm products
defined.

3. This act shall take effect immediately.

Approved December 7, 1933.

CHAPTER 443

AN ACT to supplement an act entitled "An act concerning municipal and county finances," approved March twenty-eighth, one thousand nine hundred and seventeen.

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

If funds
insufficient for
wards of
State.

Additional
appropriation
by issue of
bonds, notes.

Maturity.

1. In the event that any board of chosen freeholders of any county shall determine that the appropriations made in the budget for the fiscal year beginning January first, one thousand nine hundred and thirty-three, for payments or expenditures required for the support of insane or epileptics or feeble-minded persons in institutions, or for the support of children by the State Board of Children's Guardians, or for widow pensions, or any of said purposes, are insufficient to meet such payments or expenditures during said fiscal year, said board of chosen freeholders may, by resolution, appropriate any additional amount or amounts, which may in its judgment be required for such payments or expenditures and, for the purpose of meeting any such appropriations, may issue negotiable notes or bonds of such county, to be designated "emergency notes" or "emergency bonds." All such emergency notes or bonds shall mature not later than the thirty-first day of December, one thousand nine hundred and thirty-four, and shall be issued in the manner and within the limitation prescribed by section twenty-six of the act to which this act is a supplement.

2. This act shall take effect immediately.

Approved December 7, 1933.

CHAPTER 444

AN ACT to establish a State housing authority and defining its functions and powers.

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

1. This act may be known and designated as "The Housing Authority Law." Official name.

2. Legislative Finding. It is hereby found and declared as follows: Findings:

A. That congested and insanitary housing conditions which exist in certain municipalities in this State are a menace to the health, safety, morals, welfare and reasonable comfort of the citizens of this State. Conditions menacing health, etc.;

B. That such congested and insanitary housing conditions constitute social and economic liabilities and should be eradicated. Eradication;

C. That adequate and sanitary housing is not sufficiently provided through private enterprise for families of low income. Insufficient housing;

D. That the adequate correction of these conditions of congested, insanitary and inadequate housing facilities cannot at present be brought about by public housing corporations alone as provided for by an act of the Legislature of the State of New Jersey entitled "An act to provide for the incorporation of public housing corporations, the regulation thereof, the supervision of the construction, operation, maintenance and renting of all housing projects and community facilities to be erected and furnished by said corporations, and to fix, limit, supervise and regulate the capital structure, income, dividends and management of such corporations," approved March twenty-third, one thousand nine hundred thirty-three, being chapter seventy-eight of the laws of one thousand nine hundred and thirty-three. Law inadequate;

**New buildings,
etc., necessary;** E. That it is essential that provision be made for the investment of public funds at low interest rates, the acquisition at fair prices of adequate parcels of land in such municipalities where such conditions exist, the gradual demolition of existing insanitary and unsafe housing conditions and the construction of new housing and other community facilities in such municipalities, under public supervision in accord with proper standards of sanitation and safety and at a cost which will permit monthly rentals which families of low income can afford to pay and not in excess of the rates to be fixed hereunder.

**Low rentals
sought;**

**Emergency
measure;** F. That this act is an emergency act necessary for the immediate preservation of the public peace, health, safety and general welfare and economic improvement of the inhabitants of the State of New Jersey. The necessity for the immediately effective date of this act lies in the fact that there is a demand in congested sections of New Jersey for housing for families of low income and for the reconstruction of slum areas, and in the fact that no existing laws of the State of New Jersey provide for the organization and operation of a Public Housing Authority as contemplated in the National Industrial Recovery Act which would enable New Jersey to secure grants and loans from the United States Government for the purpose of providing for slum-clearance and housing of families of low income, whereas such laws are in existence in other states and such legislation is under consideration in still other states, which will enable such states to obtain a grant and borrow money from the United States Government. Such funds secured from the United States Government by Public Housing Authorities will make possible the immediate beginning of building projects which will furnish employment to New Jersey citizens.

**Housing at
low income;**

**Assistance
sought;**

Federal aid.

**Eradication of
bad conditions.** 3. Legislative Purpose. The purpose of this act is to make provision for the eradication of congested and insanitary housing conditions in areas found to be slums and for the construction of adequate dwelling accommodations for families of low

**Construct
adequate
quarters.**

income who must otherwise occupy congested and insanitary housing facilities or who are of like economic circumstances; and incident to the accomplishment of these purposes to further the comprehensive planning of communities and neighborhoods for the social, educational and recreational life of the residents; to promote the safety, health, reasonable comfort, convenience and general welfare of the citizens of the State. The purposes recited are hereby declared to be public purposes.

Suitable
planning.

Health,
comfort, etc.

4. Definitions.

A. The word "commission" when used herein shall mean the State Housing Authority.

Definition:
Commission;

B. The word "project" when used herein shall mean and include all lands, buildings, and improvements acquired, owned, managed, or operated by the commission organized hereunder, designed to provide housing accommodations, stores, offices and other community facilities appurtenant or incidental thereto, which are planned as a unit, whether or not acquired or constructed at one time, and which ordinarily are contiguous or adjacent to one another.

Project;

C. The words "community facilities" when used herein shall mean and include lands, buildings, and equipment for recreation, for social assembly, for educational, health or welfare activities and other necessary utilities primarily for the use and benefit of the occupants of the housing accommodations to be constructed and operated hereunder.

Community
facilities;

D. The word "person" shall include any individual, partnership, association or corporation.

Person;

E. The words "Cost of Project" shall include cost of lands and cost of buildings and improvements.

Cost;

F. A "public housing corporation" shall be construed to mean a corporation formed wholly for the purpose of providing a housing project or projects for families of low income, or for reconstruction of slum areas, under the provisions of an act of the Legislature of the State of New Jersey, approved March twenty-third, one thousand nine hundred

Public
housing
corporation.

thirty-three, being chapter seventy-eight of the laws of one thousand nine hundred and thirty-three.

Commission—State
Housing
Authority.

5. There is hereby established a commission to be known as the State Housing Authority, which shall consist of five members to be appointed by the Governor with the advice and consent of the Senate; on the commission first appointed, one shall be appointed for the term of one year, one for the term of two years, one for the term of three years, one for the term of four years and one for the term of five years, and thereafter members to said commission shall be appointed for five years, and in the event of vacancy the Governor shall appoint with the advice and consent of the Senate for the unexpired term only. No more than three members of the said commission shall be of the same political faith.

Terms.

Vacancy.

Political
affiliation.

No salary:
expenses met.

6. Such commissioners shall serve without pay, but shall be entitled to their reasonable expenses in or about the work of said commission, and said commission is hereby authorized to appoint a director, secretary and such engineering, accounting, architectural, legal, investigating and clerical assistants as it shall deem necessary and to fix their respective compensations.

Director and
assistants.

Corporate
existence.

7. Said commission shall be a body corporate and politic, with power to sue and be sued, to have a seal, to have corporate succession, with full power and authority to undertake and operate any slum clearance or housing project for slum dwellers and families of low income, and to manage and control the projects so erected.

Powers:

8. In addition to the powers hereinabove specifically granted, the said commission shall have the following powers:

Acquire
property;

A. To acquire property, real, personal or mixed, or any interest therein by purchase, lease, gift, bequest, devise, exchange or eminent domain; to hold and improve property; to operate, lease, sell or exchange property; to construct or contract for the construction of projects and community facilities; to borrow money and secure the same by bonds or

Improve-
ments;
Borrow
money;

mortgages upon property held or to be held by it; but nothing herein contained shall be deemed to authorize said commission to pledge the credit of the State of New Jersey or to constitute any bonds or mortgages so issued by it obligations of said State.

B. To receive any grant or grants to be made by the Federal, State, county, municipal or other governments, or from any other sources.

Grants;

C. To make studies and surveys of housing conditions in the several sections of the State and to develop plans for slum clearance or housing relief and to determine what areas are slums and insanitary or substandard and to that end, to conduct hearings, investigations and examinations, to subpoena and require the testimony of witnesses and the production of books and papers, and to issue commissions for the examination of witnesses who are without the State or unable to attend before the commission; and in connection with these powers, any member of the commission shall have power to administer oaths, take affidavits and issue subpoenas.

Ascertain conditions;

Hearings;

Witnesses;

Oaths:

D. If, for any of the purposes hereunder, the commission shall find it necessary or convenient for it to acquire title to, or any lesser interest in, real property in this State, then the commission may find and determine that such property is required for a public use, and upon such due determination, the said property shall be, and shall be deemed to be, required for such public use. If the commission is unable to effect an agreement with the owner or owners for the purchase of any such property, or if any owner thereof shall be incapable of selling the same, or if, after diligent search and inquiry, the name and residence of any such owner cannot be ascertained, or if title to any such property has been acquired or attempted to be acquired and has been found to be invalid or defective, the commission may acquire title to all such property by condemnation, and said commission generally shall have the right to acquire realty by eminent domain in accordance with the provisions of an act

Acquiring property;

Acquire property by condemnation.

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

- Maintenance.** 9. Upon the completion of any housing project constructed by the said commission, the said commission shall have full power to maintain and operate the same at such scale of rentals as in the judgment of said commission shall be proper in the premises; *provided, however*, that the maximum average rental per room in cities of the first class shall be ten dollars (\$10.00) and in other municipalities eight dollars (\$8.00). Nothing in this section shall be construed to limit the scale of rentals to be charged by any public housing corporation as provided by an act of the Legislature of the State of New Jersey, approved March twenty-third, one thousand nine hundred thirty-three, being chapter seventy-eight of the laws of one thousand nine hundred and thirty-three.
- Taxation.** 9-A. All real property and improvements thereon owned by the commission shall be assessed and taxed in the municipalities wherein such lands are situate for State, school, county, municipal and improvement purposes in the same manner as other real property owned by individuals; and the taxes for any given year shall be paid out of the rentals or income accruing from said property for the year in which said taxes are assessed.
- Payment of taxes.**
- Powers granted by Chapter 78, P. L. 1933, vested in commission.**
10. The said commission shall have, in addition to the powers hereinabove set forth, all of the powers and duties in relation to public housing corporations originally, by virtue of an act of the Legislature of the State of New Jersey, approved March twenty-third, one thousand nine hundred thirty-three, being chapter seventy-eight of the laws of one thousand nine hundred and thirty-three, vested in the Board of Public Utility Commissioners of the State of New Jersey; *provided, however*, that the said Board of Public Utility Commissioners
- Proviso.**

shall not be divested of its powers under the aforementioned act as to any application now pending before it by virtue of said act.

11. Nothing in this act shall be construed to authorize the commission to build and operate on its own account any project other than one that is designed to eradicate congested and insanitary housing conditions and/or to give relief to families of low income who must otherwise occupy congested and insanitary housing facilities or who are of like economic circumstances.

Limited authority.

12. Said commission shall have power to make reasonable rules and regulations necessary to effectuate its powers and purposes.

Rules and regulations.

13. Said commission shall have the power to require any public housing corporation, submitting plans for any project to it, to conform to said rules and regulations.

Must conform to rules.

14. There is hereby appropriated for the work of said commission for the fiscal year terminating June thirtieth, one thousand nine hundred and thirty-four, the sum of twenty-five thousand dollars (\$25,000.00).

Appropriation.

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

Repealer.

16. In case, for any reason, any section, term or provision of this act shall be questioned in any court and shall be held to be unconstitutional, ineffective or invalid, in whole or in part, such holding shall not affect any section, term or provision of this act except so far as the section or portion so declared to be unconstitutional, ineffective or invalid shall be inseparable from the remainder or any portion thereof.

Constitutionality.

17. This act shall take effect immediately.

Approved December 7, 1933.

CHAPTER 445

AN ACT to amend an act entitled "An act authorizing the board of chosen freeholders of every county and the governing body of every municipality to fix the salary or compensation of its members," approved February fourth, one thousand nine hundred and thirty-three.

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

Section 2
amended.

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

Act
inoperative.

2. This act shall take effect immediately, and shall become inoperative on January first, one thousand nine hundred and thirty-five.

2. This act shall take effect immediately.

Approved December 7, 1933.

CHAPTER 446

AN ACT to amend an act entitled "An act respecting the salaries or compensation of officers and employees of and persons holding positions under the government of this State, whose salaries or compensation are paid by counties or municipalities," approved February fourth, one thousand nine hundred and thirty-three.

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

Section 1
amended.

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

1. The governing body of every county or municipality may, by resolution, direct that the treasurer or other like officer of any county or municipality deduct from the salary or compensation to be paid to any officer or employee of or person holding a position under the government of this State, whose salary or compensation is paid by any such county or municipality, beginning with the first day of January, one thousand nine hundred and thirty-three, and ending on the thirty-first day of December, one thousand nine hundred and thirty-four, such sum of money as such governing body shall deem proper, but such deductions shall not exceed in percentage the amount authorized to be deducted in any schedule adopted or to be adopted by any such county or municipality for officers, employees and persons holding positions in any such county or municipality; *provided, however*, that in making deductions from salaries or compensation there shall be no discrimination among or between individuals in the same class of service.

Deduction
from salary.

Amount of
deduction.

Proviso.

In fixing and determining the salaries and compensation to be paid to officers, employees and persons holding positions in any such county, the board of chosen freeholders shall adopt a schedule, and if in fixing such salaries or compensation the amount to be paid to any such officer, employee or person holding a position shall be less than the stated amount authorized to be paid to such officer, employee or person holding a position, without regard to deductions already made therefrom, the amount to be reduced shall not exceed in percentage the amount authorized to be deducted pursuant to the provisions of an act entitled "A supplement to an act entitled 'An act concerning counties,' approved March fourth, one thousand nine hundred and eighteen," which supplement was approved February fourth, one thousand nine hundred and thirty-three.

Fixing
salaries.

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

Section 3
amended.

No increase
in salary.

3. No salary or compensation of any officer or employee of or person holding a position under the government of this State, whose salary or compensation is paid by any such county or municipality, shall be increased between the first day of January, one thousand nine hundred and thirty-three and the first day of January, one thousand nine hundred and thirty-five.

3. This act shall take effect immediately.
Approved December 7, 1933.

CHAPTER 447

AN ACT to amend an act entitled "A supplement to an act entitled 'An act concerning municipalities,' approved March twenty-seventh, nineteen hundred and seventeen," approved February fourth, one thousand nine hundred and thirty-three.

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

Section 5
amended.

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

Budgets for
1933 and 1934.

5. This act shall apply to budgets for the fiscal years one thousand nine hundred and thirty-three and one thousand nine hundred and thirty-four only.

2. This act shall take effect immediately.
Approved December 7, 1933.

CHAPTER 448

AN ACT to amend an act entitled "A supplement to an act entitled 'An act concerning counties,' approved March fourth, nineteen hundred and eighteen," approved February fourth, one thousand nine hundred and thirty-three.

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

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

Section 5
amended.

5. This act shall apply to budgets for the fiscal years one thousand nine hundred and thirty-three and one thousand nine hundred and thirty-four only.

Application
of act.

2. This act shall take effect immediately.
Approved December 7, 1933.

CHAPTER 449

AN ACT to amend an act entitled "An act respecting the salaries or compensation of officers and employees of and persons holding positions in the several school districts of this State," approved February fourth, one thousand nine hundred and thirty-three.

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

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

Section 1
amended.

District school board empowered to fix salaries.

1. The board of education of every school district in this State shall have full authority, by resolution, to fix and determine the salaries and compensation to be paid to officers and employees of and persons holding positions in any such school district, between the first day of July, one thousand nine hundred and thirty-three, and the first day of July, one thousand nine hundred and thirty-five, notwithstanding any such person be under tenure or not; *provided, however*, that no salary or compensation of any officer or employee of or person holding a position in any school district shall be increased between the first day of July, one thousand nine hundred and thirty-three, and the first day of July, one thousand nine hundred and thirty-five; *and provided, further*, that if any such person be a member of the Teachers' Pension and Annuity Fund of the State of New Jersey, or any employees' pension fund, such person may continue to pay, or cause to be paid, into such pension fund the same amount as if such salary or compensation had not been changed, and upon the death or retirement of such member, he or his beneficiary shall be entitled to the same benefits as if his salary or compensation had not been changed; *and provided, further*, that in fixing salaries or compensation there shall be no discrimination among or between individuals in the same class of service; *provided, however*, that the existing minimum salary of teachers of seventy dollars per month shall not be changed.

Proviso.

Proviso.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved December 7, 1933.

CHAPTER 450

AN ACT to authorize any municipality to make bonds of the municipality heretofore or hereafter issued for water purposes a charge upon the revenues of the waterworks system of the municipality.

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

1. Any city, borough, town, township or village or other municipality in this State (hereinafter referred to as "municipality"), in any contract which such municipality may make with the United States through the Federal Emergency Administrator of Public Works, or such other Federal agency as may be created or designated under laws of the United States heretofore or hereafter enacted relating to the issuance of bonds or other obligations to the United States, is hereby authorized and empowered to agree as to the disposition of the revenues of any waterworks system owned by it and of any additions, improvements and extensions to such waterworks system, and to agree to reserve, set aside and use such revenues only for the payment of the principal and interest of the bonds of said municipality which have been heretofore and which may hereafter be issued by such municipality for the financing of the acquisition or construction, of such waterworks system and of any part thereof and of any additions, improvements and extensions; *provided*, the expenses of operating and maintaining such waterworks system be first paid out of such revenues. The city, town, township or village treasurer or borough collector-treasurer as the case may be, of any municipality making any such agreement, or such other officer or officers of such municipality as may have charge of the finances of such waterworks system, shall thereafter dispose of such revenues in

Disposition
of revenue
from water
system to
meet bonds.

Proviso.

Disposition of
revenues.

Payment of
bonds and
interest.

accordance with the terms and provisions of such agreement with the United States and, after deducting the expenses of operating and maintaining such waterworks system shall apply such revenues to the payment of the principal and interest of all such bonds, before using any part of such revenues for any other purpose. Any bonds or notes which are or shall be general obligations of a municipality shall not by reason of this act cease to be general obligations of such municipality; nothing herein shall be construed as affecting the debt limit of any such municipality as now or hereafter fixed by law.

2. This act shall take effect immediately.

Approved December 7, 1933.

CHAPTER 451

AN ACT to amend an act entitled "An act to provide for a State Budgeting System and its operation," approved April twentieth, one thousand nine hundred and thirty-one.

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

Section 16,
formerly 18,
amended.

1. Section sixteen, formerly section eighteen, of the act to which this act is an amendment is hereby amended to read as follows:

Report by
highway
commission.

18. (a) The State Highway Commission shall, on or before the fifteenth day of October in each year, submit to the Governor a report of the work and operations and financial condition of the department for the year (projecting same to December thirty-first), including itemized report of county and township allotments and commitments, in such form and in such detail as the Governor shall require.

Estimated
revenues for
roads next
year.

(b) On or before the fifteenth day of October in such year the State Highway Commission shall submit to the Governor, in connection with its report

for the then current year, a schedule of the estimated anticipated revenues available for highway purposes during the ensuing calendar year. The several revenue items committed to the State Highway fund which are dedicated to a specific purpose before being made a part of the State Highway fund together with the funds to be made available through the sale of bonds and all unappropriated balances shall be tabulated and shown as the total resources for the support of the Highway Department schedule and program for the ensuing calendar year.

Revenue items
tabulated.

(c) On or before the fifteenth day of October in each year the State Highway Commission shall submit to the Governor the schedule and program for which they propose to expend or use such funds for the ensuing calendar year, stating the dedicated fund items and the general fund items separately, according to purposes, routes and sections of routes. Such program may include projects that may be substituted for other projects included in the program should it be found impossible or impractical to construct or carry on any one or more of the projects in the program.

Program for
roads for
ensuing year.

(d) The Governor shall review the schedule of anticipated revenues and program submitted by the State Highway Commission, as provided in subsections (b) and (c) hereof, and shall formulate his budget recommendations thereon and shall submit such recommendations to the Legislature at the same time that he submits to the Legislature the budget message provided in section eight of the act to which this act is an amendment. Such recommendations, which shall be for the calendar year in which such budget message is submitted, shall be submitted to the Legislature in substantially the following form, and shall include the items designated hereafter as mandatory dedications, (d-1), (d-2) and (d-3) for the purpose of statistical information only and not for the purpose of their being included in the appropriation act provided for in this act:

Governor to
review
schedule.

Recom-
mendations.

Form to be
followed.

Revenues:

Schedule of
revenues.

A detailed schedule of the anticipated revenues to be available for the State Highway Fund, as hereinafter defined, for the calendar year beginning on the first day of January next ensuing the date provided for the submitting of such report.

Mandatory Dedications:

Debt service.

(d-1) Debt Service: interest, sinking fund and principal payments of any State bonds heretofore or hereafter issued, payable from revenues derived from motor fuel tax.

Projects:

(d-2) State-aid projects which shall include the following items:

General road
building and
care;

First: Six million dollars (\$6,000,000.00) for the construction, reconstruction, maintenance and repair, operation, policing and lighting of county roads and bridges, and for the payment of principal or interest of obligations heretofore incurred for any of such purposes, and for the extension of the county highway system under the following formula:

By population;

Percentage of population of each county to the total population of the State, according to the last Federal census;

By mileage;

Percentage of each county road mileage as against total county road mileage in the State;

By area.

Percentage of each county in area as against total area in the State.

Roads in
certain munici-
palities.

Second: Two million one hundred thousand dollars (\$2,100,000.00) to be expended pursuant to "An act to provide for the proper construction, grading, drainage, maintenance and repair of unimproved town, township, village and borough roads of the State," approved March twenty, one thousand nine hundred and sixteen, as amended or supplemented.

County roads.

Third: Seven hundred and thirty-five thousand dollars (\$735,000.00) to be expended pursuant to the provisions of chapter one hundred and seventy-eight of the laws of one thousand nine hundred and thirty, as amended or supplemented.

Fourth: Two hundred and ten thousand dollars (\$210,000.00) to be expended pursuant to chapter two hundred and fifty-five of the laws of one thousand nine hundred and twenty-nine, as amended or supplemented.

Unimproved
roads.

Fifth: Ninety thousand dollars (\$90,000.00) to the Board of Commerce and Navigation for the construction, reconstruction and maintenance and improvement of the inland waterway, as provided by chapter three hundred and thirty-four of the laws of one thousand nine hundred and twenty-seven, as amended or supplemented.

Inland
waterways.

Sixth: The amount required for the State Highway Sinking Fund as provided by chapter two hundred and sixty-two, laws of one thousand nine hundred and twenty-two, and chapter one hundred and eighty-one of the laws of one thousand nine hundred and twenty-seven, for the year to which the budget shall apply.

Sinking fund.

Seventh: One hundred and seventy-five thousand dollars (\$175,000.00) to be paid to the Free Bridge Commission, when such amount is included in any appropriation law of the State.

Bridges.

(d-3) For reimbursement to municipalities or counties due in the budget period for which such budget shall apply, which obligations have been contracted for prior to the passage of this act.

Reimburse-
ments.

Appropriations:

(d-4) For administration and operation of the Department of Motor Vehicles and of the Motor Fuel Tax Division of the State Tax Department;

Motor
Vehicle
Department.

(d-5) For the administration, engineering, inspection and administration costs of right of way for the State Highway system;

Highway
Department.

(d-6) For construction of the State Highway system;

Construction.

(d-7) For purchase of plant and equipment of the State Highway Department;

Plant and
equipment.

(d-8) For purchase of rights of way for the State Highway system;

Right-of-way.

- Maintenance. (d-9) For maintenance of the State Highway system;
- Quarterly report on road work. (e) The State Highway Commission shall make a report to the Governor quarterly, and at such other times as the Governor may direct, as to the progress of its work in connection with the program as adopted and upon any project carried over from the preceding year, together with the condition of its revenues and finances all in such detail as the Governor may direct;
- Amount set up for countv. etc., aid. (f) On or before December tenth of each year the State Highway Commission shall notify the clerk of the board of chosen freeholders of each county as to the amount of county and township and borough aid which has been set up for the county and each municipality within the county applicable to the ensuing calendar year, and it shall be lawful for the several counties and municipalities to include such amount in their respective budgets whether such budget be adopted before or after the Legislature has enacted the State Highway Fund appropriation act as provided in this act;
- Governor's recommendations. (g) The Governor shall submit his recommendations to the Legislature as to the appropriations to be made under subdivisions (d-5), (d-6), (d-7), (d-8), and (d-9) of this act, in lump sum for each item, and who shall submit to the Legislature a detailed budget request as provided in section eight of this act for the recommendations relating to subdivision (d-4), above designated, and the Legislature shall, by separate appropriation act which shall take effect on the first day of January preceding its enactment in each year, and which shall be known as the State Highway Fund appropriation act, appropriate such items for the several purposes in lump sums as enumerated in subdivision (d) of this section which are required to be appropriated by this act. Prior to the enactment of such appropriation act, it shall be lawful for the State Highway Commission to expend from such moneys in the State Highway Fund, as hereinafter defined, as shall be necessary for the maintenance
- Lump sum.
- Detailed budget.
- Necessary maintenance.

of the State Highway system and the administration of the State Highway Department, amounts which may be equal to but not in excess of such amounts as were expended for similar purposes during the same period in the preceding calendar year, and the State Treasurer is hereby authorized to pay on warrant of the Comptroller moneys for such purposes when not in excess of expenditures for similar purposes during the same period in the preceding calendar years; *provided, however, that* during such period as the appropriation act is not in effect no contracts for new construction shall be entered into by the State Highway Commission;

(h) The necessary expenses for the administration and operation of the Department of Motor Vehicles and the Motor Fuel Tax Division of the State Tax Department shall be included in the appropriations act provided by this act, as provided in subdivision (e) hereof. There shall be included in the annual appropriations act for the fiscal year 1933-34 the amount of appropriations necessary for the period from July first, one thousand nine hundred and thirty-three, to December thirty-first, one thousand nine hundred and thirty-three, and annually thereafter the Commissioner of Motor Vehicles shall submit to the Governor his budget request for the calendar year beginning January first next ensuing, and the State Tax Commissioner shall submit to the Governor his budget request for the Motor Fuel Tax Division of the State Tax Department for the same period, all as provided in section four of the act to which this act is an amendment, it being the intent of this subdivision to authorize the appropriations to the Department of Motor Vehicles and to the Motor Fuel Tax Division of the State Tax Department, both on a calendar year basis commencing with the calendar year of one thousand nine hundred and thirty-four. Prior to the enactment of the State Highway Fund appropriation act provided by this act, it shall be lawful for the Commissioner of Motor Vehicles and for the State Tax Commissioner, respectively to ex-

Limitation.

Proviso.

Motor
Vehicle
Department.

Past year.

Fiscal year.

Necessary
outlay.

pend from such moneys in the State Highway Fund, as hereinafter defined, as shall be necessary for the expenses of administration and operation of the Department of Motor Vehicles, and of the Motor Fuel Tax Division of the State Tax Department,

Limitations. amounts which may be equal but not in excess of such amounts as were expended for similar purposes during the same period in the preceding calendar year, and the State Treasurer is hereby authorized to pay on warrant of the Comptroller

Provision for payment. moneys for such purposes when not in excess of expenditures for similar purposes during the same period in the preceding calendar year;

Highway funds kept separate. (i) All moneys now in the treasury of the State or which hereafter shall be received into such treasury from any and every source which are dedicated to highway purposes, which shall include all revenues from the motor fuel taxes and the motor vehicle license fees and fines shall be set up by the State Treasurer in a separate fund to be known as the State Highway Fund, and no money shall be withdrawn from such fund except as shall be included in the State highway appropriation fund act except for the purposes enumerated in subdivisions (d-1), (d-2), and (d-3) of this section, or for further grants of moneys to counties or municipalities for road purposes or for the payment of interest or principal on reimbursement obligations heretofore incurred for road purposes, and provided for in subsections (g) and (h) of this section, and none other, excepting as hereinafter provided for in this subdivision, and any unexpended or uncommitted balances of such appropriations shall revert back to the State Highway Fund.

Provision for principal and interest. Nothing in this section contained shall be construed to prohibit the withdrawal of any money as received for the payment of the principal or interest of any bonded indebtedness of this State or for

Sinking fund. sinking fund purposes on any bonds heretofore or hereafter issued by the State, or for the amount of money appropriated by the Legislature for the collection of the tax on motor fuels, which moneys

shall be withdrawn for such purposes upon certification of the State Treasurer ;

(j) The program for the calendar year one thousand nine hundred and thirty-three heretofore submitted by the State Highway Commission to the Governor shall be the basis for the State highway program for the year one thousand nine hundred and thirty-three, and none of the provisions of this amendment shall be construed as affecting the procedure heretofore existing for adopting and carrying such program into effect;

Basis of
program.

(k) For the year one thousand nine hundred and thirty-four and subsequent years the Governor shall send to the Legislature his recommendations as provided in subdivision (d) of this section, and after the enactment of the appropriations act provided for in this act such appropriations shall control the program of the State Highway Commission for the calendar year; *provided, however*, that the Governor shall have the same power over the appropriations to the State Highway Commission as is provided in section sixteen of the act to which this act is an amendment;

Subsequent
recom-
mendations.

Proviso.

(l) In order to maintain a reasonable degree of flexibility, the State Highway Commission, the Commissioner of Motor Vehicles, and the State Tax Commissioner, respectively may, with the approval of the State House Commission, transfer funds from one item to another where such action seems to be in the best interests of the State and will tend to the economical operation of the State Highway Department, of the Department of Motor Vehicles, and of the Motor Fuel Tax Division of the State Tax Department respectively; *provided, however*, that no item appropriated for any permanent construction improvement shall be transferred to any administrative item.

Transfer of
funds.

Proviso.

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

Repealer.

Approved December 7, 1933.

CHAPTER 452

AN ACT to amend an act entitled "An act concerning savings banks," approved May second, one thousand nine hundred and six.

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

Section 30
amended.

Report of
creditors not
claiming
deposits for
ten years.

Published in
papers.

Proviso.

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

30. Every savings bank shall include in its annual report to the Commissioner of Banking and Insurance a sworn statement containing the name, the amount standing to his credit, the last-known place of residence or post office address and the fact of death, if known, of every depositor who shall not have made a deposit or withdrawn any part of his deposit, or any part of the interest thereon, or presented his passbook for the entry therein of interest credits, for a period of ten or more years next preceding, when the amount exceeds the sum of fifty dollars; and the officers of such savings bank shall give notice of the names and addresses of said depositors in one or more newspapers published in or nearest to the municipality in which such bank is located, at least once a week for three weeks in succession during the month of February for two successive years; *provided*, that not less than two months prior to such report such savings bank shall make inquiry for the purpose of locating such depositor by mailing a registered letter or notice addressed to such depositor at his last known post office address.

2. This act shall take effect immediately.

Approved December 7, 1933.

CHAPTER 453

AN Act to amend an act, title to which has been amended to read as follows: "An act to establish a department of aviation; providing for the appointment of a State Aviation Commission and a State Director of Aviation; the licensing of aircraft and airmen; the supervision and regulation of aircraft and air traffic in and over the State, and fixing penalties for violation of the provisions thereof," the original act having been approved April twenty-first, one thousand nine hundred and thirty-one, and the amendatory act having been approved April sixth, one thousand nine hundred and thirty-two.

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

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

Section 5
amended.

5. Appointment, qualifications and removal of the director. The State Director of Aviation shall be appointed, removed or discharged in accordance with the provisions of the civil service laws, and the preference acts relating to war veterans, applying to the State classified civil service; that the present director shall continue in office and in the performance of the duties now or hereafter attaching thereto, in accordance with the provisions of the civil service laws applying to the State classified service, and shall not be removed, demoted, dismissed or discharged except as provided therein and as provided in any law or laws relating to the tenure of war veterans in the public service of the State; when the said office shall become vacant hereafter, it shall be filled as other positions in the State

Director of
aviation.

Term.

Removal, etc.,
from office.

Filling
vacancy.

Must be
qualified pilot.

classified service are filled. He shall be an airman holding a valid license issued by the United States Government for the piloting of aircraft.

2. This act shall take effect immediately.
Approved December 7, 1933.

CHAPTER 454

AN ACT to amend an act entitled "A supplement to an act entitled 'An act to regulate the occupation of barbering, to provide for the licensing of persons to carry on such occupation and to provide rules regulating the proper conduct and sanitation of the occupation of barbering for the protection of the public health, and to provide penalties for violation thereof,' approved May twenty-fourth, one thousand nine hundred and thirty-three," approved June twenty-seventh, one thousand nine hundred and thirty-three.

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

Section 1
amended.

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

Disposition of
moneys.

1. All moneys received pursuant to the provisions of the act to which this act is a supplement shall be paid into the treasury of this State. Of the said revenues, a sum not to exceed twenty thousand dollars is hereby appropriated to pay the expenses incurred by the State Department of Health in the administration of the act to which this act is a further supplement and shall be paid from the moneys so received as aforesaid. All such expenditures shall be made by the treasurer on warrant of the comptroller after approval by the director of the Department of Health; *provided, however*, that

Appropriation.

Expenditures.

Proviso—
expenses limited.

any such expense of administration shall at no time exceed the moneys so received to the end that the commission created by the provisions of the act to which this act is a further supplement shall, at all times, be self-sustaining; *and provided further*, that any surplus remaining in such fund in the hands of the treasurer at the close of any fiscal year shall revert to and become a part of the general fund of the State.

Provisc—
surplus.

2. This act shall take effect immediately.
Approved December 7, 1933.

JOINT RESOLUTIONS

(1263)

Joint Resolutions

JOINT RESOLUTION No. 1

A JOINT RESOLUTION requesting the Secretary of Agriculture of the United States to waive jurisdiction of Federal aid moneys heretofore allotted to the State of New Jersey, and used for the construction of Route No. 25 of the State highway system, in order that a reallocation of such moneys may be made.

BE IT RESOLVED *by the Senate (the House of Assembly concurring)*:

WHEREAS, There has been heretofore allotted to the State of New Jersey certain Federal aid moneys for highway purposes; and Preamble.

WHEREAS, Such moneys had and received were used in furtherance of the construction of Route No. 25 of the said highway system; and Preamble.

WHEREAS, It is now desired that a reallocation of said moneys be had in order to release the said Route No. 25 from the Federal aid heretofore given, and such Federal moneys used for other highway purposes; therefore, Preamble.

1. The Secretary of Agriculture of the United States is hereby requested to waive jurisdiction of such moneys heretofore allotted and used in furtherance of the construction of said Route No. 25 of the State highway system in order that the State Highway Commission of this State in carrying out the highway program may reallocate and use said moneys for other parts of the State highway system. Request to waive jurisdiction.

2. This joint resolution shall take effect immediately.

Approved January 25, 1933.

JOINT RESOLUTION No. 2

JOINT RESOLUTION declaring the policy of the Legislature in respect to the fixing or reduction of salaries in municipalities and school districts.

Preamble. WHEREAS, The policy of the Legislature requires that there shall be left to the governing bodies of municipalities and school districts the fixing or reducing of salaries or compensation of officers, employees and persons holding positions in such municipalities or school districts; and

Preamble. WHEREAS, It is the judgment of the Legislature that in fixing or reducing salaries or compensation there shall be, so far as practicable, no discrimination between officers, employees and persons holding positions in any such municipality and those in the school district thereof; therefore,

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

No discrimina-
tion in fixing
salaries.

1. That in fixing or reducing salaries pursuant to power conferred by any act care shall be exercised by the governing body of all municipalities and school districts that there shall be, so far as practicable, no discrimination between the salaries fixed in any such municipality and the salaries fixed in any such school district or vice versa.

2. This joint resolution shall take effect immediately.

Approved February 4, 1933.

JOINT RESOLUTION No. 3

JOINT RESOLUTION providing for the appointment of a committee to investigate the feasibility of establishing summer camps, under military discipline, for unemployed boys and girls.

WHEREAS, The existing financial and economic conditions throughout the State and nation have caused many boys and girls of school age, as well as many who have graduated from high school, to seek employment when no employment is to be found, and

Preamble.

WHEREAS, These future citizens of our country are today leaving their homes to wander along our highways, or else remain as burdens upon their families or communities, and

Preamble.

WHEREAS, The social consequences, both to these boys and girls and to the country at large, are peculiarly serious, therefore,

Preamble.

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

1. That a committee of four, consisting of one Senator to be designated by the President of the Senate, one Assemblyman to be designated by the Speaker of the House of Assembly, and one man and one woman who shall be citizens of the State to be designated by the Governor, be and is hereby appointed to investigate the feasibility of establishing camps during the coming summer to be conducted under military discipline, for needy unemployed boys and girls between the ages of fifteen and twenty-two, on State property and under the general supervision of the Adjutant-General or other State authority; the cost to be paid from the emergency relief fund, of which the contemplated program is a part, and

Committee to investigate feasibility of summer camps.

Defraying cost.

BE IT FURTHER RESOLVED:

Report.

2. That this committee shall report back to the Legislature not later than March fifteenth, one thousand nine hundred and thirty-three.

Approved March 14, 1933.

 JOINT RESOLUTION No. 4

A JOINT RESOLUTION memorializing the Senate of the United States to ratify the treaties now pending before it relating to the adherence of the United States to the World Court.

- Preamble. WHEREAS, The present economic disturbance in this country and throughout the rest of the world is directly related to the late war and to the present lack of international confidence; and
- Preamble. WHEREAS, The completion of the adherence of the United States to the World Court, as one practicable substitute for war, would be a stabilizing influence in world affairs; and
- Preamble. WHEREAS, The United States is in good faith bound to make effective the resolution passed by the United States Senate seven years ago, in one thousand nine hundred and twenty-six, by a vote of seventy-six to seventeen, providing for the entry of this country into the Court if five conditions were met; and
- Preamble. WHEREAS, In the view of the Department of State, the American Bar Association and the New Jersey Bar Association, these five conditions are entirely met by the three World Court treaties now on the United States Senate's executive calendar; and
- Preamble. WHEREAS, To subject to further postponement a question which is of first importance and which has already been before the Senate and the country in some form for ten years is a contradiction of sound legislative procedure;

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

1. That the Legislature of the State of New Jersey respectfully urges the Senate of the United States speedily to ratify the three pending World Court treaties, thus completing the adherence of the United States to the World Court.

Urges Senate
to ratify
World Court
treaties.

2. That copies of this resolution be transmitted to the Hon. Hamilton F. Kean and the Hon. W. Warren Barbour, the representatives of this State in the United States Senate.

Notification
United States
Senators.

3. This joint resolution shall take effect immediately.

Approved March 14, 1933.

JOINT RESOLUTION No. 5

JOINT RESOLUTION for the appointment of a commission to make a full and complete investigation of supermarkets doing business in the State of New Jersey with relation to their business methods and practices and their honesty and integrity in dealing with the public.

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

1. That a commission consisting of three members of the Senate to be appointed by the President of the Senate and three members of the House of Assembly to be appointed by the Speaker of the House of Assembly, be and hereby is constituted a joint commission for the purpose of making a full and complete investigation of supermarkets doing business in the State of New Jersey with relation to their business methods and practices and their honesty and integrity in dealing with the public.

Commission
to investigate
super-
markets.

Supermarket
defined.

2. A supermarket is herein defined as a business project wherein the operator or operators, owner or owners, let or rent concessions to various kinds and types of businesses and where the public is attracted thereto by the featuring of its food departments by the practice of using loss leaders therein.

Organization.

3. The commission shall organize by the selection of a chairman and a secretary. The Attorney-General shall be counsel to the commission and shall have charge of the conduct of the investigation.

Commission
empowered.

4. The commission shall have power to subpoena witnesses, to compel the production of books and papers by its subpoena; to administer oaths and do all things necessary and proper to effectuate this joint resolution.

Report.

5. The commission shall report its findings to the Legislature not later than April fifteenth, one thousand nine hundred and thirty-three, and recommend such legislation as it deems necessary.

6. This joint resolution shall take effect immediately.

Approved March 16, 1933.

JOINT RESOLUTION No. 6

A JOINT RESOLUTION to create a commission to investigate, inquire into and report concerning proposed legislation for the regulation and taxation of traffic in alcoholic beverages.

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

Commission to
investigate
proposed
legislation
on alcoholic
beverages.

1. There is hereby created a commission to investigate, inquire into and report concerning proposed legislation for the regulation and taxation of traffic in alcoholic beverages. Said commission shall consist of four citizens of the State to be

appointed by the Governor, four Senators to be appointed by the President of the Senate, and four Assemblymen to be appointed by the Speaker of the House.

2. The said commission shall organize by the selection of a chairman and secretary, and is authorized to obtain from the Attorney-General such assistance as may be necessary. Organization.

3. The said commission shall embody its recommendations in a report to be submitted in sufficient time to provide proper taxation and regulation of the traffic in alcoholic beverages, in event that the eighteenth amendment to the Constitution of the United States and/or the Volstead act be repealed or modified. Report.

4. No expense shall be incurred by said commission. Expenses.

5. This resolution shall take effect immediately.
Approved March 23, 1933.

JOINT RESOLUTION No. 7

A RESOLUTION protesting against the treatment of the Jewish Nationals by the Nazi government of Germany.

WHEREAS, The people of New Jersey are greatly concerned with the persecutions of the Nazi government in Germany against the Jews and other minority people in Germany; and Preamble.

WHEREAS, The said Nazi government has by force usurped and destroyed the constitutional government of the people of Germany; and Preamble.

WHEREAS, They have undertaken to set aside the religious and personal liberty of the people of Germany and particularly of the Jewish citizens thereof and other minority peoples; and Preamble.

- Preamble. WHEREAS, In pursuance of a policy of intolerance and political persecution, the said Nazi government has through its political organization caused the death of numerous members of the Jewish race for no other reason than that they were Jews and has likewise imprisoned a large number of persons of that race and has now deprived them not only of their liberty but of their property and has declared that it proposed to take away their civil rights; and
- Preamble. WHEREAS, According to the latest dispatches from Germany it proposes to visit further atrocities and hardships upon the Jews and other minority peoples if other governments and other peoples shall protest against the said policies of the Nazi government; and
- Preamble. WHEREAS, The Government of the United States has recently been at war with the then Imperial Government of Germany, which government the said Nazi government is seeking to restore; and
- Preamble. WHEREAS, The object of said war upon the part of the American people was to secure religious and personal freedom not only to the people of Germany but for the peoples of all the world; and
- Preamble. WHEREAS, As a result of the United States of America's participation in the said war and of the efforts of the people of New Jersey, including many citizens of Jewish faith, the German Imperial Government surrendered to the Government of the United States and its allies; and
- Preamble. WHEREAS, The German Government on behalf of its people did acknowledge its guilt in the said war and did promise by setting up a republic within the territories of Germany and by solemn treaties agreed to protect the interest of all minority peoples; and
- Preamble. WHEREAS, The Nazi government of Germany has and is repudiating these undertakings and agreements with the government of the United States and with the citizens thereof; now, therefore,

BE IT RESOLVED *by the Senate and General Assembly*, That the State of New Jersey on behalf of all its citizens and especially on behalf of its citizens of the Jewish race protest against the actions of the Nazi government of Germany and that it regards the said acts of the Nazi government as inimical to the cause of civilization, to the peace of the world and in contravention of the compacts between the government of the United States and the Republic of Germany; and

Protest
against the
Nazi govern-
ment.

BE IT FURTHER RESOLVED, That it declares as cruel and barbarous the said acts of the Nazi government; and

Barbarous
acts.

BE IT FURTHER RESOLVED, That it calls upon the President and Congress of the United States to protect the interests of all American citizens of Jewish faith both in their lives and property which may be in the territorial limits of the so-called Republic of Germany as now administered by the Nazi government and that the said government of the United States shall take such steps as may be proper in the premises to enforce the treaties and undertakings which the German government made at the end of the war for the protection of all minority peoples;

Urges Federal
government to
enforce
treaties.

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to the Secretary of State of the United States, and to the Senate and House of Representatives of the United States.

Notification to
Federal
officials.

Approved March 29, 1933.

JOINT RESOLUTION No. 8

JOINT RESOLUTION memorializing the President and Congress of the United States to construct a ship canal across the State of New Jersey from Raritan bay to the Delaware river, at a point near the head of navigation; and providing for the appointment of a committee to further this project.

- Preamble. WHEREAS, An inland waterways system has been provided along the entire Atlantic coast with the exception of the short distance through the State of New Jersey, for which project the State of New Jersey has heretofore appropriated considerable money for the acquisition of the right-of-way, and has from year to year reappropriated said moneys, and the State of New Jersey has been and still is ready and willing to furnish the right-of-way for such canal in accordance with the representations heretofore made to the Federal Government; and
- Preamble. WHEREAS, In the interests of commerce and the national defense such ship canal is a necessary and worthy improvement and one such as is contemplated to be completed under the comprehensive program of the President of the United States; and
- Preamble. WHEREAS, Pursuant to the direction of the last Congress, the United States Corps of Army Engineers is now ready to proceed with seventy-four per centum (74%) of the work on such canal and will be ready to proceed with the balance of said work by July first, which said Engineer Corps has unlimited experience in large scale work of this nature and can start work immediately upon this project; and

WHEREAS, The construction of such canal would provide employment for a very large number of men near the greatest center of unemployment in this country, a large portion of the work being of such nature that it can be done by hand labor; and

Preamble.

WHEREAS, The immediate construction of such canal would in large measure contribute to the early return of prosperity; therefore,

Preamble.

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

1. That the President and Congress of the United States are hereby memorialized and requested to provide a sufficient sum of money to construct a ship canal across the State of New Jersey from Raritan bay to the Delaware river, at a point near the head of navigation, upon a right-of-way to be furnished by this State.

Federal officials memorialized to construct ship canal across State.

2. That a copy of this resolution be transmitted to the President and Vice-President of the United States, to the Speaker of the House of Representatives, and to each member of the Senate and House of Representatives of the United States from the State of New Jersey.

Copies to be sent to Federal officials.

3. That a committee of three, one to be appointed by the Governor, one to be appointed by the President of the Senate, and one to be appointed by the Speaker of the House, be constituted to further this project and to personally present the same to the President of the United States, the members of the Senate and House of Representatives for the United States from the State of New Jersey, and to take such other steps as to such committee shall seem proper.

Committee to further project.

4. This joint resolution shall take effect immediately.

Approved April 27, 1933.

JOINT RESOLUTION No. 9

A JOINT RESOLUTION authorizing the State Highway Commission to name and designate the newly completed high-level viaduct, between Jersey City and Newark, the "General Pulaski Memorial Skyway."

Preamble. WHEREAS, Brigadier General Pulaski gave his life in the cause of freedom for these United States; and

Preamble. WHEREAS, General Pulaski spent a great deal of his time during the Revolutionary War in the State of New Jersey, it is fitting and proper that his record which is written permanently in the history of New Jersey, that New Jersey name the newly completed high-level viaduct "General Pulaski Memorial Skyway" as a permanent monument to him; and

Preamble. WHEREAS, The Governor, A. Harry Moore, has recently proclaimed and set aside the day of October eleventh of each year as "Pulaski Day," by naming the new super highway "General Pulaski Memorial Skyway," a more tangible and practical commemoration of this great general's name could not be accomplished; and

Preamble. WHEREAS, During the week that the highway was opened the bicentennial celebration of the birth of George Washington ended, and as General Pulaski served as an officer under the great George Washington in both north and south Jersey, each section of which the bridge helps to connect, and as this highway leads to the recently dedicated George Washington Bridge, it is eminently appropriate that the name "General Pulaski Memorial Skyway" should memorialize the activities of the great Revolutionary War hero of this State. Therefore,

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

1. That the New Jersey State Highway Commission be and the same is hereby authorized to name, designate and cause to be known thereafter the new high-level viaduct, between Jersey City and Newark on route twenty-five, as the "General Pulaski Memorial Skyway."

General
Pulaski
Memorial
Skyway.

2. This joint resolution shall take effect immediately.

Approved May 3, 1933.

JOINT RESOLUTION No. 10

A JOINT RESOLUTION authorizing the State Highway Commission to name and designate the bridge crossing the Raritan river on State Highway Route No. 25 as "College Bridge."

WHEREAS, The bridge crossing the Raritan river on State Highway Route No. 25 is in close proximity to the campus of the New Jersey College for Women and affords a view of the buildings of the college; and

Preamble.

WHEREAS, The New Jersey College for Women has given to the young women of the State of New Jersey an opportunity to obtain the benefits of higher education; and

Preamble.

WHEREAS, The buildings on the said campus have been in part constructed and the said New Jersey College for Women has been in part maintained by funds appropriated by the State of New Jersey; therefore,

Preamble.

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

1. That the New Jersey State Highway Commission be and the same is hereby authorized to name,

College
Bridge.

designate and cause to be known hereafter the State highway bridge crossing the Raritan river, south of the city of New Brunswick, on Route No. 25, as "College Bridge."

2. This joint resolution shall take effect immediately.

Approved May 10, 1933.

JOINT RESOLUTION No. 11

JOINT RESOLUTION directing the Governor to proclaim July fourth, one thousand nine hundred and thirty-three, as the official day for the celebration of the naming of the General Pulaski Memorial Skyway.

Preamble. WHEREAS, The Governor, the House of Assembly, and the Senate concurring, have found it fitting and proper to name part of Route 25 as the General Pulaski Memorial Skyway; and

Preamble. WHEREAS, It is fitting and proper that a day should be set aside by the citizens of the State of New Jersey for the proper celebration of this occasion; therefore,

BE IT RESOLVED *by the House of Assembly (the Senate concurring)*:

Proclamation. 1. The Governor of the State of New Jersey is hereby authorized and directed to issue a proclamation calling upon the officials of the government and inviting the people of the State of New Jersey to observe July fourth, one thousand nine hundred and thirty-three, with appropriate ceremonies for the celebration of the naming of the General Pulaski Memorial Skyway.

2. This act shall take effect immediately.

Approved May 24, 1933.

JOINT RESOLUTION No. 12

JOINT RESOLUTION for the appointment of a committee consisting of three members of the Senate to be appointed by the President of the Senate and three members of the House of Assembly to be appointed by the Speaker thereof for the purpose of inquiring into and ascertaining the feasibility of the acquisition and operation by the State of New Jersey of the Delaware and Raritan canal and feeder.

WHEREAS, The Pennsylvania Railroad Company, lessee of the United New Jersey Railroad and Canal Company, has presented a petition to the Board of Public Utility Commissioners of the State of New Jersey praying that an order be made authorizing the discontinuance of the operation and maintenance of the Delaware and Raritan canal and feeder which were constructed and have heretofore been operated pursuant to and by virtue of an act entitled "An act to incorporate the Delaware and Raritan Canal Company," passed February fourth, one thousand eight hundred and thirty, and the supplements and amendments thereto; and

Preamble.

WHEREAS, It is alleged that the Pennsylvania Railroad Company has followed the policy of destroying traffic on the said canal by increasing rates from time to time; and

Preamble.

WHEREAS, The public interest will suffer in case of the unconditional abandonment of the said canal and feeder; now, therefore,

Preamble.

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

1. There shall be appointed by the President of the Senate three members of the Senate, and by the Speaker of the House of Assembly three members

Committee
to investigate
acquiring
canal.

of the House, who shall constitute a joint committee for the purpose of inquiring into and ascertaining whether the Delaware and Raritan canal and feeder may be acquired by the State of New Jersey for a nominal consideration and whether the said canal and feeder could be operated by the State of New Jersey upon a self-sustaining basis.

Organization.

2. The said joint committee shall select a chairman and a secretary, shall sit at such times and places as the majority of the committee shall decide and shall have power to make its own rules and to determine its own procedure. The said committee

Witnesses.

shall have power to compel the attendance of witnesses and the production of books, papers and records by subpoena, to administer oaths and to examine witnesses.

Report.

3. The said committee shall report the result of its inquiry, together with such recommendations as may seem to it advisable, to the present or succeeding session of the Legislature.

4. This joint resolution shall take effect immediately.

Approved June 5, 1933.

JOINT RESOLUTION No. 13

A JOINT RESOLUTION providing for the celebration of the one hundred and fiftieth anniversary of the naturalization as an American citizen and appointment of Thaddeus Kosciuszko as Brevet Brigadier General of the Continental Army, on October thirteenth, one thousand nine hundred and thirty-three; establishing a commission, and be known as New Jersey Kosciuszko sesquicentennial commission, and designating October thirteenth, one thousand nine hundred and thirty-three, and providing for the celebration of the State of New Jersey therein.

WHEREAS, On October thirteenth, one thousand nine hundred and thirty-three, will occur the one hundred and fiftieth anniversary of the naturalization as an American citizen and appointment of Thaddeus Kosciuszko as Brevet Brigadier General of the Continental Army, revolutionary war hero; and Preamble.

WHEREAS, The services rendered by him was of great value and assistance to the cause of American independence and of such high importance that on October thirteenth, one thousand seven hundred and eighty-three, he was granted the citizenship as an American citizen and was appointed Brevet Brigadier General; and Preamble.

WHEREAS, It is but fitting and proper recognition should be given to the memory of Brigadier General Thaddeus Kosciuszko, whose illustrious services in the war for American independence is well known to all who are familiar with our history; therefore, Preamble.

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

Proclama-
tion.

1. The Governor of the State of New Jersey is hereby directed to issue a proclamation calling upon public officials of the State of New Jersey to display the flag of the United States at their homes or other suitable places on October thirteenth, one thousand nine hundred and thirty-three, in honor of the one hundred and fiftieth anniversary of granting naturalization as an American citizen and appointment of Thaddeus Kosciuszko as Brevet Brigadier General of the Continental Army.

General
Kosciuszko
citizenship
day.

2. October thirteenth, one thousand nine hundred and thirty-three, shall be designated and known as General Kosciuszko citizenship day, and the Governor of the State of New Jersey is directed to request its observance as provided in this resolution.

Sesqui-
centennial
commission.

3. There is hereby established a commission to be known as the New Jersey Kosciuszko sesquicentennial commission to be composed of ten commissioners as follows: Six persons to be appointed by the Governor of the State of New Jersey, two Senators by the President of the Senate, and two Representatives by the Speaker of the House of Assembly of the State of New Jersey.

Duties.

4. The commission is authorized to arrange an appropriate observance and celebration to take place in the month of October, one thousand nine hundred and thirty-three, in the State of New Jersey, of the one hundred and fiftieth anniversary of granting naturalization as an American citizen and appointment of Thaddeus Kosciuszko as Brevet Brigadier General of the Continental Army, on behalf of the State of New Jersey in such manner as it deems advisable, in any other observance or celebration of such anniversary which may be held in the State of New Jersey during the year of one thousand nine hundred and thirty-three.

No expense to
be incurred.

5. Members of the commission shall serve without pay, and no expense shall be made on the State of New Jersey, with arranging the said celebration in the State of New Jersey.

6. The commission shall select a chairman from among its members. Organization.

7. This joint resolution shall take effect immediately.

Approved June 15, 1933.

JOINT RESOLUTION No. 14

JOINT RESOLUTION for the appointment of a commission to ascertain and fix the boundary line between the township of Lawrence and the township of Princeton, in the county of Mercer.

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

1. There shall be appointed by the Governor of this State one citizen of this State resident of the township of Lawrence, in the county of Mercer, and one citizen of this State resident of the township of Princeton, in the county of Mercer, who, with one person, resident of some other township in this county, shall constitute a joint commission for the purpose of ascertaining, determining and fixing the boundary line between the township of Lawrence and the township of Princeton, in the county of Mercer in this State. Joint
commission to
fix boundary
line.

2. The commission shall organize by the selection of a chairman and secretary. Organization.

3. To effectuate this resolution, each township shall furnish the engineering and legal assistance to the commission. Engineering
and legal
assistance.

4. The said commission shall embody its findings in an act to be presented to the Legislature. Report.

5. This resolution shall carry no appropriation. No appro-
priation.

6. This resolution shall take effect immediately.

Approved June 21, 1933.

JOINT RESOLUTION No. 15

JOINT RESOLUTION for the recreation of the commission created pursuant to the provisions of chapter two hundred sixty-one of the legislative session of one thousand nine hundred and thirty-one, entitled "An act creating a migrant welfare commission and defining its powers and duties."

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

Migrant
Welfare
Commission
recreated.

1. That there is hereby recreated the commission known as the "Migrant Welfare Commission," to be composed of Frank S. Hargrave, Orange, N. J.; William A. Byrd, Jersey City, N. J.; George E. Bates, East Orange, N. J.; Thomas Hope, Camden, N. J.; Peter W. Williams, Atlantic City, N. J.; Bessie B. Mention, Princeton, N. J., and Mary E. Burrell, Newark, N. J.; who shall constitute a commission for the purpose of continuing to exercise the duties and functions set forth in chapter two hundred sixty-one of the legislative session of one thousand nine hundred and thirty-one, entitled "An act creating a migrant welfare commission and defining its powers and duties," approved April twenty-seventh, one thousand nine hundred and thirty-one, and in addition to the duties set forth in the aforesaid act said commission shall co-operate with various agencies, departments and commissions in the State of New Jersey, particularly with a view to the relief and assistance of migrants, and shall furnish to said agencies, departments or commissions information and assistance in connection with migrants seeking relief or assistance from aforesaid agencies.

Commission
to serve
without pay.

2. Such commission shall serve without pay, but it is authorized to employ such investigating, clerical or other assistance as to them may be necessary. The members of such commission shall be

allowed travelling and other expenses in connection with the work of the commission. Expenses.

3. Such commission shall organize by the election of a chairman and a secretary. Said commission shall meet from time to time, hold hearings and examinations in the manner and in places which to them may seem best and proper. Organization.

4. Such commission shall make a preliminary report to the present session of the Legislature and a final report to the Legislature on or before March twelfth, one thousand nine hundred and thirty-four. Report.

5. For the purpose of carrying into effect the provisions of this joint resolution, there is hereby appropriated the sum of three thousand (\$3,000.00) dollars, or so much thereof as may be necessary, when included in any appropriation bill. Appropriation.

6. This joint resolution shall take effect immediately.

Passed June 26, 1933.

JOINT RESOLUTION No. 16

JOINT RESOLUTION for the appointment of a commission to make a study, survey and investigation of the operation of the workmen's compensation act, and to recommend such changes in such law as shall be desirable.

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

1. A commission of nine members is hereby created for the purpose of making a study, survey and investigation of the operation of the workmen's compensation act, and to recommend such changes in such law as shall be desirable; such commission shall consist of nine persons, two of whom shall be members of the Senate, to be appointed by the Pres- Commission created.

ident of the Senate; two of whom shall be members of the House of Assembly, to be appointed by the Speaker of the House of Assembly; and one representative from each of the following groups, to be appointed by the Governor, viz., labor, employers, risk carriers, law and medicine. Such commission shall organize, when all members have been appointed, by the selection of a chairman from among their members, and a secretary.

Records, etc.,
to be made
available.

2. All records in the possession of any department, board or commission of the State government, or of any county or municipality of this State, shall be made available to the commission hereby appointed, and the commission shall have authority, by subpoena issued by such commission, under the hand of its chairman and secretary, to compel the attendance of any person before said commission, or the production of records. If any person subpoenaed to attend before the commission fails to obey the command of such subpoena without reasonable cause, or if a person in attendance before the commission refuses, without reasonable cause, to be examined or to answer any question which may be properly put to him, or to produce a book or record when ordered so to do by the commission, such person shall be liable to a penalty of not exceeding five hundred dollars for each and every offense, to be recovered in an action of debt in the name of the State of New Jersey, such penalty when recovered to be paid into the treasury of this State. The Attorney-General shall prosecute any such action when so requested by the commission hereby created, and shall also give such legal aid to such commission, either personally or by such assistant as he may designate, as may be requested.

Failure
to obey
subpoena.

Penalty.

Attorney-
General to
prosecute.

Hearings.

3. The commission may hold hearings in any municipality in this State, and the result of its study, survey and investigation shall be embodied in a report to be submitted to the next Legislature, which report shall contain such recommendation as to changes in the workmen's compensation act as the commission deems advisable.

4. This joint resolution shall take effect immediately.

Approved June 28, 1933.

JOINT RESOLUTION No. 17

A JOINT RESOLUTION to create a commission to investigate the ways and means of establishing the southerly end of Sandy Hook Reservation as a State park.

WHEREAS, This Legislature has recognized and advocated the need for public parks and free bathing grounds along the ocean front; and Preamble.

WHEREAS, The changing social and economic order is increasing the numbers seeking the advantages of such free facilities while, at the same time, the problem of providing such facilities to those, who must go without unless same are provided at public expense, is becoming increasingly difficult of solution; and Preamble.

WHEREAS, The southerly end of Sandy Hook Reservation, now made easy of access to metropolitan New Jersey by new State highways and bridges, is a natural playground, affording unusual opportunities for free public bathing on the ocean side and splendid navigation facilities for small craft of all kind on the river side; and Preamble.

WHEREAS, By Joint Resolution No. 1 of the Session of one thousand nine hundred and thirty-one, Congress was memorialized and requested to establish Sandy Hook National Park in the State of New Jersey, but no measure has been passed by Congress to bring about such a result; therefore, Preamble.

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

Commission to
be appointed.

1. There shall be appointed a commission of five members, one member of the Senate to be appointed by the President thereof, one member of the House of Assembly to be appointed by the Speaker thereof, and three members who shall be citizens of the State of New Jersey to be appointed by the Governor.

To confer with
the Secretary
of War.

2. Such commission shall organize as soon as may be after their appointment and shall immediately confer with the Secretary of War of the United States and make proper investigations to determine what steps are necessary and upon what terms the State of New Jersey can acquire the use of the southerly end of Sandy Hook Reservation for a State park.

Report.

3. The said commission shall embody its findings and recommendations in a report to be submitted to this or the next session of the Legislature.

4. This joint resolution shall take effect immediately.

Approved September 5, 1933.

JOINT RESOLUTION No. 18

A JOINT RESOLUTION directing the Governor to proclaim October eleventh, one thousand nine hundred and thirty-three, as the official day for the celebration of the naming of the General Pulaski Memorial Skyway.

Preamble.

WHEREAS, The Governor, the House of Assembly, and the Senate concurring, have found it fitting and proper to name part of Route 25 as the General Pulaski Memorial Skyway; and

WHEREAS, October eleventh is officially designated as General Pulaski Day in New Jersey; and Preamble.
 WHEREAS, It is fitting and proper that a day should be set aside by the citizens of the State of New Jersey for the proper celebration of this occasion; therefore, Preamble.

BE IT RESOLVED *by the House of Assembly (the Senate concurring)*:

1. The Governor of the State of New Jersey is hereby authorized and directed to issue a proclamation calling upon the officials of the government and inviting the people of the State of New Jersey to observe October eleventh, one thousand nine hundred and thirty-three, with appropriate ceremonies for the celebration of the naming of the General Pulaski Memorial Skyway. Proclamation.

2. All resolutions inconsistent with this resolution are hereby repealed. Repealer.

3. This act shall take effect immediately.
 Approved September 5, 1933.

JOINT RESOLUTION No. 19

A JOINT RESOLUTION creating a commission to investigate the investments and management of the several sinking funds of the State of New Jersey.

WHEREAS, The Senate Committee on Economy and Reorganization and the Assembly Committee on Economy and Reorganization formed themselves into a joint committee for the purposes of considering the Princeton Survey and translating certain portions thereof into legislative form; and Preamble.

WHEREAS, In so doing they followed the recommendation of the Princeton Survey that a special investigation should be made into the investment and management of the sinking funds for the retirement of State bonds; and Preamble.

Preamble. WHEREAS, The investigations conducted by this joint committee have revealed the justification for the recommendation of the Princeton Survey and the necessity not only for further investigation but for further power as an investigating commission of the Legislature; therefore

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

Legislative committees created a commission.

1. The Senate Committee on Economy and Reorganization and the Assembly Committee on Economy and Reorganization are hereby created a commission and are hereby directed to continue an investigation and inquiry into the policy, proceedings, transactions of the Sinking Fund Commission for the several issues of State bonds and shall report their findings to either the present or subsequent sessions of the Legislature, together with recommendations for legislative action, if deemed advisable.

Duties.

Report.

Organization.

2. The members of the commission shall serve without salary. The commission shall select its chairman, a secretary and a sergeant-at-arms and shall have power to appoint legal, clerical and other assistance.

Assistants.

Sittings, witnesses, oath.

3. The commission shall sit at such times and places as the majority of the commission shall decide, and shall have power to compel the attendance of witnesses and the production of books, papers and records by subpoena; and, further, shall have power to administer oath, to examine witnesses and to determine its own procedure.

Powers

4. The commission hereby created shall be vested with all the powers and authority of a Standing Committee of the Senate or Assembly and/or the powers and authority of any commission created for the investigation of such matters as may be authorized in the resolution creating same.

5. This resolution shall take effect immediately.
Approved November 16, 1933.

JOINT RESOLUTION No. 20

JOINT RESOLUTION for transmission to the Secretary of Agriculture of the United States of America relative to the presence of the Dutch Elm disease in this country and the need for its extermination.

WHEREAS, The presence of the European Dutch Elm disease in New Jersey has been brought to the attention of the Legislature of New Jersey; and

Preamble.

WHEREAS, It is recognized by scientists that this disease of elms constitutes a menace of large proportions to New Jersey and to the nation; and

Preamble.

Preamble.

WHEREAS, The disease has also been found in States outside of New Jersey,

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

1. That adequate measures for the eradication of this disease be carried out under the authority of the United States Department of Agriculture.

Eradication of elm d'isease.

2. That sufficient funds for eradication be allocated by the Secretary of Agriculture of the United States.

Funds

3. A copy of this joint resolution shall be sent to the Secretary of Agriculture of the United States and to the representatives of New Jersey in Congress.

Notifications.

Approved December 4, 1933.

JOINT RESOLUTION No. 21

A JOINT RESOLUTION authorizing the appointment of a committee for the purpose of preparing necessary legislation for the taxation of railroad and canal property.

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

Committee on
taxation of
railroads.

Organization.
Report.

1. That a committee of nine members be appointed to prepare necessary legislation for the taxation of railroad and canal property. Said committee shall consist of three members of the Senate, to be appointed by the President thereof, three members of the House of Assembly, to be appointed by the Speaker thereof, and three persons, citizens of the State of New Jersey, to be appointed by the Governor. Said committee shall organize as soon as practicable, and shall report its findings at the opening of the legislative session of one thousand nine hundred and thirty-four, together with proposed legislation.

2. This joint resolution shall take effect immediately.

Approved December 4, 1933.

SPECIAL SESSION OF THE
LEGISLATURE

(1293)

Acts Passed by the Special Session of the
Legislature Convened September 28
and October 9, 1933

CHAPTER 1

AN ACT authorizing savings banks, banking institutions, trust companies, insurance companies and building and loan associations, organized under the laws of this State, mutual savings banks organized under any special charter or special law of this State, and executors, administrators, guardians or trustees, to invest in and/or hold for investment, and accept in lieu of cash payment on account of indebtedness, or the sale or transfer of assets, bonds issued or hereafter issued by the Home Owners' Loan Corporation created under an act of Congress entitled "An act to provide emergency relief with respect to home mortgage indebtedness, to refinance home mortgages, to extend relief to the owners of homes occupied by them and who are unable to amortize their debt elsewhere, to amend the Federal Home Loan Bank Act, to increase the market for obligations of the United States and for other purposes," approved June thirteenth, one thousand nine hundred and thirty-three.

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

1. Any savings bank, banking institution, trust company, insurance company or building and loan association, organized under the laws of this State, mutual savings banks organized under any special

May invest
in Home
Owners' Loan
Corporation
bonds.

(1295)

charter or special law of this State, and any person or corporation acting as executor, administrator, guardian or trustee may invest in, hold for investment, and accept in lieu of cash, in reduction or in payment of indebtedness due any of the aforesaid, or in part payment or in full payment of the purchase price on the sale or transfer of any asset of any of the aforesaid, bonds issued or hereafter issued by the Home Owners' Loan Corporation, created under an act of Congress entitled "An act to provide emergency relief with respect to home mortgage indebtedness, to refinance home mortgages, to extend relief to the owners of homes occupied by them and who are unable to amortize their debt elsewhere, to amend the Federal Home Loan Bank Act, to increase the market for obligations of the United States and for other purposes," approved June thirteenth, one thousand nine hundred and thirty-three.

2. This act shall take effect immediately.

Approved September 28, 1933.

CHAPTER 2

AN ACT to authorize any trust company or State bank, heretofore or hereafter incorporated under the laws of this State, which is or shall become a member of or which shall apply for membership in the Federal Reserve Bank in the Federal Reserve District in which such trust company or State bank may be located, to become a member of the "Temporary Federal Deposit Insurance Fund" provided for in the Act of Congress known as the "Banking Act of 1933," approved June sixteenth, nineteen hundred and thirty-three, and to authorize any such State bank or trust company to become a "Class A stockholder of the Federal Deposit Insurance Corporation" created by said "Banking Act of 1933" and any amendment thereof.

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

1. It shall be lawful for any trust company or State bank heretofore or hereafter incorporated under the laws of this State, which is or shall become a member of the Federal Reserve Bank in the Federal Reserve District in which such trust company or State bank may be located under the provisions of the Act of Congress known as the "Federal Reserve Act," approved December twenty-third, one thousand nine hundred thirteen, to become a member of the "Temporary Federal Deposit Insurance Fund" (hereinafter referred to as the "Fund") provided for in the Act of Congress known as the "Banking Act of 1933," approved June sixteenth, nineteen hundred thirty-three, and any amendment thereof, and to file with the Federal Deposit Insurance Corporation created by said

May become
members of
fund.

“Banking Act of 1933” (hereinafter referred to as the “Corporation”), any and all statements required of such trust company or State bank as a member of the “Fund,” and to make all payments to the “Corporation,” and to pay to the “Corporation” any and all assessments required of or to which such trust company or State bank may be subject as a member of the “Fund,” and to take and do all other actions and things required of or permitted to such trust company or State bank as a member of the “Fund” under said Banking Act of 1933 or any amendment thereof.

May become
Class A
stockholders.

2. It shall be lawful for any trust company or State bank, heretofore or hereafter incorporated under the laws of this State, which is or shall become a member of or which has applied or shall apply for membership in the Federal Reserve Bank in the Federal Reserve District in which such trust company or State bank may be located under the provisions of the Act of Congress known as the “Federal Reserve Act,” approved December twenty-third, one thousand nine hundred thirteen, to take all steps necessary to enable it to become a Class A stockholder of the Federal Deposit Insurance Corporation (hereinafter referred to as the “Corporation”) created by the Act of Congress known as the “Banking Act of 1933,” approved June sixteenth, nineteen hundred thirty-three, and any amendment thereof, and to apply for, subscribe for, make payments on account of or in full for such subscription, purchase, hold and surrender such amounts of Class A stock of the corporation as may be required under said “Banking Act of 1933” or any amendment thereof, and to pay any and all assessments which may be levied by the corporation upon such trust company or State bank as a Class A stockholder thereof, and take and do all other actions and things required of or permitted to such trust company or State bank as a Class A stockholder of the corporation under said “Banking Act of 1933” and any amendment thereof.

3. This act shall take effect immediately.

Approved October 3, 1933.

CHAPTER 3

AN ACT to authorize any trust company or State bank, heretofore or hereafter incorporated under the laws of this State, which is not a member of the Federal Reserve Bank in the Federal Reserve District in which such bank or trust company is located, to become a member of the Temporary Federal Deposit Insurance Fund provided for in the Act of Congress known as the "Banking Act of 1933," approved June sixteenth, nineteen hundred thirty-three, and to authorize any such bank or trust company, which is or becomes, or which is not or does not become a member of the Temporary Federal Deposit Insurance Fund, to become a Class A stockholder of the Federal Deposit Insurance Corporation, created by said "Banking Act of 1933" and any amendment thereof.

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

1. It shall be lawful for any trust company or State bank, heretofore or hereafter incorporated under the laws of this State, which is not a member of the Federal Reserve Bank in the Federal Reserve District in which such trust company or State bank is located under the Act of Congress known as the "Federal Reserve Act," approved December twenty-third, one thousand nine hundred thirteen, with the approval of the Commissioner of Banking and Insurance and certification by such commissioner to the Federal Deposit Insurance Corporation (hereinafter referred to as the "Corporation") created by the Act of Congress known as the "Banking Act of 1933," approved June sixteenth, nineteen hundred thirty-three, that such

May become
members of
corporation.

trust company or State bank is in solvent condition, to become a member of the "Temporary Federal Deposit Insurance Fund" (hereinafter referred to as the "Fund") provided for in said "Banking Act of 1933" and, to obtain membership in the "Fund" and as a member of the "Fund," to submit to examinations by the "Corporation," to agree to comply with the requirements of said "Banking Act of 1933," to file with the "Corporation," any and all required statements, to make any and all payments to the "Corporation" and to pay any and all assessments required of or to which such trust company or bank may be subject and to take and do all other actions and things required of or permitted to such trust company or State bank as a member of the "Fund" under said "Banking Act of 1933" or any amendment thereof.

May become
Class A
stockholders.

2. It shall be lawful for any trust company or State bank, heretofore or hereafter incorporated under the laws of this State, which is not a member of the Federal Reserve Bank in the Federal Reserve District in which such trust company or bank is located under said "Federal Reserve Act" and which trust company or State bank is or becomes a member of the "Fund" mentioned in section one of this act and for any such trust company or bank which is not or does not become a member of said "Fund," to take all steps necessary to enable it to become a Class A stockholder of the Federal Deposit Insurance Corporation referred to in section one of this act as the "Corporation" and to apply for, subscribe for, make payments on account of or in full for such subscription, purchase, hold and surrender such amounts of Class A stock of the "Corporation" as may be required under the "Banking Act of 1933" mentioned in section one of this act and any amendment thereof and to pay any and all assessments which may be levied by the "Corporation" upon any such trust company or State bank as a Class A stockholder thereof and to take and do all other acts and things required of or permitted to such trust company or

State bank as a Class A stockholder of the Corporation under said "Banking Act of 1933" and any amendment thereof.

3. This act shall take effect immediately.

Approved October 3, 1933.

CHAPTER 4

AN ACT concerning savings banks and membership thereof in federal reserve banks established by acts of Congress.

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

1. It shall be lawful for any savings bank to become a member of the federal reserve bank organized or to be organized in the federal reserve district in which such savings bank is located, under the provisions of the Act of Congress known as the "Federal Reserve Act," approved December twenty-third, one thousand nine hundred and thirteen, as amended; and such savings bank may subscribe for, purchase, hold and surrender, from time to time, such amounts of the capital stock of such federal reserve bank as such savings bank may deem advisable or as may be required under said "Federal Reserve Act," or any amendment thereof, in order to obtain and continue such membership, and upon the purchase of such stock, may assume the liabilities and become entitled to the benefits recited in said "Federal Reserve Act" as amended.

Savings banks
may become
Federal
Reserve
members.

2. Any savings bank which has or shall become a member of a federal reserve bank, shall continue to be subject to the supervision and examinations required by the laws of this State, except that the federal reserve board shall have the right, if it deems

Subject to
State super-
vision.

necessary, to make examinations; and the authorities of this State having supervision over such savings bank may disclose to the federal reserve board, or to examiners appointed by it, all information in reference to the affairs of any savings bank which has or shall become, or which may desire to become, a member of a federal reserve bank.

3. This act shall take effect immediately.

Approved October 3, 1933.

CHAPTER 5

AN ACT to authorize savings banks to become members of the Temporary Federal Deposit Insurance Fund and stockholders in the Federal Deposit Insurance Corporation established by Act of Congress.

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

May become
members of
fund.

1. It shall be lawful for any savings bank to become a member of the Temporary Federal Deposit Insurance Fund under the provisions of the Act of Congress known as the "Federal Reserve Act," approved December twenty-third, one thousand nine hundred and thirteen, as amended by the Act of Congress known as the "Banking Act of 1933," approved June sixteenth, one thousand nine hundred and thirty-three, and from time to time to make such payments as may be required under, and otherwise comply with, the provisions of said acts, or any amendment thereof, relating to said fund in order to obtain and enjoy the full benefits of such membership, and upon making such payments to assume the liabilities and become entitled to the benefits of such membership recited in said acts.

2. It shall be lawful for any savings bank to become the holder of stock of the Federal Deposit Insurance Corporation under the provisions of the Act of Congress known as the "Federal Reserve Act," approved December twenty-third, one thousand nine hundred and thirteen, as amended by the Act of Congress known as the "Banking Act of 1933," approved June sixteenth, one thousand nine hundred and thirty-three, and from time to time to subscribe for, purchase, hold and surrender such amounts of the stock of said corporation as such savings bank may deem advisable or as may be required under, and otherwise comply with, the provisions of said acts, or any amendments thereof, relating to said corporation in order to obtain and enjoy the full benefits of such stock ownership, and upon the purchase of such stock to assume the liabilities and become entitled to the benefits arising out of such stock ownership recited in said acts.

May purchase
stock of
corporation.

3. The authorities of this State having supervision over any savings bank which may desire to become a member of the Temporary Federal Deposit Insurance Fund or a stockholder of the Federal Deposit Insurance Corporation, are hereby authorized to approve such membership and such stock ownership, if such approval shall be required by said corporation, and are further authorized to disclose to the said corporation information in reference to the affairs of such savings bank in such form as shall be prescribed by said corporation, and generally to co-operate with such savings bank in becoming a member of said fund or a stockholder of said corporation and obtaining and enjoying the benefits thereof.

Approval of
State
authorities.

4. If any part of this act is held to be unconstitutional it shall not affect the validity of the remainder thereof.

Constitution-
ality.

5. This act shall take effect immediately.
Approved October 3, 1933.

CHAPTER 6

A SUPPLEMENT to an act entitled “An act concerning unpaid taxes, assessments and other municipal charges on real property, and providing for the collection thereof by the creation and enforcement of liens thereon” (Revision of 1918), approved March fourth, one thousand nine hundred and eighteen.

- Preamble.** WHEREAS, The municipalities of this State are in financial distress and cannot pay their employees, their county and State taxes, meet their contracts for materials and supplies, and are defaulting on their bonds and other obligations, because they cannot collect the taxes assessed against real property and due to the municipalities; and
- Preamble.** WHEREAS, The only remedy to collect delinquent taxes against real property is by a tax sale thereof on and after July first following the year in which such taxes become due and payable, and this is inadequate because the purchaser at the tax sale cannot go into possession of the property and collect the rents and income therefrom, and, therefore, there is a lack of buyers, and the property is struck off to the municipality and the taxes remain unpaid; and
- Preamble.** WHEREAS, The owners and mortgagees in possession of income-producing real property are taking advantage of the present situation and are using the income from their properties for other purposes than to pay their taxes; and
- Preamble.** WHEREAS, An emergency exists that makes it necessary to provide immediate and additional remedy for collecting delinquent taxes from the owners of income-producing real property, who are able to pay their taxes but refuse or neglect to do so; therefore,

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

1. That at any time after any taxes or any installment thereof heretofore or hereafter levied and assessed against real property in any municipality shall have been delinquent for more than six months and remain due and unpaid, the collector or other officer charged with the collection of taxes in such municipality, hereinafter designated the "collector," may, by and with the approval of the governing body of such municipality, and upon five days' notice to the owner, make application to the Court of Chancery by bill or petition to be appointed receiver *ex officio* of the rents and income of such real property for the purpose of collecting and satisfying out of such rents and income the delinquent taxes against such real property, together with the penalties, interest and costs, and such costs and expenses of the receivership as may be adjudged by the court. Such receiver shall not be required to give bond other than his official bond, and shall be appointed only for the purpose of collecting and satisfying the delinquent taxes, penalties, interest and costs and expenses as aforesaid.

Application to be appointed receiver.

Notice to owner.

No additional bond required.

Upon his appointment, the receiver, by and with the approval of the governing body of such municipality, in all cases where the real property in question is encumbered by a first mortgage shall appoint such first mortgagee, if such mortgagee is a proper person and is willing to accept such appointment, as the receiver's agent to collect the rents and income from such real property and manage the same and in all other cases the receiver, by and with the approval of the governing body of such municipality may designate the person in charge or management of such real property or some other competent person as the receiver's agent to collect the rents and income from such real property and manage the same, which mortgagee or other person shall account promptly to the collector for the rents and income so collected, *provided, however*, that if the mortgagee or other per-

Mortgagee as receiver's agent.

Proviso.

son so designated is derelict in collecting or accounting for such rents and income or in the management of such real property, the collector shall apply to the court for the removal of such designated mortgagee or other person, upon notice in writing to him, and the court upon removing such designated mortgagee or other person, in its discretion, may designate another person to collect the rents and income from such real property and manage the same and account to the collector for the rents and income of such real property as aforesaid.

No fees
allowed.

In any such receivership no fees shall be allowed the receiver or his counsel for acting as such receiver or counsel.

Expenses.

Upon a proper showing, the receiver may be authorized by the court to pay out of the rents and income collected by him from such real property such expenses in connection with the operation thereof as may be necessary to secure the greatest income therefrom for the payment of the delinquent taxes, penalties, interest and costs and expenses as aforesaid.

Real property
subject to
provisions
of act.

Real property which has been heretofore or may be hereafter sold for the nonpayment of delinquent taxes, shall be subject to the provisions of this act for the purpose of collecting such delinquent taxes, penalties, interest and costs and expenses as aforesaid.

Form of
petition:

The bill or petition for the appointment of such receiver shall set forth:

Taxes
delinquent;

(a) that such delinquent taxes remain due and unpaid at the date of filing such bill or petition,

Collection
attempted;

(b) that the collector has exercised due diligence to collect such delinquent taxes, and

Property is
producing
income;

(c) that he verily believes that such real property is income-producing, and that the collection of such delinquent taxes can be made through a receivership of the rents and income from such real property,

(d) whether or not such real property is encumbered by a first mortgage and if so, the name and address of such first mortgagee.

Encumbrances.

The bill or petition shall be verified, and shall be prima facie evidence of the facts therein stated.

2. In the event that it is made to appear to the court that the owner or any person interested in such real property has filed an appeal from or is contesting the taxes assessed and levied against such real property, the court shall limit the amount of taxes to be collected by the receiver to the portion of such delinquent taxes which are not in substantial dispute and, if the parties are unable to agree upon the amount thereof, same shall be ascertained by the court directly or by reference to a master, and an order shall be made to stay the collection of the disputed portion of the taxes until the final determination of the proceedings to review said taxes. Thereupon, in the event that such appeal or contest shall be sustained to any part or all of such taxes so collected, the court shall order the collector to pay back and return to such owner or person interested in such real property, such part or all of such taxes so collected to which appeal or contest has been sustained, and in the event that such appeal or contest is not sustained, then the receiver shall proceed to collect from such rents and income any uncollected portion of such delinquent taxes, penalties, interest, and costs and expenses as aforesaid.

When taxes assessed are in dispute.

3. Whenever the delinquent taxes against any such real property and the delinquent taxes for which the property has been sold, together with all penalties, interest, and costs and expenses as aforesaid, have been fully paid and satisfied out of the rents and income collected by the receiver from such real property, the collector shall apply to the court for his discharge as such receiver and, upon being discharged by order and decree of the court, the receivership proceedings or suit shall abate and the owner or any person interested in such real property, upon presentation to the collector of

Termination of receivership

a certified copy of such order and decree, may receive, as the case may be, receipted tax bills for the payment of such taxes or a certificate of redemption from such tax sale. For good cause shown, the receiver may be discharged by the court at any time.

Failure to
make pay-
ments.

4. In all cases where a receiver is in possession of such real property by appointment of the court in a mortgage foreclosure suit or in any suit wherein a receiver is charged with the collection of the rents and income of such real property, and the owner or any person interested therein or the receiver thereof shall fail or refuse to make proper payments to the collector upon delinquent taxes against such real property or delinquent taxes for which such real property has been sold, including penalties, interest and other charges and costs, the collector, at any time during the pendency of any such suit, may intervene by verified petition in such suit and apply to the court for such order or orders as the court may deem proper for the payment of such delinquent taxes, penalties, interest and other charges and costs, in accordance with the priority of lien and right of such taxes, penalties, interest and other charges and costs, as is by law provided for other liens, rights and interests.

Additional
remedy.

5. The remedy of collecting delinquent taxes herein provided for shall not be in lieu of or in derogation of any other remedy or remedies for the collection of delinquent taxes, but shall be in addition to all other remedies for such collection.

Application
of act.

6. This act shall not apply to real property occupied by the owner as his residence and from which he derives no rent or to farm property occupied by the owner thereof and from which he derives no rent.

Act
operative.

7. This act shall take effect immediately and shall continue in force in respect to all proceedings instituted hereunder, within a period of three years from the date hereof.

Approved October 11, 1933.

CHAPTER 7

AN ACT to amend an act entitled “A supplement to an act entitled ‘An act to provide for the regulation and incorporation of insurance companies and to regulate the transaction of insurance business in this State,’ approved April third, nineteen hundred and two,” which supplement was approved April third, nineteen hundred and twenty-eight.

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

1. Section two-a of the act to which this act is an amendment be and the same is hereby amended to read as follows: Section 2-a amended.

2a. No stock company formed under this act shall create more than one class of stock, except, however, that preferred and/or nonvoting stock may be issued; *provided*, the amount of such stock so issued shall not at any time exceed the amount of common and/or voting stock then issued and outstanding; *provided, further*, that preferred stock may be issued without limitation when such preferred stock is to be purchased or loaned upon by any corporation, association or agency created by or organized under any law of the United States of America. Class of stock.
Proviso.
Proviso.

2. This act shall take effect immediately.
Approved October 11, 1933.

CHAPTER 8

AN ACT to further supplement an act entitled “An act concerning the manufacture, distribution and sale of certain beverages having an alcoholic content and providing for licenses, regulations and fees in connection therewith and penalties for violations thereof,” approved April fifth, one thousand nine hundred and thirty-three, and all acts supplemental thereto.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Taxes, etc.,
a preferred
debt.

1. All taxes and license fees payable to the State of New Jersey, imposed by the provisions of the act to which this act is a supplement or by the provisions of any other supplement thereto, shall constitute a debt due to the State of New Jersey, which debt shall be preferred in any distribution of the assets of the debtor whether in insolvency or otherwise, and for the recovery of which debt an action at law may be maintained in any court of competent jurisdiction.

2. This act shall take effect immediately.
Approved October 11, 1933.

JOINT RESOLUTIONS
(SPECIAL SESSION)

(1311)

Joint Resolutions
(Special Session)

JOINT RESOLUTION No. 1

WHEREAS, It has been reported to the Senate and House of Assembly by the Governor that deposits to the amount of approximately four hundred million dollars (\$400,000,000.00) remain unavailable to the depositors by reason of the closing of banks in the State banking system; and Preamble.

WHEREAS, It is the sense of the Legislature that the Federal Government is morally if not legally responsible to the depositors of the said banks; and Preamble.

WHEREAS, The Legislature has already petitioned the said Federal Government to take steps to release such restricted or unavailable deposits; and Preamble.

WHEREAS, The Federal Government is moving to release such deposits in the case of national banks in the Federal Reserve System in New Jersey, but is not extending such aid to the State banks; and Preamble.

WHEREAS, It is of great concern to the State of New Jersey that the depositors of the State banks should be protected and that the individual rights of such depositors should be recognized; and Preamble.

WHEREAS, The State is under a moral obligation to protect the depositors in banks chartered by the State and which were not or are not in the Federal Reserve System; and Preamble.

WHEREAS, The frozen bank deposits have caused great distress to our citizens and greatly hampered the economic recovery of normal financial conditions in our State; therefore Preamble.

BE IT RESOLVED by the Senate and General Assembly of the State of New Jersey:

1. That there is hereby declared to exist an emergency requiring the State to exercise its sovereign Emergency declared to exist.

SPECIAL SESSION
JOINT RESOLUTION No. 1

rights in the creation of such instrumentalities as will protect the depositors in such banks, and thereby save to them and their families their homes and properties from economic destruction.

**State Bank
Advisory
Commission
created.**

2. For the purpose of assisting the Legislature in bringing into being such effective instrumentalities as will restore the closed or restricted State banks to a condition of solvency and to permit of their resumption of their normal functions as public necessities in the communities which they serve, and to permit the release to their depositors of a portion at least of their deposits, thereby restoring the purchasing capacity of the several communities in which such banks are located, and to prevent a recurrence of the present emergency, there is hereby created a commission to be known as the State Bank Advisory Commission, consisting of six citizens of the State of New Jersey to be appointed by the Governor, which commission is hereby authorized and directed to examine into the various matters alluded to in this resolution and to report, not later than November fourteenth, one thousand nine hundred and thirty-three, in the form of recommendations and bills to be presented to the Legislature at that time, and particularly concerning

**Context of
report.**

(a) The creation of a State Reserve Bank.

(b) The creation of a system of credit instruments which shall be legal payment for the payment of municipal and State taxes, which credit instruments shall be used to release frozen assets of closed or restricted banks in such manner as to admit of the payment to depositors of their deposits.

(c) The creation of a system of deposit insurance.

(d) To suggest such other and further means of strengthening the banking system of the State of New Jersey as will result in the restoration of complete confidence in such system independent of any Federal banking system.

**Commission
empowered.**

3. Such commission shall have the power to summon witnesses, examine papers and records, hold

SPECIAL SESSION
JOINT RESOLUTIONS Nos. 1 & 2

1315

hearings, and employ such counsel and assistance as it may deem expedient, and do all other things necessary to carry out the intent of this resolution.

4. This resolution shall take effect immediately.

Approved October 9, 1933.

JOINT RESOLUTION No. 2

A JOINT RESOLUTION to create a commission to investigate, inquire into and report concerning proposed legislation for the regulation and taxation of traffic in alcoholic beverages.

BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey:*

1. There is hereby created a commission to investigate, inquire into and report concerning proposed legislation for the regulation and taxation of traffic in alcoholic beverages. Said commission shall consist of seven citizens of the State, to be appointed by the Governor.

Commission
created.

2. The said commission shall organize by the selection of a chairman and secretary, and is authorized to obtain from the Attorney-General such assistance as may be necessary.

Organization.

3. The said commission shall embody its recommendations in a report to be submitted to the Legislature on November fourteenth, one thousand nine hundred and thirty-three.

Report.

4. There is hereby appropriated the sum of five thousand dollars (\$5,000.00) for the expenses of said commission.

Appropriation.

5. This resolution shall take effect immediately.

Approved October 9, 1933.

PROCLAMATIONS

(1317)

Proclamations by the Governor

PROCLAMATION.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

In accordance with a proclamation recently issued by the President of the United States, I wish to urge that the people of this State make the forthcoming Fire Prevention Week—October 9-15, 1932—“an occasion of special significance” and that they endeavor to effect “a reduction of at least fifty per cent” in the present rate of fire destruction during the ensuing twelve months.

In the State of New Jersey this would mean a saving of many lives, chiefly of women and children, which now constitute a distressing and unnecessary sacrifice to fire. It would also preserve from waste approximately seventeen million dollars of the State’s material resources—a matter of large importance under present conditions.

THEREFORE, I, A. HARRY MOORE, Governor of the State of New Jersey, by authority in me vested do designate and proclaim the period from

OCTOBER 9TH TO 15TH
as
FIRE PREVENTION WEEK

To this end, I urge that local officials and organizations in every community promptly unite upon specific programs of cooperation, in order to discover and correct existent fire hazards, promote measures of public and private fire protection, extend instruction in fire prevention among adults as well as school children, and arouse the people generally to the need for habits of greater carefulness.

(1319)

If this be undertaken without delay and earnestly carried out throughout the year, the result cannot fail to be a large contribution to public welfare.

[SEAL] Given, under my hand and the Great Seal of the State of New Jersey this twenty-fourth day of September, in the year of our Lord one thousand nine hundred and thirty-two, and in the Independence of the United States the one hundred and fifty-seventh.

A. HARRY MOORE,
Governor.

By the Governor:

THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

Joint Resolution No. 3, P. L. 1932, directs the Governor of New Jersey to proclaim October eleventh of each year as General Pulaski's Memorial Day, for the observance and commemoration of the death of Brigadier General Casimir Pulaski.

It seems to me especially appropriate that the first proclamation should be issued in the year when we are celebrating the George Washington bi-centennial. Throughout the year our attention has been directed to the life and services of the great General and to the debt which we owe to him and his compatriots. While we can not render too much honor to those colonists who fought and suffered that our nation might exist, we can likewise never be sufficiently grateful to those valiant heroes from other lands who gave of their services and their lives in the War for Independence.

Conspicuous among them was the heroic Polish officer, Brigadier General Casimir Pulaski. He was rich in those qualities which distinguish the Polish race,—a burning love of liberty, a passion for justice, and sympathy for the oppressed, coupled with an indomitable fighting spirit. Generously and valiantly he rallied to the cause of the struggling Colonies, and in this great cause, on October 11, 1779, this noble Polish officer laid down his life, dying from wounds received at the siege of Savannah, Georgia.

In this, the first proclamation which has been authorized in commemoration of this event, I want to call public attention to his services and to his heroic death.

THEREFORE, I, A. HARRY MOORE, Governor of the State of New Jersey, do hereby proclaim

TUESDAY, OCTOBER ELEVENTH,

as

GENERAL PULASKI'S MEMORIAL DAY,

and I call upon officials of the State, county and local governments to display the flag of the United States on all governmental buildings on this date. I also suggest that this anniversary be commemorated by appropriate exercises in the schools, churches and other suitable places, and that acknowledgment be publicly made of the great service which this gallant officer rendered our land in the dark days of the American Revolution.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this eighth day of October, in the year of Our Lord one thousand nine hundred and thirty-two, and in the Independence of the United States the one hundred and fifty-seventh.

A. HARRY MOORE,
Governor.

By the Governor:

THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, It appears to me that public necessity requires the convening of the Senate of the State of New Jersey in special session,

THEREFORE, I, A. HARRY MOORE, Governor of the State of New Jersey, in and by virtue of the power vested in me by Article V, Paragraph 6, of the State Constitution, do hereby convene the Senate of this State to meet in special session at the State House, Trenton, New Jersey, on Tuesday, the eighteenth day of October, A. D. 1932, at two o'clock P. M.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this
seventeenth day of October, A. D. one
thousand nine hundred and thirty-two,
and in the Independence of the United
States the one hundred and fifty-seventh.

A. HARRY MOORE,
Governor.

By the Governor:

THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

The fourteenth anniversary of the signing of the Armistice occurs on November 11, 1932.

The celebration of the anniversary of the end of such a terrible conflict as the World War is, of

course, an occasion for rejoicing. Let us pay reverent tribute to those who gave their lives in the World War. And in rendering due homage to these heroes, let us again remind ourselves of the price that war exacts.

The first consideration, in attempting an estimate of the cost of war is, of course, the staggering toll of human life and shattered health, and the sum total of sorrow and misery which follows in the wake of war. No loss, however great, can compare with this. But to a world groaning under the weight of economic disaster, the cost of war in material wealth is brought home more forcibly than in times of great national prosperity. A serious and reflective citizenry can do much toward maintaining peace among nations and in avoiding the horrors and waste of war.

THEREFORE, I, A. Harry Moore, Governor of the State of New Jersey, do hereby proclaim

FRIDAY, NOVEMBER ELEVENTH,
as
ARMISTICE DAY,

and I would ask that two minutes of silence be observed on the eleventh hour of that day, to be spent in prayer in memory of those who died in the war, and in petitions for the establishment of peace.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this seventh day of November, in the year of Our Lord, one thousand nine hundred and thirty-two, and in the Independence of the United States the one hundred and fifty-seventh.

A. HARRY MOORE,
Governor.

By the Governor:

THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

The hallowed custom of setting aside a day for thanksgiving is one which we should observe with proper reverence and dignity. Too often Thanksgiving Day means merrymaking and rejoicing, without due regard to the true solemnity of the occasion.

It is easy to give thanks when we are blessed with an abundance of this world's goods, but to give thanks when so many of us are lacking so much that makes life comfortable and happy is an indication that we have grasped the real significance of the word. Thanksgiving is but an empty phrase if it does not include a devout appreciation of the truth that "every good gift and every perfect gift comes from God." That is the first consideration—an acknowledgment of the Providence of God toward us. If, during this past year, material gifts have not been so plentiful, we have received that greater "good gift"—a heightening of the spirit of true charity and justice. We have done more than give alms; we have come closer to a consideration of what we owe our fellow man. We are less selfish and more prone to consider not merely the physical needs of our neighbor, but what, in justice, is due him.

In this State we have also been free from great physical disasters during this past year. We have even been spared great extremes of heat and cold which have marked other years, and which are so trying upon the poorly nourished and upon those who cannot easily command the comforts of life.

For all of these blessings let us give thanks.

THEREFORE, I, A. HARRY MOORE, Governor of the State of New Jersey, do hereby proclaim

THURSDAY, NOVEMBER 24TH,
as
THANKSGIVING DAY

and I ask the people of the State of New Jersey to gather in their places of worship, as well as in their homes, to render thanks to Almighty God for his gifts.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this seventeenth day of November, in the year of Our Lord one thousand nine hundred and thirty-two, and in the Independence of the United States the one hundred and fifty-seventh.

A. HARRY MOORE,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, On the 8th day of February, 1932, the Comptroller reported the Buhler Realty Corporation to the Governor of this State, as a corporation which for two years next preceding such report, had failed, neglected or refused to pay their franchise tax assessed against it under the law of this State for the year 1929; and

WHEREAS, As a result thereof, the said Buhler Realty Corporation was included in the list of corporations whose charters were declared inoperative

and void in and by the proclamation of the Governor of this State made and issued on the 17th day of February, 1932; and

WHEREAS, On the 29th day of November, 1932, the Tax Commissioner did certify to the Governor of this State that the tax levied against the said Buhler Realty Corporation for the year 1929 was erroneously assessed; therefore,

I, A. HARRY MOORE, Governor of the State of New Jersey, acting pursuant to the provisions of an Act of the Legislature known as Chapter 196, Laws of 1931, do hereby declare that it is established to my satisfaction that said Buhler Realty Corporation did not neglect or refuse to pay the taxes aforesaid and that the inclusion of said corporation in said proclamation was in error and do hereby issue this proclamation and make known the same.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this
twenty-ninth day of November, A. D.
one thousand nine hundred and thirty-
two and of the Independence of the
United States, the one hundred and fifty-
seventh.

A. HARRY MOORE,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
DEPARTMENT OF STATE.

WHEREAS, The State Tax Commissioner did on the nineteenth day of January, nineteen hundred and thirty-three, under the provisions of an act, entitled "An act to amend an act entitled 'A further supplement to an act entitled "An act to provide for the imposition of State taxes upon certain corporations and for the collection thereof," approved April eighteenth, one thousand eight hundred and eighty-four,' and the several supplements thereto and acts amendatory thereof; 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 1930, under the Laws of the State of New Jersey, and made payable into the State Treasury; and

WHEREAS, Under the provisions of said act the charters of said corporations are revoked and all powers conferred by law upon such corporations declared inoperative and void, unless the Governor gives further time for payment; and

WHEREAS, The Governor has not given further time to the corporations so reported and hereinafter named for the payment of such taxes, and the same are still unpaid;

THEREFORE, I, A. HARRY MOORE, 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 1930

A. A. Brant Lumber Co. (Farmingdale)
A. A. Brant Lumber Co. (Freehold)
A. A. Brant Lumber Co. (Lakewood)
A. A. Brant Lumber Company (Manasquan)
A. & A. Radio, Inc.
Aaron Rich, Inc.
A. A. Weber Company
A. B. and B. Realty Co., Inc.
A. B. C. Service Stations, Inc.
Abe Fiedler, Inc.
Abe Zaitz, Inc.
A. B. Mortgage Co.
Aborn Development Corporation
Absecon Bus Co.
Absecon City Improvement Company
Absecon Dredging Co.
A. B. & S. Realty Corporation
Abwill Manufacturing Co.
Abwirth, Inc.
Academy of Musical Arts of Lodi, New Jersey
Academy Photoplays Corporation
Academy Service Corporation of America
Acceptance Corporation of New Jersey
Accurate Engineering & Manufacturing Co.
Accurate Manufacturing Co.
Ace Cleaners and Dyers, Inc.
Ace Grill, Inc.
Ace Holding Co.
Ace Oil Company, Inc.
Ace Securities Corporation
Acker's Lyceum Theatre, Inc.
Acme Chemical and Disinfectant Co.
Acme Construction Co. of Elizabeth, N. J.
Acme Delicatessen
Acme Iron Works, Inc.
Acme Properties Corporation
Acme Tool and Machine Co.
Acorn Industries, Incorporated
Acorn Silk Corporation

Active Finance Corporation
Acuna Construction Company, Inc.
A. C. Windsor, Inc.
Adair Holding Co.
Adams Trading Co.
Address Plate Embossing Corporation
Administration Realty Co.
Adorable Shoppe, Inc.
Advance Airways, Inc.
Adwear Sales Corporation
Aeromarine Airways Corporation
A. F. & H. Developing Company, Inc.
A. and F. Oil Company
Afton Corporation
Agazigian Co.
A. G. Bates, Inc.
A. & G. Realty Company
Agricultural Chemical Works
Ainsworth Investment Corporation
Aircrafters, Inc.
Air Cushions, Inc.
Airport Lighting, Inc.
Air Station Garage, Incorporated
Ajak Radio Shop
A. J. Amusement Co.
Ajax Building Company
Ajax Construction Co.
Ajax Holding Co.
Ajax Realty Corporation of Wildwood, N. J.
Ajax Securities Co.
A. J. Gebhardt, Inc.
A. & J. Jensen, Inc.
Alagan Co.
Al Baker Co., Inc.
Albemarle Holding Corporation
Albert Construction Company, Inc.
Albert Federici Co.
Albert Getz, Inc.
Albert H. Adler, Inc.
Albert J. Mott, Inc.
Albert P. Reichert, Inc.
Alberts & Kautzman, Inc.

Albertson Motor Sales, Inc.
Albion Development Corporation
Albion Silk Mills, Inc.
Al-Ca Construction Company, Inc.
Alcardol Corporation
Alexander Hamilton Mortgage Co.
Alexander Nedelman, Inc.
Alexander Thane & Sons
Alexco Corporation
Alfio Realty & Construction Co., Inc.
Al. Goldman & Co.
Alina Building Company
Alin Realty Co.
Alisan Realty & Constr. Co. Inc.
Alkire & Clark, Inc.
All-Art Homes Corporation
Allburn Company, Inc., formerly Ideal Company
Allectric Synchronized Machine Corporation
Allendale Plumbing and Heating Corporation
Allen H. Clark, Inc.
Allen Schiffman and Co.
Alliance Mutual Service Corporation
Allied Bankshares Company
Allied Builders Corporation
Allied Business Mens Association
Allied Investors Securities Corporation
Allocca Construction Company
All-O-Mat Corporation
Almar Construction Co. Inc.
Almas, Inc.
Almquist Mayer, Inc.
Alpha Academy of Trenton
Alpha Home Builders, Inc.
Alphano Commissary, Inc.
Alpha Silk Throwing Co.
Alpine Associates, Inc.
Alpine Ice Cream Co.
Alps Realty Company
Alstan Holding Corp.
Altomonte and Aria Co.
Alton Realty and Mortgage Corporation
Alunite Products, Inc.

A. Makray, Inc.
Amboy Car Exchange, Inc.
Amboy Heating Co.
A. & M. Dress Co. Inc.
American Advocate Health Tonic Corp.
American Auto Camps Corporation
American Automatic Corporation
American Automobile Protective Corporation
American Beauty Florists, Inc.
American Clay Company
American Clay Products Company
American Diatom Company
American Discount Co.
American Equity Extension Corp.
American Finance Co.
American Fur Dressing, Inc.
American Fur Farms, Inc.
American Gardens, Inc.
American Home Improvement Co. Inc.
American Institute of Violin
American Maid Silk Mills
American Millwork Corporation, Inc.
American Mortgage Bankers Corporation
American Mortgage and Investment Corporation
American Motor Trucking and Express Co.
American Neolith Corporation
American Piano Company
American Playhouse, Inc.
American Plumbing Supply Co.
American Radiator Enclosure Corporation
American Radium Active Polarizer Company
American Realty and Securities Corp.
American Sign Corporation
American Structural Concrete Co. Inc.
American Style Roofing Co. Inc.
American Tire Co.
American Upholstering & Furniture Co. Inc.
American Vending Machine Co.
American Wheel and Rim Co. Inc.
American Zinc Extraction Company
A. M. & F. Building Corp.
A. M. Holding Company

A. M. & L. Realty Co.
A. & M. Klein Realty Co.
Ams Realty Co.
Amsterdam Fur Dressing Co., Inc.
Anchor Lumber Co.
Anchor Realty Corporation
Anchor Refining Company
Andees Coffee Company, Inc.
Anderson Supply Co.
Andes Trading Company, Inc.
Andiamo Investment Corporation
Andrews-Bradley Co. Inc.
Andy's Garage, Inc.
Angelo Sica Realty Co. Inc.
Animated Sign Corporation
Ann Murdock, Inc.
Annrose Corporation
Annunziata Loan Co.
Anome Electric Co.
Ansley Park Construction Company
Ansonia Corporation
Antoine, Incorporated
Antonia Realty Company, Inc.
A-1 Macaroni Corp.
A. Papuga, Inc.
Ap-En Service, Inc.
Apex Construction Co.
Apex Jewelry Mfg. Company, Inc.
Apex Laundry Co.
Appenzell Lace Shop
Appliance Sales Corporation
Appraisal Service Bureau
Approved Products Corporation
Araphil Securities Co.
Arbor Holding Co.
Arcade Delicatessen
Arcade Realty Co.
Arch Crown Manufacturing Co.
Arctic Real Estate Holding Corporation
Arden Shops, Inc.
Arell Silk Company
Argone Tube Corporation

Argyris Bros. Realty Co.
Arias Realty Corporation
A. Ridgway and Son Company
Arimle Corporation
Arjon Chemical Company
Arkay Amusement Co.
Arlen Corporation
Arlington Avenue Construction Co.
Arlington Coal Co.
Arlington Holding Co.
Arma Realty Co.
A. R. Moore Co.
Armor-Bronze Corporation of New Jersey
Armory Garage and Auto Repair Co.
Armory Pharmacy Inc., formerly Central Pharmacy, Inc.
Armory Realty Corporation
Armstrong Electric Co.
Armstrong Transportation Company
Arnold Restaurant, Inc.
Aronsohn & Hirschfeld Silk Company, Inc.
A. & R. Realty Co.
Arrow Construction & Ship Repair Co.
Arrow Investment Corporation
Arrow Trucking Co. Inc.
Arsdale Realty Co.
Art Amusement Company
Artercraft Floor Covering Co.
Art Holding Co.
Arthur M. Agnew, Inc.
Arthur S. Hoyt Co.
Arthur Silk Mfg. Co.
Arthur Virtue & Co. Inc.
Artistic Tile Co.
Art Players, Inc.
Art Vogue Corporation
Asay Springs Bottling Works
Asbestos Mines, Inc.
Asbestos Products and Utilities Corporation
Asbestos Roofing Company, Inc.
Asbury Highland, Inc.
Asbury Park Bus Terminal, Inc.

Asbury Park Clothing Co. Inc.
Asbury Park National Securities Co.
Asbury Perfume Shop
Ascent Loan Co.
Asco Construction Co. Inc.
Asher Manufacturing Company
Ash Greenhouses, Incorporated
Ashland Amusement Co.
Ashland Home Builders, Inc.
A. Sinrod, Inc.
A. S. Reid & Company
Associated Agency
Associated Auto Parts, Inc.
Associated Developers of New Jersey, Inc.
Associated Land Developers, Inc.
Associated Libraries, Inc.
Associated Mortgage Company of New Jersey
Associated Realty Brokers of New Jersey
Assurance Realty Co.
Atarah Investment Co. Inc.
Athena Lumber Co.
Athenia Realty Company
Athens Realty Co.
Atlantic Cab Service, Inc.
Atlantic Coast Construction Company
Atlantic Coast Electric Company
Atlantic Decorative Co.
Atlantic Democrat, Inc.
Atlantic Fur Corporation
Atlantic Gas and Oil Co. Inc.
Atlantic Highway Construction Co.
Atlantic Iron & Metal Co.
Atlantic Magnesite Product Co.
Atlantic Mercantile Agency, Inc.
Atlantic Pines Country Club, Inc.
Atlantic Plastering and Cement Co.
Atlantic Smelting Corporation
Atlantic Threemor, Inc.
Atlantic Whip Corporation
Atlantic City Gateway, Inc.
Atlantic City News Company, Inc.
Atlas Mill Supply Co. Inc.

Atlas Printing Co.
Atlas Raw Materials Co.
Atlas Realty and Construction Co.
Atlass Securities Corporation
Atlas Warehousing and Distributing Terminal
Atmore Tea Company
Atomister Corporation
Atwild Realty Co.
Auburn Cord Motors, Inc.
Auburn-Elizabeth Co.
Auburn-Morristown, Inc.
Auburn Sales Company of Englewood
Auburn-Westwood, Inc.
Auditorium Restaurant, Inc.
Auffinger Pharmacy, Inc.
August C. Hansch, Inc.
August W. Ofeldt Company
Aumack Engineering Company Incorporated
Auto Loan Service
Automatch Distributing Corporation
Automatic Damper Company
Automatic Heating Equipment Corporation
Automatic Heat and Service Co.
Automatic Holding Co.
Automatic Motion Picture Corporation
Automatic Safety Control, Inc.
Automobile Assurance Agency, Inc.
Automotive Parts Co. Inc.
Automotive Chemical Co., formerly Armour Chem-
ical Co.
Automotive Trading Co.
Auto Realty Co.
Auto Roll-Out Corporation
Auto Service Corporation
Avalon Realty Company
Avenue B. Chemical Co. Inc.
Avenue Motor Co.
Avon Waste Company, Inc.
A. Wilson Iron Works
A. & W. Trading Co.
A. W. W. Realty Co.
A. Yeskel and Son, Inc.
Ayres-Knight Corporation

Bacharach Ball Club
Bacon Manufacturing Co.
Badger Realty Co.
Bailey Motor Service
Bailey Radium Laboratories, Inc.
Bailey Service Station Co.
Baird Motion Picture Machine Co.
Baker-Mills & Co. Inc.
Baker-Nelson, Inc.
Baker Oil Burner Corporation of New Jersey
Baker-Quinn, Inc.
Bake Shoppe, Inc.
Baldwin & Company, Incorporated
Baldwin Tire Co.
Balk, Firetag & Co.
Baltimore and Philadelphia Transfer Company
Bankers Club of New Jersey
Bankers Holding Co.
Banner Realty Corporation
Bannister's, Inc.
Banur Realty Co.
Banville Realty Corp. Inc.
Bard & Cattley, Inc.
Bargain Shop
Barker Machine and Foundry Co.
Barmen Realty Co.
Barney Schaeffer, Inc.
Baron Agency, Inc.
Barrett Homes Corporation
Barr-Knox Corp.
Bartlett Inn Company
Barton S. Muir, Inc.
Basco Stock Farms, Inc.
Basking Ridge Corporation
Bassett Jewelry Company
Bateman-Mixner Company
Batting Instructor, Inc.
Bayard Holding Co.
Bay Beach, Inc.
Bay Construction Co.
Bayer Products Company
Baymill Realty Co.

Bayonne Sanitary Live Poultry Market
Bayonne Transportation Company
Bay Realty & Investment Co.
Bayview Development Co.
Bayview Gardens Co. Inc.
Bayview Park Amusement Co.
B. & B. Corporation
B. & B. News Co. Inc.
B. and C. Building Co.
B. C. J. Realty Company
B-C-P Realty Co.
B. & D. Clott, Inc.
Beach Haven Bus Line, Incorporated
Beach Haven Park Corporation
Beach Miniature Golf Company, Inc.
Beacon Corporation
Beacon Hill Gravel and Land Company, Incorporated
Beacon Products Co. Inc.
Bead Realty Corporation
Beam-Wisner Co.
Bears & Lewis, Inc.
Beau Mart, Inc.
Becheras Restaurant Enterprises, Inc.
Becker and Walther, Inc.
Beck's, Inc.
Bedell Motors, Inc.
Beandee Realty Co.
Bee Bee Eff Construction Company, Inc.
Bee & Bee Realty Co.
Beech Realty Corporation
Beechwood Construction Co. Inc.
Beket Trading Co.
Belfaire Holding & Investment Co.
Bellaire Farms
Belle Realty & Investment Co.
Bellet, Livingston & Company
Bellett Realty Co. Inc.
Belleville Buick Co.
Belleville Construction Co. Inc.
Bellew Bros. Inc.
Bell Haven Co.

Bellis Building Material Co.
Belmar Auto Company
Belmont-Emory Corporation
Belpatom Realty & Development Co. Inc.
Bendetson and Dwoskin, Incorporated
Benj. Cohen Plumbing & Heating Co. Inc.
Bennie Wasserman, Inc.
Benray Landman, Inc.
Ben's Cut Price Meat Market, Inc.
Bentz Engineering Corporation
Benz Construction Co.
B. and E. Realty Co.
Bergamo The Tailor, Inc.
Bergen County First National Corporation
Bergen County Land Co.
Bergen County Supply Co.
Bergen County Wimsett Co.
Bergen Dental Laboratories, Inc., formerly "High
Class Dental Laboratory, Inc.
Bergen Electric Corporation
Bergenfield Calendar Manufacturing Co. Inc.
Bergen Grill
Bergen Hudson-Essex Co., Inc.
Bergen Lighting Fixture Company
Bergen Metal Products, Inc.
Bergen Paper & Bag Co.
Bergen Playhouse, Inc.
Bergen Refrigerator Corp.
Bergen Square Garage, Inc.
Bergen Sunday Leader, Inc.
Bergen View Holding Corporation
Bergoff-Clemente Construction Corp.
Berg-Saltzman, Inc.
Ber-Jay, Inc.
Berk-Gor Realty Co.
Berkowitz Rabbit Fur Dressing Co.
Berks Realty Co.
Berla Bros. Inc.
Berlant Development Company
Berlet & Ruegg Sales Co.
Berman Lumber Co., Inc.
Bernard C. Nelson Co., Inc.

Bernard Grushkin, Inc.
Bern-Ell, Inc.
Bertha Schwarzstein, Inc.
Bertman Realty Co.
Bertolette Machine Tool Co.
Berwyn Realty Co.
Besco Food, Inc.
Best Cleaners and Dyers, Inc.
Bestmade Products Corporation
Best Realty Company
Bestrial Manufacturing Co.
Betsy Ross Candies, Inc.
Better Homes, Inc.
Better Painting & Decorating, Inc.
Better Plumbing & Heating, Inc.
Betty Beauty Shoppe, Inc.
Bevans, Inc.
Bevere & Colton, Inc.
Beverly Development Corporation
Beverly Diners, Inc.
B. F. Creamer, Inc.
B. Freedman & Sons
B. F. & S. Co.
B. F. W. Investment Co.
B. Gutmann, Inc.
B. H. M. Realty Co.
B. H. & S. Corporation
Bigelow Supply Company
Big Sandy Gas and Oil Co.
Bijou Realty Company
Billoews Play House
Biltmore Apartments, Inc.
Birney Stores Co.
Bishop Amusement Company
Bishop Electric Refrigeration Co.
Bitman Brothers, Inc.
Black River Silver Fox Ranch
Blackstone Bros. Inc.
Black & White Holding Co.
Blanchard Trading Corporation
Blasco Trucking Co.
Bleakly Bros.

Bleakly Realty Co.
Bleeker Conservation Corporation
Bleeker Realty Co.
B & L Motors, Inc.
Blocks Womens Wear
Bloomcliff Realty Corporation
Bloomfield Construction Co.
Bloomfield Service Station
Bloomington Tire Co.
Blue Devil Fire Extinguisher Co. Inc.
Blue Moon Restaurant, Inc.
Blue Moon Shoppe, Inc.
Blue Oak Handle Co.
Blue Plate Kitchen, Inc.
Blue Ribbon Builder, Inc.
Blue Ribbon Cleaners & Dyers, Inc.
Blue Ribbon Mustard Co. Inc.
B. & M. Building Corp.
B. M. F. Coat Manufacturing Co.
B. M. Wahle Co. Inc.
B. & M. Woodworking Co.
B. & N. Inc.
B. N. B. Novelty Co.
B & N Realty Co. Inc.
Boardwalk Amusement Co.
Boardwalk Properties Co.
Boardwalk Sales Corporation
Bobosee Investment Co.
Bohel Holding Co.
Bollettino Della Sara Company, Inc.
Bolton Brothers, Inc.
Bo-Na Laboratories, Inc.
Bond Construction Co.
Bonded Service Corporation of America
Bond Holding Co.
Bond Laundry, Inc.
Bono Drug Co.
Bon Ton Silk Company
Boonton Bargain Store, Inc.
Boragine, Inc.
Boragine Studios, Inc.
Bordrob Corporation

Bornstein Investing Co.
Borough Investment Corporation
Borrowers Loan Company
Bostonia Corporation
Boulevard Garage, Inc.
Boulevard Investment Co. Inc.
Boulevard Land and Investment Co.
Boulevard Service Co.
Bountiful Realty Company
Bournonville Modern Brake Service, Inc.
Bournonville Rotary Valve Motor Co.
Bowman Building and Construction Company, Inc.
Box Manufacturing Corp.
Boyden Construction Co.
Boynton & Yereance, Inc.
Brace Pressed Steel Co.
Bragman-Solomon, Inc.
Bramberg Corp.
Bramhall and Fuller Manufacturing Co.
Brammall-Cummings, Inc.
Brand Silk Co.
Branford Holding Co.
Branick Holding Co.
Branler Radio Corporation
Brant Beach Realty Co.
Brant Preserving Company, Inc.
Brass Rail, Inc.
Bratter and Pollak, Inc.
Braun Motor Haulage, Inc.
Braverman Holding Co.
Braverman Marble Works, Inc.
Brayslip Mfg. Co.
Brevet Development Co.
Briar Realty Co.
Bridger, Inc.
Bridgeton Sales and Service Co.
Bridge View Realty Corporation
Brigantine Brokers, Inc.
Brigantine Builders, Inc.
Brigantine Finance Co.
Brigate Company
Brighton Motors, Inc.

Brinkerhoff Agency
Brinksan Corporation
Britandim Corporation
B. R. K. Mortgage Company, Inc.
Broad-Elm Corporation
Broad Investment Corporation
Broad-Marshall-Halsey Holding Co.
Broad & South Realty Co., Inc.
Broadstone Farms, Inc.
Broadway-Cooper Corporation
Broadway Dress Shops, Inc.
Broadway Florist, Inc.
Broadway Motors, Inc.
Broadway Service Co.
Broadway Sport Shop
Broadway-Stevens Co.
Broadway Theatre Co.
Broadway Trucking Co.
Broadway-Woodcliffe Realty Co.
Brokaw Development Corporation
Bronx Realty Co., Inc.
Brookdale Completion Co.
Brookdale Realty Co.
Brooks Shoe Company, Inc.
Brooks-Thomas, Inc.
Brookwood Realty Company
Broome Street Holding Co.
Brosis Realty Co.
Brothers Corporation
Brown-Bell Realty Co.
Brown-Bergen County Development Corp.
Brown Brothers, Inc.
Browncone Company, Inc.
Brown Construction Co.
Brown-Corcoran Co.
Brown Laboratories, Inc.
Brown's Auto Trucking Co., Inc.
Brown & Thompson
Brown Top Cab
Bruno & Bruno, Inc.
Brunswick Cleaners and Dyers, Inc.
Bryan Boiler Corporation

Bryan Boilers, Inc.
Bryant Agency
Bryant Securities Corporation
B. & S. Estates
B. & S. Excavating and Construction Co.
B. & S. Investing Co.
B. & S. Motor Service, Inc.
Bucklines, Inc.
Buckter Realty Corp.
Budd Holding Co.
Builders Construction Engineers, Inc.
Builders Finance Corporation
Builders League Mortgage Loan Investment Association, Inc.
Builders Stove Company
Building Development Corp.
Building Engineers, Inc.
Built-Rite Miracle Homes Assn.
Builtrue Products, Inc.
Bungalow Supply Company
Buniva and Sellarole, Inc.
Burack Investment Co.
Burgess Realty Co.
Burlington County Construction Co.
Burlington Research Company
Burns Realty Co.
Burpo-Britton Company, Inc.
Burt Realty Corporation
Bushnell Co., Inc.
Business Management Corporation of the State of New Jersey
Business Men's Service, Inc.
Business Realty Company
Button Products, Inc.
Buy Your Own Home Co., Inc.
B. W. Sangor & Co.

Cabad Corp.
Cabinet Spring-seat Company
Cabot Realty Co.
Cachavi Company
Cadillac Company of Englewood, Incorporated

Cadillac Restaurant Co., Inc.
Cadillac Silk Company
Cadwalader Apartments Corporation
Cafra Holding Company
Calandriello Trucking Co., Inc.
Calann Holding Company
Caldwell Auto Laundry, Inc.
Caldwell Community House
Caldwell Development Company, Inc.
Caldwell Holding Company
Calvert Hotel Company
Calvet Products, Inc.
Calvin-Peter Building Corporation
Cambridge Baking Co.
Camden-Atlantic City Airplane Sweepstakes, Inc.
Camden Burlap Company, Inc.
Camden County Investment Company
Camden County Transportation Company
Camden Coal Co.
Camden Metal Co.
Camden Plaza Hotel, Inc.
Camden Rail & Harbor Terminal Corporation
Camden Upholstered Furniture Co.
Cameo Playhouse, Inc.
Camill Beverage Corp.
Camille's, Inc.
Camill Skee Ball Co.
Camp Dune by the Sea
Camp Winston, Inc.
Canadian Holding Corporation
Canal Development and Improvement Company
Cape May County Investments, Inc.
Cape Realty Co.
Capisterre Investing Co., Inc.
Capitol Electric Company, Inc.
Capitol Fur Dressing & Dyeing Co., Inc.
Capitol Tire Company of South River
Caramel Shoppe
Carasaljo Land Company
Caravan Co., Inc.
Cardan Realty Co., Inc.
Carell Hotel and Realty Co.

Carey Co.
Carl Frankenberg, Inc.
Carlo Holding Company, Inc.
Carlstadt Construction and Woodwork Co.
Carlton Construction Co., Inc.
Carlton Towers Holding Co.
Carrigan Electrol Company
Carrolis Corporation
Carsanet Realty, Inc.
Carteret Abbatoir, Inc.
Carteret Arms Garage
Caruso & Albert, Inc.
Caruso Realty Company
Cassa Seville Restaurant Corporation
Casey's Auto Express Co.
Caskin School
Casper-Merritt Corporation
Castagnetti Construction Company
Casteltermini Association, Inc.
Castle Point Bowling Academy, Inc.
Castle Realty Co.
Cathoro Construction Co.
Cathruhe Realty Co., Inc.
Catrini Holding Corporation
Cavallo Loan Co.
Cavanna-Lipsey, Incorporated
C. B. Sandwich Shop
C. Burnell & Co., Inc.
C. C. Dunlap, Inc.
C. & C., Inc.
C. D. & C. Realty Co.
Cedar Apartments, Inc.
Cedarbrook Corporation
Cedarpine, Inc.
Cedars, Inc.
Cedarville Realty Company
Cedarwood Park Hotel
C. Edward Scott & Co.
Cement Products Corporation
Cemeteries Holding Corporation
Center and Main Realty Co.
Central Auto Supply Stores, Inc.

Central Avenue Baking Co., Inc.
Central Bond & Mortgage Co., Inc.
Central Bottling Works
Central Building & Development Co.
Central Cafeteria
Central Essex Construction Co.
Central Furniture Factories, Inc.
Central Investment & Mortgage Co.
Central Jersey Realty Co., Inc.
Central Jersey Sand and Gravel Co.
Central Lunch Co.
Central Lunch of Perth Amboy, Incorp.
Central Pharmacy, Inc.
Central Talking Machine Co., Inc.
Central Used Car Exchange, Inc.
Centre Investment Co.
Centum Realty Co.
Century Construction Co.
Century Rug Mills, Inc.
C. E. Pendley, Inc.
C. E. Roberts Oil Co.
Cermele Brothers, Inc.
Certainly Men's Wear, Inc.
Certified Holding Co.
Certified Home Funding Corp. of New Jersey
Certified Homes Realty Co.
Chain Realty Co.
Chain Stores Builders, Inc.
Chain Stores Investments, Inc.
Chameleon Novelties Corporation
Champin Brothers, Inc.
Champlain Realty Co., Inc.
Chanborn Realty Co.
Chancellor Arms Holding Corp.
Chancellor Lumber Co.
Chancery Lane Corporation
Chandler Realty Co.
Chapman Motors
Charles A. Rodgers, Inc.
Charles Cumiskey, Inc.
Charles Deutsch Organization, Inc.
Charles E. Williams, Inc.

Chas. E. Zusi Co.
Charles F. Gotthold, Inc.
Charles Geist, Inc.
Chas. J. Boos Company, Inc.
Charles K. Feinberg & Co.
Charles La Fiura, Inc.
Charles M. Crane, Inc.
Charles Palmer Corporation
Charles R. Davis Co.
Chas. M. Schott and Company, Inc.
Charles Smyth Company
Chas. S. Rodd & Co., Inc.
Charles S. Shultz & Son, Incorporated
Chas. T. Eastburn Stone Quarry Co.
Charles Winkler, Inc.
Charloan Realty Co.
Charlotte Investments
Charmax Investment Co.
Chase Realty Co.
Chateau deTaurines of Education and Fine Arts
Chateau Palisade, Inc.
Chatfield Color Co.
Chatfield, Inc.
Chaverim Fund, Inc.
Cheaster Laboratories, Inc.
Checker Cab Operating Co.
Check Nozzle Co., Inc.
Chelsea Pier Co.
Chemical Ingredients Corporation
Cherry Agency, Inc.
Chester Barr Ranch, Inc.
Chester Corporation
Chester Holding Co.
Chester Land Co.
Chestnut Development Co., Inc.
Chestnut Holding Co., Inc.
Chiarell Realty, Inc.
Chic Hat Manufacturing Co.
Childrens' Realty Corporation
Chocolate Shop, Inc.
Choice Homes Company
Christian P. Hansen, Inc.

Christie-Williams Co.
Christy Shoppes, Inc.
Chromeplate, Inc.
Chrysler Realty, Inc.
Church Goods Company of America, Inc.
Church Road Transit Co.
Church Theatrical Corporation
Cinnaminson Realty Co.
Ciocco Mararoni Co.
Circle Drive Construction Corp.
Cirlin Bros., Inc.
Cirrito Bros. Construction Co.
Citigas Corporation of New Jersey
Citizen Club Holding Company, Inc.
Citizens Sewer Co.
City Coal & Ice Co.
City Electrical Supply Co.
City Hall Holding Co.
City Land and Investment Company
City Realty & Construction Co.
City Service Co. (No. 2)
City Square Theatre of Trenton, N. J.
City Tile Corporation
Civil Service School of N. J., Inc.
C. J. B. Realty Company, Inc.
C. J. Huhn, Inc.
C. J. Sulz, Inc.
C. K. M. Realty Company
Clairmont Co.
Clair Murray, Inc.
Clara Sweet Shoppe, Inc.
Claremont Clothing Co.
Clarence Ash Co., Inc.
Clark Car Company
Clark Steiner, Inc.
Claymore Holding Co.
Clayton Silk Mills, Inc.
Clearwater Holding Co.
Clein, Inc.
Clements Construction Co.
Clermont Corporation
Cleveland Lane Realty Co.

Cleveland Realty Corporation
Cleveland Specialty Co.
Clifford Restaurant Co.
Cliffside Service Station, Inc.
Clifton Investment Co., Inc.
Climax Stationery and Printing Co., Inc.
Clinton Arms Apartments, Inc.
Clinton & Harvard Holding Co.
Clinton S. Dow Co.
Clinton Specialty Shop, Inc.
Clinton St. Garage, Inc.
Clipper Dining Cars, Inc.
Clover Tobacco Company, Inc.
Club District Sales Corporation
Club Haberdasher
C. M. Bristow, Inc.
C. & M. Construction Co.
C. M. N. Realty Co., Inc.
C. & N. Holding Co.
Coal Carburetor Sales Company of Newark, N. J.
Coalgas Burner Sales Corp.
Coast Cities Bond and Mortgage Co.
Coast Packing Company, Inc.
Coast Realty and Security Company
Coast Resort Food Company, Inc.
Coblins Realty Co.
Coburn Brokerage Co.
Codomo Foundation Co.
Cofano, Inc.
Coffee Pot Restaurant, Inc.
Cohen Realty Co.
Cohol Realty Corp.
Co-Investors Securities Co., Inc.
Coit Holding Corporation
Colfax Dyeing Co.
Colis Realty Co.
Collateral Banking Corporation
College Cleaners, Inc.
Collingswood Radio & Battery Co.
Collins Gear & Motor Co.
Cologne Park Co.
Colonial Builders

Colonial Construction Co.
Colonial Estates, Inc.
Colonial Investment & Holding Co.
Colonial Piece Dye Works
Colonial Pure Food, Inc.
Colonial Realty Co.
Colony Realty Co.
Colreal Corporation
Colt Holding Co.
Columbia Macaroni Co.
Columbia Sales Co.
Columbia Store Equipment Co.
Columbus Investment Company
Columbus Land Co.
Combination Thrift System, Inc.
Combined Realty Developing Co.
Comet Building Corp.
Comet Laundries, Inc.
Comet Realty Company
Commerce Construction Co.
Commercial Acceptance Corporation
Commercial Funding Corp.
Commercial Stationery, Inc.
Commercial Supply Company, Inc.
Commercial Trading Co.
Commonwealth Fire Agency, Inc.
Commonwealth Realty Improvement Corporation
Community Loan & Investment Co. Inc.
Community Press, Inc.
Community Stores, Inc., No. 2
Community Super Service, Inc.
Community Transport Service, Inc.
Complete Home Builders, Inc.
Comstock and Gest, Inc.
Comstock Pharmacy, Inc.
Concord Realty Co.
Concrete Products Development Corporation
Concrete Wall Steel Mold Co. Inc.
Confection Candy Products Corporation
Confidence Investment Co.
Conforti Building Co.
Conrad Sebolt, Incorporated

Conrobert
Considine and Horst, Inc.
Consolidated Automotive Service, Inc.
Consolidated Confectioners of New Jersey
Consolidated Creditors System, Inc.
Consolidated Electrical Supply Corp.
Consolidated Finding Co.
Consolidated Furniture Factories, Inc.
Consolidated Holding Company, Inc.
Consolidated Vacuum Tube Corporation
Constructo Realty Company
Consumers Oil Company, Inc.
Continental Building Corporation
Continental Mortgage Co.
Continental Realty and Investment Co.
Conti Realty Corporation
Convention Realty Co.
Cook Furniture & Equipment Co.
Coolidge Investing Co.
Co-Operative Advertising Bureau, Inc.
Co-Operative Business Associates, Inc.
Co-Operative Construction Co.
Co-operative Development Co.
Co-operative Drug Co. of N. J.
Co-operative Industrial Loans Corporation
Co-operative Land Co.
Co-operative Mortgage Company
Cooper Investors Corporation
Cooper Sanitary Manufacturing Co.
Coorda Realty & Mortgage Co.
Copley Lane Apartments, Inc.
Copperfield Holding Corporation
Coppersmiths, Inc.
Corbiscello Contracting Co., Inc.
Corinthian Realty Co.
Corona Investment Co.
Corporation Service Co.
Corrado Construction Co.
Corson & Bull, Inc.
Cosmopolitan Holding Corporation
Cosmo Realty Co. Inc.
Costanza Bros., Inc.

Cotcrafters, Inc.
Cotton Oil Co.
County Clothing Co.
County Holding Corp.
County Realty Co. Inc.
County Seat Plumbing Supply Company
Courtlandt Corporation
Court Security & Holding Co.
Couse and Bolton, Incorporated
C. P. Dean, Inc.
Craft Construction Co.
Craftsman's Homes, Inc.
Craftsmen, Inc.
Cragmere Water Company
Craighead Furniture Co.
Craig Holding Company, Inc.
Crané and Theurer
Cranford Park Realty Co. Inc.
Cranford Syndicate
Crawford Construction Co.
Crawford Lumber Co.
C. & R. Construction Company, Inc.
Crea-Mont Operating Co. Inc.
Credit Exchange
Credit Protective Service, Inc.
C. R. Ely, Inc.
Crescent Air Service, Inc.
Crescent Boulevard Co.
Crescent Realty & Mortgage Co.
Creskill Building Block Corp.
Cresskill Realty Co.
Crestlea Park, Inc.
Crispyn-Post Construction Co.
Criterion Realty Co.
Criterion Theatres, Inc.
C. R. Newman & Sons, Incorporated
Crone Development Co.
Crouse Binding and Mailing Co.
Crowder Laboratories, Inc.
Crowell-Hendrickson, Inc.
Crown Oil Company
Crown Silk Dyeing Co.

Crowe Safety Saw Sales Corporation
C. R. S. Construction Co. of N. J.
Crusader Service Stations, Inc.
Crystal Brook Co.
Crystal Knitting Mills, Incorporated
C & S Development Corp.
C and S Land and Investment Co.
Cumberland Controlled Marsh Company, Inc.
Cumberland Realty Company
Curtis Upholstery & Drapery Co. Inc.
Customer Owned Laundries, Inc.
C. W. Co.
C. W. Griffith Corporation
C. Willey Co., Inc.
C. W. Perdue, Inc.
Cyclone Construction Co.
Czyzewski Land Co.

Dagmar Realty Co.
Dahlia Textile Company
Daily Bargain Store, Inc.
Dale Construction Co.
Dalton-Millimet Company
Danforth Realty and Development Co., Inc.
Dante Loan Association
Dave Levine, Inc.
Daven Corporation
David H. Schuyler and Sons
David Kramer and Co.
David O. Woodruff, Inc.
Davis Drug Store
Davison Cranberry Company
Day Construction Co., Inc.
Day-Elder Motor Truck Co.
Day Holding Company
D. C. Roofing Co.
Deal Beach Realty Company
Deal Development Co.
De Angelis Bros., Inc.
Dean Realty Co.
Deba Realty Co.
Decillis Company
Decker Building Material Co.

Dee Jay Company
Deerhurst Park
De-Ex Manufacturing Co.
De Florence Restaurant, Inc.
DeKoster & Schmidt Construction Co.
Delaware-Atlantic Aero Corporation
Delaware Coal and Supply Company
Delaware Milk & Cream Co. Inc.
Delaware-Pershing Corporation
Delean Holding Co.
Delevan Realty Co.
Del Guersio Realty Co.
Del Monte Gardens
Deloe Realty Company, Inc.
Del Rose Realty Company, Inc.
Delta Contracting Company
Delta Electric Company, Inc.
De Luxe Sign Sales Corp.
DeLuxe Transit Corporation
Delwood Estates, Inc.
Demi Tasse, Inc.
Demme Motor Company
Depot Garage, Inc.
Derbin Company
Detectol Manufacturing Co., Inc.
Development & Improvement Co.
Developments, Inc.
Development Syndicate, Inc.
Devices Corporation of New Jersey
Devon Hotel Company
Devon Realty Co.
Dew-Pav Novelty Company
D. H. Szerlip & Co.
Diamond Bridge Garage, Inc.
Diamond Laundry, Inc.
Diamond Silk Dyeing and Finishing Co., Inc.
Diane Hat Co. Inc.
Dickinson Mortgage Service, Inc.
Diebold Lumber Co.
Diedrich Pharmacy, Inc.
Diener Motor Co., Inc.
Dietsch's Restaurant, Inc.

Di-Have Construction Company
Dillon Coal & Supply Co., Inc.
Dillon Realty Co.
Direct Pottery Outlet Co. Inc.
Dirigo Co.
Disk Machine Co.
Dispatch Realty Company
Distinctive Homes, Inc.
District Holding Co. Inc.
Diver Sponge Co., Inc.
Division Realty Co.
Dixon Brothers, Inc.
Dix Realty Corporation
D. L. G. Dairy Stores, Inc.
D. L. J. Estates, Inc.
D. L. and S. M. Holding Corp.
D. & N. Enterprise Co. Inc.
Dobre Holding Corporation
Dock Mortgage Co., Inc.
Dr. A. Reed Cushion Shoe Co. of New Jersey
D. O. Evans Contracting Co.
Dohen Realty Co.
Dole Dog Films, Inc.
Dolly Cleaners & Dyers
Dolly Dress Shoppe, Inc.
Dolly Gray Shop
Domestic Engineering Sales Corporation
Donald-Lee Furniture Co.
Donato Realty Co.
Don Motor Co., Inc.
D'Onofrio Wet Wash Laundry, Inc.
Dora Realty Co., Inc.
Dorin Corporation
Dor Lee Realty Co., Inc.
Double-Hung Rolling Screen and Shade Co.
Douglas Realty Co. Inc.
Dover Auto Supply House
Dover Center Market
Dover Investment Corporation
Do-Well Hat Shoppe
Downing Greeting Card Corporation
Downs, Fables, Inc.

Down Town Holding Co.
Down Town Realty Co.
Down-Town Service Station, Inc.
Doyle Cherry Realty and Mortgage Co.
Dragon Silk Company
Draude, Incorporated
D. & R. Building Co.
D & R Construction Company
Dresden Import Company, Inc.
Dri-Heat Co., Inc.
Drivurself Association of New Jersey, Inc.
Drivurself of Morristown, Inc.
D-R Realty Co., Inc.
Drummer Transportation Co., Inc.
DuBois Investment Company
Dudley Park Co.
Duffus and Mair Land Company
Du Mont Majestic Radio Shop, Inc.
Duncan and Zeiders
Dunn Bros., Inc.
Dun Rite Auto Service, Inc.
Duoflex Piston Ring Sales Co.
Durable Shoe Co.
Durable Silk Company
Durand Construction Co.
Du-Rite Printing Company
Durkin-Solan Bligh
Durmout Realty Co.
Duro Gauge and Manufacturing Co.
Durwick Corporation
Dusell Investment Corporation
D. & W. Company
Dworburk Realty Co.
Dyer Building Company
Dyer and Hildebrand, Incorporated

E. A. Browne Auto Co., Inc.
Eachelman Tinsmith Supply Co.
Eagle Dress Company, No. 1, formerly "Best
Dressed Company, Inc."
Eagle Jewelry Company, Inc.
Eagle Mortgage Company

Eagle Rock Bottling Co., No. 2
Eagle Steam Laundry, Inc.
E. A. Realty Co., Inc.
East Brunswick Holding Co.
E. A. Steveken & Co.
East Jersey Auto Co.
East Jersey Building Company
East Jersey Street Corporation
East Orange Auburn Company, Inc.
East Orange Development Co.
East Orange Security Company
East Orange Storage Warehouse, Inc.
East Rutherford Holding Co.
Eastern Construction Corporation
Eastern Distributors Sales Corporation
Eastern Iron Ore Company
Eastern Speedway Association
Eastern States Construction Company
Easy Washer Sales and Service Company
Eatmore Provision Co. Inc.
Eaton-Kent, Inc.
Eaton Realty Co. Inc.
Eber's Reliable Furniture House
E. B. Lyon Company, Inc.
E. Browne Pardee, Inc.
Economy Bootery
Economy Cleaning & Dyeing Co.
Economy Cleaning Service
Economy Construction and Realty Co. Inc.
Economy 88c. Stores, Inc.
Economy Meat Market, Inc.
Economy Smoked Fish Co. Inc.
E. C. S. Corp.
Ed-Ber Housing Co. Inc.
Eddie's Quality Shop
Eden Construction Company
Eden, Incorporated
Edenwold Building and Construction Co.
Edgewater Boat Repair Yard, Inc.
Edklaus Construction Co. Inc.
Edmund D. Cook, Inc.
Edmunds, Inc.

Education Corporation of America
E. D. Vanderbilt Company
Edward A. Hageman Company
Edward A. Murphy, Inc.
Edwardes Gas & Service Stations, Inc.
Edward G. Burrows Co.
Edward H. Crosta & Co.
Edward H. Gilhuly, Inc.
Edward Kernan Co.
Edward P. Phillips, Incorporated
Edward Schneider, Inc.
Edward S. Johnson Company
Edward T. Fries Co.
Edwin Building Co.
E. E. Dawson, Inc.
Efficiency Engineers Laboratory, Inc.
Effrel Realty Co.
E. F. Powell and Company, Inc.
Egatz Auto Sales, Inc.
Egg Harbor Gardens, Inc.
Eghar Company
Eglowstein & Hart, Inc.
E-H Kintner, Inc.
Engel Bros., Inc.
E. R. Calvert Corporation
E-H-S-H, Inc.
Eighteenth and Sunset, Incorporated
E & I Realty Co.
E. J. Sheridan, Jr. Inc.
Elaterite Paint Company
Eldorado Rotisserie, Inc.
Electrical Products Co.
Electra Rayon Corporation
Electra Realty Company
Electric Display Co.
Electric Engineering & Supply Co.
Electric Home Company
Electric Liquid Operator Company
Electric Utilities Co.
Elfan Realty & Investment Co.
Elfo Promoters
Elite Domestic Utility Co.

Elizabeth Art Stone Corporation
Elizabeth Avenue Co.
Elizabeth Body Works, Inc.
Elizabeth Building Co.
Elizabeth Carteret Hotel Co.
Elizabeth Charcoal and Coal Company, Inc.
Elizabeth Construction Co.
Elizabeth Daily Times
Elizabeth Drivurself Company
Elizabeth Electric Light & Fixture Co. Inc.
Elizabeth Goldberg, Inc.
Elizabeth Headwear Co. Inc.
Elizabeth Lawrence, Inc.
Elizabeth Mutual Realty Co.
Elizabeth Public Market, Inc.
Elizabeth Shopper, Inc.
Elizabeth Thrift & Loan Co.
Elkay Realty Company
Elko Sign Service, Inc.
Ellis Building Co.
Ellis Motor Sales Corporation
Elm Court Realty Co.
Elmer Realty Company
E. L. Meyers Co.
E. L. Moore, Inc.
Elmora Gardens Co.
Elmora Up-to-Date Homes Co.
Elmore Corporation
Elmwood Corporation
Elsworth Press, Inc.
Elwood Holding Corporation
Ely-Bonanza Copper Co.
Ely and Company, Inc.
Elysian Securities Corporation
Embassy
Emerald Realty Co.
Emerson Delicatessen Stores
Emerson Realty Co.
E. M. G. Novelty Corporation
E. M. Harris Co.
Emil Germanus Corp.
Emilio Perrella, Inc.

Emil O. Buchman, Inc.
Emma Corporation
Emmett Realty Company
Empire Floor and Wall Tile Co. Inc. (New Jersey)
Empire News Company of New Jersey, Inc.
Empire Radio Electric Co.
Emulsion Process Company of New Jersey
Emvan Realty Co.
Enco Securities
Engel Plan of the Oranges
Engels Tractor Co. Inc.
Engle Cliff Realty Company
Englewood Clothing Co.
Englewood Construction Corporation
Englewood News Publishing Corporation
English Homes, Inc.
Engraving and Engine Turning Co. Inc.
Enivel Realty Co. Inc.
Enness Scrap Company, Inc.
Enterprise Loan and Investment Co.
Enterprise Mortgage Corporation
Enterprise Realty Corporation of New Brunswick,
N. J.
E. Paul Hamilton & Associates, Inc.
Equitable Finance Co.
Equitable Land Holding Co.
Equities, Incorporated
Equity Building Corporation
Erie Motor Car Company
Ernst Bros. Inc.
Esda Manufacturing Company, Inc.
Esetroc Corporation
Esibill Townsend Corporation
Eskimo Anti-Freeze Products Corp.
E. S. Land Co.
E. S. Sanford and Company, Inc.
Essaness Corp.
Esse Realty Co.
Essex Builders' Supply and Lumber Co.
Essex Chair Co.
Essex County Aeronautical Co. Lt'd.
Essex County Finance and Holding Corp.

Essex County Housing Corporation No. 2
Essex County Realty Corporation
Essex Dress Corp.
Essex Electrical Appliance Corporation
Essex Finance Company
Essex Fuel Co.
Essex and Morris Holding Co.
Essex Mortgage and Realty Co.
Essex Realty & Improvement Company, Inc.
Essex Restaurant, Inc.
Essex Sash and Door Co.
Estates Builders & Developers
Estates of Ventnor
Eugene Banta & A. G. Elmendorf, Inc.
Eugene M. Banta & J. S. Gilmore, Inc.
Eureka Construction Co.
Evarose Realty Co.
Evaul Realty Company
Evelyn Alice Inc.
Everbloom, Inc.
Everett W. Cox Company
Everglade Farms
Evergreen Estates
Evergreen Park Land and Improvement Co.
Ever Ready Investment Corp.
Evesham Store, Incorporated
Ewing Avenue Garage
Ewing Heights Investment Co.
Excellent Wood Products, Inc.
Excello Bus Corporation
Excello Transmission Company
Excelo Construction Corporation
Excel Realty Co.
Expert Engineering and Construction Corpora-
tion
Expert Parquet Floor Co. Inc.
Expert Realty Company

Fair Lawn Bathing Beach
Fairlawn Holding Co.
Fairlawn Nursery Company
Fairlawn Parks, Inc.

Fair Lawn Press, Inc.
Fairmount Building Co.
Fairmount Construction Co.
Fairmount Loan Association
Fairview Construction Co.
Fairview Engineering Co.
Fairview Plumbing & Heating Co., Inc.
Fairview Square Assn.
Falcon Finance Co.
Fanwood Real Estate and Building Company
Farmers' Market of Perth Amboy
Farra Hotels, Inc.
Farrand E. Walker, Inc.
Fashion Cloaks Stores, Inc.
Fashion Nov. Co.
Fashion Textile Printing Co.
Fauquier Company
Favorite Realty and Investment Company
F. D. Ford Land Development, Inc.
F. E. Case, Associates, Inc.
Federal Air Service, Inc.
Federal Auto Service Corporation and Federal
Auto Club, Inc.
Federal Home Heating Co.
Federal Plumbing and Heating Co. Inc.
Federal Products Corporation
Federal Radio Finance Co.
Federal Radio Sales, Inc.
Federal Trucking Co., Inc.
Federal Upholstering & Slip Cover Co. Inc.
Felsberg Co.
Fenger & Jaskot Motor Co.
Ferndale Dairy, Inc.
Feudi & Bufano, Inc.
Fez Realty Corporation
F. F. & G. Realty Company, Inc.
F. & H. Wuethrich Co.
Fibar Realty Corporation
Fidelity-Bilt Homes, Inc.
Fidelity Engineering & Construction Co.
Fidelity Finance Corporation
Fidelity Garage, Inc.

Fidelity Holding and Investment Co.
Fidelity Laundry Company, Inc.
Fidelity Realty Co.
Fifth Avenue Realty Corporation of N. J.
55 Lincoln Ave. Corporation
Film-Bau Corporation
Filmore Silk Mills, Inc.
Finance Company of New Jersey
Finance Service Corporation of New Jersey
Financial Features Syndicate, Inc.
Finecraft Shirt Corporation
Finrose Construction Corp.
Fiory & Son Piece Dye Works, Inc.
Fire Ball Manufacturing Co.
Fire Escape Appliance Co.
Firestone Realty Co.
First Avenue Plumbing and Heating Co.
First Mortgage Building and Improvement Co.
First Ward Finance Company
First Ward Investment and Realty Company
Fischer Realty Co. Inc.
Fisher's Toyland, Inc.
Fisher and Werner, Inc.
Fisko Investment Corporation
Fithian S. Simmons Co.
518 Millburn Ave., Inc.
545-39th Street Corporation
Five Pangborn Place, Inc.
510 Millburn Ave., Inc.
523 Mt. Prospect Corporation
F. J. Collins Co.
F. J. Wortendyke, Inc.
Flasher Ad-Sign Co.
Flatbush Realty Company
Fletcher's Sportman's Club, Inc.
Flexon Chevrolet Co.
F & L Inc.
Flint Motor Company
F. L. M. Realty Corporation
Floral Gardens Holding Corporation
Florance Brothers Manufacturing Company
Florence Civic Association

Florham Park Garage, Inc.
Florham Park Realty Co.
Florida Development Company of N. J.
Floyd T. Woodhull, Inc. of Morristown, N. J.
F. & L. Restaurant, Inc.
Flynn Bros. Inc.
F. Marcuccio Corporation
F. M. R. Realty Co.
Follie's Beaute Shoppe
Ford & Hulse, Inc.
Ford Plan Realty Investment Co.
Fords Construction Co.
Forest Hill Stone Corporation
Forest Hill Tile Co.
Forgan Investment Co.
Formozone Chemical Co.
Forum Realty Co., Inc.
Forum Service Station
Forward Realty Company, Inc.
Foscale Iron Works
Foster's Ideal Service, Inc.
Fototex Roller Co.
Foundry
446 Corporation
469 Elizabeth Ave. Inc.
Fourteenth Avenue Security Loan Association
Fourth Avenue Co. Inc.
Fowler Aeroplane Wings, Inc.
Fox Brothers International Corporation (France)
Fox Silk Co.
Franby Contracting Co.
Frances Non-Slip Hanger Ends, Inc.
Francia Building & Investment Co.
Francis C. Stokes and Company, Inc.
Frank Alfier, Inc.
Frank Brothers, Inc.
Frank D. Staats Motor Co., Inc.
Frank E. Murphy, Inc.
Frankerl Plumbing & Heating Co.
Frank E. Smith, Inc.
Frank Frost, Inc.
Frank Green, Inc.

Frank H. Mather, Inc.
Frank Investment Co.
Frank J. Bayer Co., Inc.
Franklin-Embroidery Company, Inc.
Franklin Fountain Pen Co.
Franklin Furniture Co., Inc.
Franklin Holding Company
Franklin Newark Co.
Franklin Pastry School, Inc.
Franklin Realty and Investment Co.
Franklin Service, Inc.
Franklin Theatre Company, Inc.
Franklin Transportation Co.
Franklin Warping and Winding Company, Incorporated
Frank Lombardo, Inc.
Frank P. Majane, Incorporated
Frank Richter Storage & Warehouse Co., Inc.
Frank W. Van Ness and Associates
Frassa Realty Co.
Freda Holding Co.
Fred C. Havens & Co., Inc.
Fredko Holding Co., Inc.
Fred's Radio Service, Inc.
Fred W. Wells, Inc.
Frederick Francis, Inc.
Frederick McCann Coal Co.
Frederick R. Morrison, Inc.
Frederick's, Inc.
Freedman's Lighting Studios Inc.
Freehold Construction Co.
Freeholders Publishing Co., Inc.
Frelond Motor Sales Co.
French and Connelly, Inc.
French Quick Shine Polish Co. Inc.
F. R. Green & Co., Inc.
Friendly Loans, Inc. of Bridgeton
Friendly Loans, Inc. of Camden
Friendly Loans, Inc. of Penns Grove
Friendly Lunch Corp.
Frocks O'Fashion, Inc. of New Jersey
Frost Motor Car Co.

Frugal Loan Association
Frusing Realty Corporation
Fullerton Loan Corporation
Fullerton Realty Corp.
Fulton Contracting Company, Inc.
Fulton Silk Co. Inc.
Furlans Construction Co.
Furniture Clearing House, Inc.
F. W. Bimble, Inc.
F. W. Gibbs Contracting Co.
F. Y. Realty Corporation
F. Zunin Typesetting Co.

Gabfin Realty Co. Inc.
Gables Realty Company
G. A. Couchman, Inc.
Gaetano Bruno Loan Association
Gage Realty Co.
Galanter-Waxman, Inc.
Gale, Incorporated
Gallaghers, Inc.
Gallagher & Martin Co. Inc.
Galraw Investment Co.
Gantert & Gantert
Garage Owners' Protective Bureau
Garage Utilities Company
Garals & Maskaleris, Inc.
Garbin Realty Co.
Garden Apartment Co. No. 1
Gardens Bakery & Lunch, Inc.
Garden Holding Co.
Garden Lake Home Buyers Corporation
Garden State Beverages, Incorporated
Garden State Land and Development Corporation
Garden State Laundry Co.
Garden State Sales Co.
G. & A. Realty Co. Inc.
Garfield Land and Mortgage Co.
Garfield Sales & Service Co. (of Perth Amboy) Inc.
Garfunkel Bros. Inc.
Gargone Company, Inc.
Gar Sparks, Inc.

Garwood Bronze & Iron Works
Garwood Construction Co.
Garwood Holding Co.
Gates Flying and Aviation Corporation
Gati-Braun Realty Co.
Gautier Transportation Co.
G. B. G. Co. Inc.
G & C Corporation
G. Common Construction Co.
Geiger Realty Company, Inc.
Geiger and Wilderotter, Inc.
Geils-Klaas Corporation
G. E. M. Building and Realty Company
Gem Gas Range Co.
Gem Manufacturing Corporation
General Bond and Mortgage Company
General Cell Structure Corporation
General Equipment and Welding Co.
General Financial and Investment Corporation
General Laboratories, Inc.
General Machinery Importing Co. Inc.
General Motor Service Corporation
General Motors Automobile Club, Inc.
General Salvage Corporation
General Scrap Iron & Metal Co. Inc.
General Supply & Trading Co.
General Underwriters, Incorporated
General Utilities, Inc.
Genereux Construction Co. Inc.
Genisman Coal Company Inc.
Geoffrey Land & Equipment Co.
George A. Willey & Co.
George C. Cooper Co. Inc.
George C. Pappas, Inc.
George D. Chapman, Inc.
George Dobb Contracting Co.
George E. Fierro, Inc.
Geo. I. Hull, Inc.
George J. Ainbinder & Co.
George J. Collins, Inc.
George Keary Inc.
Geo. K. Nutz, Inc.

Geo. Langbein, Corporation
Geo. Manner & Co. Inc.
George M. Brennan, Inc.
George M. Hoeger, Inc.
Geo. M. Struve, Inc.
George Realty Co.
George Richards Company
George's Delicatessen, Inc.
George S. DePuy, Inc.
George's Garage, Inc.
George's Special Diner, Inc.
Geo. W. Heath & Co. Inc.
Georgia Farms, Inc.
Gerald Fahrenholz, Inc.
Gerd Electric Co., Inc.
Gertrude Corporation
Gertsch & Prehofer, Inc.
Gettel Holding Corporation
G. F. B. Realty Corp.
G. & F. Development Corp.
G & G Lighting Fixture Co.
G-H-W Realty Corporation
Giacobbe Bros.
Giannone Electric Co. Inc.
Gibraltar Piece Dye Works
Gifford Realty Associates
Gila's Pastry Shop, Inc.
Gilbert D. Buchanan, Inc.
Gilbert Realty Co. Inc.
Gilthorne Development Corporation
Girard Pharmacal Company
Girard Securities Co.
Givas & Givas, Inc.
G. J. Bandholz, Inc.
Glacial Sand and Gravel Co. Inc.
Glassboro Holding Co.
Glass Products Corporation
Glenclare Associates
Glenn Food Products Co. Inc.
Glen Ridge Home Builders, Inc.
Glen Rock Park, Inc.
Glenside Amusement Co.

Glenside Realty Company
Glenwood Cleaners & Dyers
Glittertrim Company, Inc.
G. L. Kayden Co.
Globe Builders Co. Inc.
Globe Credit Stores
Globe Drug Stores, Inc.
Globe Mercantile Agency
Globe Millinery Company, Inc.
Globe Millinery Sales Corporation
Globe Plumbing & Heating Supply Co.
Globe Stove Repair Company
Globus Corporation
Gloucester Realty Co.
G. & L. Scrap Iron and Metal Co. Inc.
G. L. & S. Holding Co.
G & M Notion Co., Inc.
G. M. T. Sales and Service, Inc.
Gobi Co.
G. O. B. Securities Co.
Goehler Construction Company
Golden Baking Co.
Goldman Hotel and Catering Co.
Goldner and Verney, Inc.
Gold-Robinson, Inc.
Goldruth Holding Co.
Gold Seal Garage, Inc.
Goldstein Realty Co. Inc.
Golf Club Inlay Mfg. Co.
Golmar Silk Mills
Good Homes, Inc.
Good Lines, Inc.
Goodman Chemical Co.
Good-Vu Mirror & Accessory Corporation
Goodwin Produce, Inc.
Gootkin Construction Company
Gordon Investment Corporation
Gordon Williams & Co.
Gorfman Realty & Construction Co. Inc.
Gorman Memorial Co. Inc.
Gormley-Smith-Peifer, Inc.
G. & P. Construction Co.

Grace Construction Corporation
Graham Governor Realty Company, Inc.
Graham Trading Corporation
Graham Van Keuren Stone Co. Inc.
Granada Realty Company
Grand Amusement Co.
Grand Central Realty Co. Inc.
Grand Construction Co.
Grand Leathers, Inc.
Granite Lodge No. 21 Holding Company
Grantcliff Hudson-Essex Co.
Grant Clothes Shop, Inc.
Grant Holding Co.
Grant Securities Corporation
Grant St. Realty Co.
Grantwood Moulding & Trim Co.
Grauert Agency, Inc.
Gravoil Manufacturing Co.
Gray Drug Stores, Inc.
G. Raymond Richman, Inc.
Gray-Morris Realty Co.
G. R. Corporation
Great Eastern Holding Co.
Great Elk Lick Corporation
Greater Camden Securities Co.
Greater Union Building Company
Green Furniture Co.
Green Pond Mine Co.
Green Street Holding Co.
Greenview Holding Corporation
Greenville Realty Co. Inc.
Greenwich Beauty Salon, Inc.
Greenwich Land Company of New Jersey
Greenwood Realty and Construction Co.
Gregory Park Co.
Gregory Realty Co.
Grenloch Foundry and Machine Co.
Griffen Bros. Inc.
Griflandith Realty Co.
Grindrod Company
Grossman Realty Company
Groszmann School

Grover Corporation
Grundy Well Works, Inc.
G. S. G. P. Realty Co. Inc.
Gualco Realty Co.
Guarantee Furniture, Inc.
Guarantee Loan Company of Jersey City
Guarantee Outlet Company
Guarantee Repair & Auto Exchange
Guarantee Sportswear Mills, Inc.
Guaranty Bond and Mortgage Co.
Guardian Loan Society
Guardian Plan
Gunlag, Inc.
Gurvitz & Clein, Inc.
Guttman Holding Corporation

Hackensack Baseball Club, Inc.
Hackensack Furniture Company, Inc.
Hackensack Mortgage & Finance Co.
Hackensack Motor Sales, Inc.
Hackensack Underwriters, Inc.
Hackensack Wimsett Thrift Co.
Hackettstown Sand and Gravel Corporation
Haddonfield Amusement Co.
Haddonfield Rural Telephone Co.
Haddon Heights Apartments, Inc.
Haddon Homewood Corporation
Haddonleigh Athletic Club
H. A. Hilsinger, Inc.
Haines Brothers Sand Block Co.
Haines and Hand Co.
Halcyon Company
Halcyon Realty Co.
Halden-Kelley Company of New Jersey
H. Alleborn, Inc.
Halleck Realty Co.
Halpern & Rubenstein, Inc.
Halpern Tire Company, Inc.
Halsey Candy Shoppe
Halsey Dress Shop, Inc.
Halsey Realty Co.
Halver Silk Co. Inc.

Hamilton Auto Service, Inc.
Hamilton Building Corporation, Inc.
Hamilton Construction Co.
Hamilton Diner, Inc.
Hamilton Discount Co.
Hamilton Drug Company
Hamilton Investment Co.
Hamilton Investment & Mortgage Co.
Hamilton Loan Society
Hampton Brothers Co.
Hampton and O'Connor Sales Co.
Hankins Painting Company
Hannah Cohen Hats
Hannah Cohen Millinery Shops, Inc.
Hanniball Coal Co.
Hanover Dress Co. Inc.
Hanover Sand & Gravel Co.
Hansa Chemical Laboratory
Hansch Radio Corporation
Happy Motor Co.
Harabe Company, Inc.
Harbourton Creamery Association
Hardwear Tire Corporation
H-A Realty Co.
Hare-Orth & Co.
Harmony Investment Co.
Harriet Realty Co. Inc.
Harris Bros. Inc.
Harris and Company, Inc.
Harris Cosmetic Co.
Harrison Department Store, Inc.
Harrison R. Van Duyne, Inc.
Harrold Williams & Co. Inc.
Harry A. Schwarz Co. Inc.
Harry F. Klug, Inc.
Harry J. Hof, Inc.
Harry N. Stein, Inc.
Harry Wycoff, Inc.
Harvey-Duncan & Co.
Harway Music Co.
Harwood Realty Co.
Hasbrouck Dairy, Incorporated

Hasbrouck Improvement Co.
Haskell Realty Corporation
Hassman Specifications Roofing Co. Inc.
Hat Rebuilders of America
Haverford Cycle Company
Hawthorne Development Corporation
Hawthorne Oil and Gas Corporation
Hawthorne Theatre
Hayes Circle Company
Haynes Auto Repair Co.
Hayunga Associates, Inc.
H. Baltar Corporation
H. C. Greenfield Engineering Co.
H. D. Collisson Co.
H. D. Corporation
Health Drink Corporation
Heath Manufacturing Co.
H. E. Charles Co.
Hedden Holding Co.
Hedden Realty Co.
Heel Cover Protector Corporation
Hegner, Klein & Company, Inc.
H. E. Hopf, Inc.
Heinen Holding Company
Hejna Grocery Company, Inc.
Helena Gas and Electric Co.
Helene Radio Co.
Heller Realty Co.
Hellman's Restaurants, Inc.
Helman Realty Company, Inc.
Helm Boat Works, Inc.
Helvetia Dye Works
Hemlock Company
Hemo-Therapin Laboratories
Henderson Trucking Co. Inc.
Hendry Brothers Patch Co.
Henry Gardner, Inc.
Henry H. Farley, Inc.
Henry, Inc.
Henry J. Wierenga, Inc.
Henry Kahrs, Inc.
Henry L. Miller Construction Co. Inc.

Henry Schwinn
Henry S. Halahan, Inc.
Henry Taubel & Son, Incorporated
Herald Job Print, Incorporated
Herald Realty Co.
Herbert F. Williams, Inc.
Herbert Investment Co.
Herbert Kennedy Co. Inc.
Herbet G. Peck, Inc.
Herbob Realty and Investing Co.
Hercules Iron Works, Inc.
H. E. Realty Co.
Herman Ellis, Inc.
Herman G. Precht, Inc.
Herman J. Russomanno, Inc.
Hermes Lunch Co.
Hertnan Holding Co.
Hertzberg Realty Co.
H. and E. Service Garage
Hetteema Construction Co.
Heyman's Pleasantdale Hotel
H. & F. Construction Co.
H. Frankenstein & Sons, Inc.
H. Gitomer and Company
H. & G. Realty Corporation
H. H. Moore, Inc.
H. H. Seff Advertising Co., of New Jersey
High Cliff Corporation
Highland Building Co.
Highland Holding Corporation
Highland Ice Co., Inc.
Highland Laundry, Inc.
Highland Park Theatre Co.
High Tension Company
High Towers, Inc.
Hightstown Livestock Exchange
High View Park Realty Company
Highway Diner, Inc.
Hilbers' Dairy, Inc.
Hilfman Realty Co.
Hill City Building and Construction Co.
Hill Crest Burial Park, Incorporated

Hillcrest Home Construction Co.
Hillmont Holding Co.
Hillsdale Estates, Inc.
Hillsdale Manor Coal and Lumber Company
Hillside Holding Company, Passaic
Hillside Radio Shop
Hillside Stone Co., Inc.
Hilltop Markets, Inc.
HiNella Estates, Inc.
Hirschberg & Herrmann
H. J. Conners Construction Co.
H. J. Koehler Motors Corporation
H. J. Miller, Inc.
H. Koch & Co. Inc.
H. L. Brooke Co. Inc.
H. Levy & Sons
H. M. A. Construction Co.
H. M. Brown & Company
H. M. Kent Co.
Hobart Housing Corporation
Hoboken Goat & Lamb Co.
Hockstein Realty Co.
Hoeger & Storch, Inc.
Hoffman Boulevard Realty Co.
Hogan Hardware, Inc.
Hohokus Motor Speedway, Inc.
Holding Company, Inc.
Holding Mortgage & Realty Co.
Holland Bazaar, Inc.
Holland Dairies
Hollander-Greenfield Co.
Hollander Prescription Pharmacy
Holland Realty Company
Holland Tunnel Development Corp.
Hollywood Estates, Inc.
Hollywood Hotel, Inc.
Hollywood Park Co. Inc.
Hollywood Theater, Inc., of Hillside, New Jersey
Holst Building Co.
Homebilt Construction Co.
Home Builders Realty & Mortgage Co. Inc.
Home Builders Supply Co.

Home Credit System
Home Engineering Company
Home Investment Corporation
Home Investment Realty Co.
Homeland, Inc.
Home Method Laundries, Inc.
Home-Owners Emergency Repair Corp.
Home Owners Improvement & Mortgage Company
Home Realty Construction Company
Homesdale Realty Company
Home Service Company of Woodbury, N. J.
Home-Site Development Corporation
Homes Realty Construction Co.
Home Town Realty Co.
Honor-Knit Knitting Mills, Inc.
Hood Holding Co. Inc.
Hoover Homes, Inc.
Hope Construction Company, Inc.
Hopewell Electric Shop
Hoppe's Clocks, Inc.
Hopping-McAusland, Inc.
Hopson Harness Company
Horner Janitor Supply Co.
Horvath, Inc.
Hotel Marion Co. Inc.
Hotel Martinique, Inc.
Hotel Riviera
Hotel St. George Co.
Hotel Spruce Corporation
Houghton and Strauss
Hourigan & Son, Inc.
House of Boerscher, Inc.
Household Manufacturing Co.
House of Larson, Inc.
Housing Corporation of New Jersey
Howard Construction Co.
Howard Publishing Co.
Howard Shop, formerly "Howard Store"
Howard-Warren Corporation
Howell Egg & Poultry Company
Howe Publishing Co.
H. & P. Company

H. R. J. Realty Co.
H. Rotman & Co., Inc.
H. S. C. Realty Co.
H. Sobo & Sons Company
H. Solomon Body Co.
H. Sorotsky, Inc.
H & E Service Garage
Hub Corp.
Hud-Cliff Realty & Construction Co. Inc.
Hudson Block and Supply Co.
Hudson Bridge Manor, Inc.
Hudson Bridge Zone Realty Corp. of N. J.
Hudson County Marble Company, Inc.
Hudson County Oldsmobile, Inc.
Hudson County Store Fixture Manufacturing Co.
Inc.
Hudson Detergents Corporation
Hudson Expedition Film Corporation
Hudson Fur Co. Inc.
Hudson Gardens, Inc.
Hudson Hardware Co.
Hudson Homes Sales Corp.
Hudson Land Improvement Co.
Hudson Painting Corporation
Hudson Photo Studio
Hudson Plumbing Supply Co.
Hudson Produce Co.
Hudson Realty Construction Co.
Hudson Royal, Inc.
Hudson Stone Works
Hudson Surgical Company, Inc.
Hudson Upholstering Works, Inc.
Hudson View Garages, Inc.
Hudson Wood Display Fixture Co.
Hugo's Restaurant, Inc.
Hull Products Corporation
Hulnep Realty Co.
Humphreys Shipbuilding Corporation
Hunter Brothers Service Station, Inc.
Hunterdon Plumbing and Heating Co.
Huppert Realty Co. Inc.
Hutchings Motor Sales, Inc.

Huyler D. Ford, Inc.
H. Wilson, Incorporated
Hybes Realty Co.
Hyfink Realty Co.
Hy-Gloss Lacquer Co.
Hy-Grade Macaroni & Egg Noodle Co.

Ideal Amusement Corporation
Ideal Box Lunch and Sandwich Company
Ideal Coffee Pot
Ideal Decorating Co.
Ideal Disinfectant Co.
Ideal Land Corporation
Ideal Metal Products Co.
Ideal Milk Co.
Ideal Sites, Inc.
Ideal Tile Corporation
I. G. Construction Co. Inc.
I. G. S. Inc.
Ilaria Bros., Inc.
Illinois Cycle Racing Ass'n., Inc.
Imperial Loan Association, Inc.
Imperial Plaza Creamery, Inc.
Imperial Realty Company
Independent Land and Security Company
Independent Motion Picture Theatre Owners of
America, Inc.
India Rubber Company No. 2.
Industrial Balance Corporation, formerly "Indus-
trial Advance Co."
Industrial Dry Cleaning and Supply Co.
Industrial Lacquer Corporation
Industrial Products Manufacturing Corporation
Industrial Properties Corporation
Industrial Varnish Manufacturers
Integrity Mortgage Co.
Inter-Allied Company
Interboro Publishers, Inc.
Interborough Supply Company
Intercity Lumber and Supply Corp.
Inter City Plumbing & Heating Co.
Intercoast Trading Co.

Intercontinent Grand Opera Corporation
Inter-County Home Builders, Inc.
Intercounty Law Record Publishing Company
Inter-County Title and Abstract Company
International Associates, Inc.
International Company Inc. of New Jersey
International Development Corporation
International Distributing Co.
International Merchandizing Corporation
International Milling Company
International Restaurant, Inc.
International Rimless Wheels Corp.
International Silk Converters, Inc.
International Tailoring Co.
International Wire Co.
Interstate Capital Corporation
Inter-State Cleaners and Dyers
Interstate Collection Agency, Inc.
Interstate Credit Adjustment Bureau
Interstate Improvement Corporation
Interstate Mortgage Corporation
Inter-State Realty Co.
Interstate Smelting and Refining Co., Inc.
Interurban Development Co.
Intervale Realty Co.
Inthol, Inc.
Intra Finance Corporation
Investment Corporation of America
Investors Corporation
Investors Development Corp.
Investors Loan Association
Irene Holding Co.
Irman Realty Co., Inc.
Ironbound Concession Co.
Iron Horse Exchange, Inc.
I. R. Taylor, Inc.
Irving Contracting Corp.
Irvington Guaranteed Co.
Irvington Mason Supply Co.
Irvington Motor Corporation
Irvington Tile & Terrazzo Corporation
Isaac Susskind, Inc.

Iselin Property Owners' Association, Inc.
I. & S. Hat Co., Inc.
Island Heights Hotel and Improvement Company
Isle of Pines Co.
Isle of Pines Trading Corporation
Italian-French Petroleum Holding Corporation of
New Jersey
It Road Stands & Restaurant, Inc.
Ivanhoe Realty Company
Ivy Company

Jace Development Co., Inc.
Jack Croutch, Inc.
Jack Haft & Co. Inc.
Jack and Jill Boot Shop, Inc.
Jacknat Realty Company
Jack Schneider Motor Co., Inc.
Jack's Chop House
Jackson Holding Company
Jackson Marble & Tile Co. Inc.
Jackson Mortgage & Investment Co.
Jacob Martin Co. Inc.
Jacobson Plumbing & Heating Co.
J. Adams Realty Company
Jaffe Coal Co.
Jaffe & Simon, Inc.
J. A. Fitzsimmons Company
J. A. Lesslaurer, Inc.
James Barker, Incorporated
James Falls Realty Co.
James F. Furlong, Inc.
Jas. Hogan, Inc.
James J. Keegan, Inc.
James J. Tedesco Incorporated
James McMurray, Inc.
James Miller, Inc.
James Mooney, Inc.
James T. Richards Co.
James W. Crosby, Inc.
Jas. W. Peterson, Inc.
Janet Dress Co. Inc.
Janeway Realty Co.

J. A. Raulerson & Company
J & A Realty Co.
Javonog Company
Jay Bee Knitting Mills, Inc.
Jay Holding Corporation
J. C. V. Motors, Inc.
Jean-Rose Piece Dye Works, Inc.
Jefferson Realty Company
Jerico Realty Company
Jerome, Elwood, Hall & Co.
Jerome Harvey Development Co.
Jerome Motor Sales Corporation
Jerome-Roberts Co.
Jersey American Steamship Co.
Jersey Amusement Co., Inc.
Jersey Carpet Co.
Jersey Cast Stone Company, Inc.
Jersey Central Corporation
Jersey City Construction Co.
Jersey City Galvanizing Works
Jersey City Grocery Co.
Jersey City Red Sox, Inc.
Jersey Clay Products Company, Inc.
Jersey Coast Land and Improvement Company
Jersey Filling Plant, Inc.
Jersey Grape Jobbers' Association, Inc.
Jersey Hat Co.
Jersey Hosiery Mills, Inc.
Jersey Hosiery Shops
Jerseyman Corporation
Jersey Motor Car Company
Jersey Novelty Co.
Jersey Oil Company
Jersey Orchards, Inc.
Jersey Paint Store, Inc.
Jersey Plan, Inc.
Jersey Retail Credit Men's Assn., Inc.
Jersey Resorts Developing Co.
Jersey Slipper Company
Jersey Steam Laundry, Inc.
Jersey Tag Co.
Jersey Trucking Co.

Jersman Company
Jer-Vania Investment Co.
J. E. Warren, Inc.
Jewel Art Tile and Ceramics Company
J. Fagan & Son
J. F. McLaughlin Co., Inc.
J. H. McQ. Carter, Incorporated
J. Howard Coombs Lumber Company
J. Howard Lawrence, Inc.
J. J. Farley Co.
J. Lukens Anderson Co.
J. M. Chester, Inc.
J & N Holding Co.
Joan Holding Company
John Brunton Studios, Inc.
John Casale Real Estate Corporation
John Connolly, Inc.
John Di Brino & Sons, Inc.
John E. Denner Agency, Inc.
John F. Giles & Sons Co., Inc.
John G. Holmes Co.
John Glueck and Sons
John Grant's Sons
John H. Schuster, Inc.
John I. Bonora, Inc.
John I. Marion Company
John J. O'Connell Company, Incorporated
John Johnson Turbine Mixer Corp.
John Kling Trucking Co., Inc.
John Land Co.
John Liva and Co. Inc.
John Olson, Inc.
John Sehor, Inc.
John Torpats, Inc.
John Tregidgo Co.
Johnson-Anastos Realty Co.
Johnson McKim Johnson Co.
Johnstone-Rankin Motor Car Co.
Johnston Motor Car Co.
Jolar Holding Company
Jonah Realty Co. Inc.
Jonas Brothers Company
Jones & Poague, Inc.

Jones Selling Company
Jordan Piano Co.
Jorose Realty & Construction Co., Inc.
Josart, Inc.
Josedor Realty Company
Joseph Alfano, Inc.
Joseph Cogan, Inc.
Joseph D. Hill, Inc.
Joseph Di Mona Company
Joseph Geiger, Inc.
Joseph Glicker, Inc.
Joseph J. Polewka Co.
Joseph Krieg Fink Company
Joseph Lewis, Inc.
Joseph Marsico & Son, Inc.
Joseph M. Rowland Co.
Joseph Paffendorf, Inc.
Joseph P. Campanelle & Brother, Inc.
Joseph Reibel, Inc.
Joseph Ross & Co.
Joseph Schlitz, Inc.
Joseph Solimine & Co., Inc.
Jos. Supel and Co., Inc.
Joseph and Turner, Inc.
Journal Square Coach Transportation Company
Journal Square Contracting Co.
Journal Square Hotel Corporation
Journal Square Medical Building, Inc.
Joy Shop, Inc.
J. Perkel Hardware Co.
J. R. Buchanan, Inc.
J & S Building & Construction Corp.
J. Silverstein and Son, Inc.
J. Skolnick & Sons Company
J. S. Wintermute & Co.
J. & T. Corporation
J. T. Stout Co., Inc.
Judea Commerce Corporation
Julaug Corporation
"Juniorvogue Bootery"
Junior Vogue Shoe Stores, Inc.
Justice Realty Co.
J. W. F. Bleakly and Company

Kab Service, Inc.
Kahn's Outfitters, Incorporated
Kaiser's Spa, Inc.
Kaiser & Symon, Inc.
Kalametal Co. Inc.
Kalco Development Company
Kaltman Window Display Service, Inc.
Kandle Head Rest Co.
Kantad Realty Co.
Kaplan & Levine, Inc.
Kaplan & Rabiner, Inc.
Karl Miller Silk Co.
Karlton Construction Co.
Kartsch's, Inc.
Kashman Markets, Inc.
Katee Finance Corporation
Katherine Millinery, Inc.
Katz Hotel Company
Katz Motor Car Company
Kayess Specialty Co. Inc.
Kay Food Shop of Irvington, Inc.
Kay Food Shop of Plainfield, Inc.
Kay Food Shop of Summit, Inc.
Kays Club Restaurant
K. B. S. Land Co.
Keane Bus Company
Keansburg Amusements, Incorporated
Keansburg Bus Co. Inc.
Keansburg Development Co. Inc.
Kearny Auctioneers, Inc.
Kearny Hardware Company
Kearny-Hudson-Essex Co.
Kearny Painting & Contracting Co. Inc.
Keating Convenience Store, Inc.
Keeler Shoe Co.
Keep Construction Company
Kehr Neckwear Co.
Keiper Co. Inc.
Kelland Co.
Kelly and McAlinden Co.
Kelvinator Co. of Northern New Jersey
Kembe Construction Co.

Kendall Boulevard Corporation
Kenly Holding Corp.
Kennedy Construction Co.
Kensico Realty Co.
Kent Building Corporation
Kent-Straus Corporation
Kentucky Furniture Company
Ken-Well Credit System of New Jersey
Kenwood Motor Sales Co. Inc.
Kenyon Tire Sales Corporation
Kerrigan Holding Corporation
Keyport Market, Inc.
Keyport Nash Company, Inc.
Keystone Construction Co., Inc.
Keystone Furniture Co. Inc.
Keystone Holding Co.
Keystone Service System
K & G Construction Co.
Kiersted Realty Co.
Killetts-Height Motor Company
Kilpatrick & McGovern
King Richardson Co.
Kingsley Arms Corporation
Kinlee Realty and Construction Co.
Kiori Corporation
Kirkpatrick Construction Company, Inc.
Kitchen Equipment Company, Inc.
Kittel's Buttons, Inc.
Klausner-Avrick, Inc.
Klausner, Inc.
Kleen-Heet Sales Co.
Klement's Delicatessen Inc., formerly "Horton &
Horton Food Company"
K & L Realty Co.
K. L. W. Realty Co. Inc.
Knickerbocker Mortgage Co.
Knickerbocker Specialty Co. Inc.
Knoburn Products Corporation
Knute Company
Koch Trucking Corporation
Ko-Dek Realty Co.
Koegel & Miraglia, Inc.

Koke-Van Jones Corporation
Koretz Realty Co.
Kornfeld Realty Co.
Kozub Electrical Co.
Kraskin & Co. Inc.
Krist-Burt Productions, Inc.
Kroll's Boot Shop
Kron Furniture Corporation
Kron Jewelry Co., Inc.
Kruesheld Electric and Mfg. Co. Inc.
K & S Construction Corp.
K. & S. Holding Company
Kuemmerle Corporation
Kuester-Myers, Inc.
Kuhn Realty Company, Inc.
Kulcan Corporation
Kulper-Bertschy, Inc.
Kurkjian & Company, Inc.
Kussack & Co.
Kwarco Building Corp.
Kymer & Weiss, Inc.

La Charme Corsetieres, Inc.
Lackawanna Building Co.
Lackawanna Lumber & Coal Co.
Lafayette Belt & Novelty Mfg. Co. Inc.
Lafayette Holding Company
Lafayette Manufacturing Co.
Lafayette Realty & Investment Co.
Lafayette Slate Mining Corporation
Lagris Realty Co.
L. A. Hollander & Co.
Laidcold Paving Asphalt Co. of N. J., Inc.
Lake Chemical Company
Lake Chester Ice Company
Lake Homes, Inc.
Lakehurst Industrial Corporation
Lakehurst Land and Power Co. Inc.
Lake Land Stages, Inc.
Lakeside Terrace Company
Lake Swannanoa Estates
Lake Valhalla Estates

Lake Valhalla Golf Club, Inc.
Lake Valhalla Realty Co.
Lake Valhalla Syndicate, Inc.
Lakeview Realty Construction Co. Inc.
Lake Vincent Park Construction Co. Inc.
Lakewood Coal Co.
Lakewood Garage Co.
Lakewood Silver Fox Farms, Inc.
Lamania Realty Co.
Lamark Realty Company
Lambertville Rubber Company
Lambertville Rubber Holding Corp.
Lamp Shade Shop, Inc.
Landa & Company
Land Company of New Jersey
Landgraf Mirror Corporation
Landish Studios
Langus Realty Co.
LaPaix Shoppe
Laplace Holding Co.
La Reine Shops, Inc.
Larose Holding Co.
Lashthall Amusement Co. Inc.
Latorraca & Mosso, Inc.
Laurel Construction Co. Inc.
Laurel Drug Company, Incorporated
Laurent-Kelly Mfg. Corp.
Lavorex Laboratories
Lawrence Ell, Inc.
Lawrence Realty Company No. 1
Lawrence Realty Co. No. 2
Lawrenceville Land Company
Lawretonia Investment Company
Lawyers Mortgage and Investment Co.
Lawyers Title and Mortgage Company of Perth
Amboy, N. J.
L. Brently Roberts, Inc.
L. C. Smalley Co.
L. DeSantis & Sons, Inc.
Leatanite Co.
Le Bron's, Inc.
LeCompte Manufacturing Co.

Lee Construction Co. Inc.
Leefelt Realty Company
Leegord Construction Corporation
Lee Hotel, Inc.
Lee K. Waring, Inc.
Lee Tire Sales & Service, Inc.
Leeton Construction Co. Inc.
Lefkowitz Realty Co.
Lehigh Sash Door & Lumber Co. Inc.
Lehigh Securities Co.
Lehr Advertising, Inc.
Leighton Electric Company
Leinwand Corporation
LeMac Clothes Shop, Inc.
Le Master Institute
Lenal Realty Corporation
Lenbec Realty Co.
Lenher Engineering Co.
Lenmar Realty Co.
Lenox Finance Co.
Lenox Land Company
Lenrich Realty Company
Lenrow, Chemist, Inc.
Lentrude Realty Co.
Leobrooke Realty Co.
Leo Co. Inc.
Leo DeSantis & Sons, Inc.
Leo H. Lipkin, Inc.
Leonardis Construction Company, Inc.
Leonello Construction Co. Inc.
Leonia Construction Co.
Leonia Development Company
Leo Totten, Inc.
Lepeco Products Co. Inc.
Lergold Stores, Inc.
L. E. Roth & Co.
Leschinsky, Inc.
Leslie Construction Co.
Lester J. Richardson Co.
Lestrick Building Corporation
Letterwright Co.
Leviathan Holding Co.

Levine Bros. Inc.
Levinson and Lapidus, Inc.
Lewcoff Realty Co. Inc.
Lew Holding Co.
Lewis Clothing Company, Inc.
Lewis Furniture Co. Inc.
Lewis Jennings, Inc.
Lewis-McAdam, Inc.
Lewis M. Smith & Co. Inc.
Lewis U. Bean Co.
Lewmar Holding Company
Lexington Heights Realty and Development Co.
L. and G. Building Company
L. & G. Realty Company
L. Hinz Game & Toy Co.
Liberal Realty Co.
Liberty Developing Co. Inc.
"Liberty Industrial Finance System"
Liberty Lighting Fixture Co. Inc.
Liberty Men's Shop, Inc.
Licata Realty Co. Inc.
Lido Silk Dyeing Corp.
Lilac Manor Hotel Co. Inc.
Lillian Loehr, Inc.
Lincoln Bus Co.
Lincoln Construction Co.
Lincoln Farms, Inc.
Lincoln Garage, Inc.
Lincoln Hotel Corporation
Lincoln Park Security Co.
Lincoln Products Corporation
Lincoln Theatrical Corporation
Lincoln Watch Case Co., Inc.
Lindburn Corporation
Linden Avenue Improvement Co.
Linden Contracting Co.
Linden Sash & Door Supply Co. Inc.
Lindsley-Chevrolet, Inc.
Lindsley Realty Co.
Lindy Cleaners and Dyers
Linkop Realty Corporation
Lin-Silk Prints, Inc.

Lion Furniture Co.
Lippincott Bros., Incorporated
Litchfield Company
Little Falls Drug Shoppe
Little Ferry Associates
Little Miss Dress Co. Inc.
Little Theatre, Inc.
Litt Realty Company
Livingston Construction Co.
Livingston Model Homes Corporation
Livingston Shoe Co. Inc.
L. J. Bailey Company, Inc.
L. L. Johnson Land Company
L. Lowenstein & Sons, Inc.
L & L Shoe Stores, Inc.
L M C Electric and Manufacturing Co. Inc.
L. M. N. Construction Co.
L & M Realty Co. No. 2
L. M. Steele Co. Inc.
L. N. Simmons, Inc.
Local Investments, Inc.
Loch Arbour Candy Shop, Inc.
Lochslea Heights, Inc.
Locker Furnishing Company
Lo Conte Contracting Co.
Locustwood Greenhouses, Inc.
Lodi Foundation Co. Inc.
Lodi Loan Company
Loevy, Koos Co. Inc.
Loft Realty Co.
Logan Publishing Co.
Loggia Vittorio Emanuele II, Incorporated
Lombardi & Bock, Inc.
Lombardi Building Co. Inc.
London Clothes Corp.
Long Branch Supply Co.
Long Bros. Inc.
Long Bros. Super Service Corp.
Long Motor Company
Longworth Realty Co.
Lon Realty Company, Inc.
Looschen Land and Building Company

Loprete Realty Company
Lorraine Realty Co.
Lorraine Shirt Co. Inc.
Lotos Development Co.
Louis Bernard Home Builders, Inc.
Louis B. Siegel Appetizing and Nut Shop, Inc.
Louis F. Lipsey, Inc.
Louis Friedberg & Co.
Louis F. Tucci Co.
Louis Isaacs, Inc.
Louis Rand, Inc.
Louis Schneider, Inc.
Louis Valentini Co. Inc.
Loukas Restaurant, Inc.
Louken Building Co.
Lowe's, Incorporated
L & P Holding Co.
L. Rainer, Inc.
L. R. Realty Company
L. T. Trading Co.
L. T. Woodruff, Inc.
Luba Construction Co.
Lucerne Realty Co.
Lucky Products, Inc.
Ludlow Holding Company
Ludwig Zimmer, Inc.
Lurie Stores Corporation
Luso-American Publishing Company
Luther L. Wallace, Jr. Inc.
Lyndhurst Amusement Co.
Lyndhurst Building & Construction Co.
Lyndhurst Loan Co. Inc.
Lyndhurst Pearl Button Works, Inc.
Lyndhurst Theatre Corporation
Lyon Appetizer & Dairy, Inc.

Maahsen & Meyer, Inc.
Mac Arthur Corporation
Macinmat Construction Co., Inc.
Mackenite Metal Corporation of America
Macksey Men's Wear Co.
Maclagen & O'Connor, Incorporated

Maco Construction Co., Inc.
Mac Products, Inc.
Madame Eve, Inc.
Made Well Dress Co. Inc.
Madison Investment Co.
Madison Leather Company, Inc.
Maejos Co. Ltd.
M. A. Fleming, Inc.
Magaret Realty Company
Maggio Pharmacy, Inc.
Magnatron Corporation
Magnet Electric Contracting Co.
Mahon Construction Company, Inc.
Maimone Motors, Inc.
Main Avenue Loan Association of Passaic, N. J.
Main Clothing Co.
Main Hardware Store
Main Holding Co. Inc.
Main Street Builders, Inc.
M & A Investment Co. Inc.
Maison Nouvelle
Majestic Bakery and Restaurant, Inc.
Majestic Cabinet Company, Inc.
Majestic Pictures, Inc.
Majestic Producing Co.
Majestic Restaurant, Inc.
Majo Realty Corporation
Makel Building Corporation
Malatesta Service Co. Inc.
Malcolm Apartments, Inc.
Malda Realty Co. Inc.
Malec Realty Co.
Mallon Motor Car Co.
Mammoth Spring Ice Company
Manbrach Realty Corporation
Manetto Co.
Mangold Realty Co. Inc.
Manhattan, Hudson County, and Staten Island
Rapid Transit Co.
Manhattan Pharmacy
Manhattan Wet Wash and Rough Dry Laundry Co.
Mann's Carriage Factory, Inc.

Manor Development Co.
Manufacturers Electro-Plating Co.
Manufacturers Finance Co.
Maple Leaf Realty Company
Maple Shade Brick Company
Maplewood Construction Co., Inc.
Maplewood Holding Co., Inc.
Maplewood Millburn Swimming Pool, Inc.
Marberk Realty Corporation
Marblecraft Corporation
Marconi Telegraph-Cable Company, Inc.
Marcy Reidy Auto Sales, Inc. (No. 2)
Margaret G. Smith, Inc.
Margate Automotive Service, Inc.
Margate Garage, Inc.
Margery Sweets
Marianna Veloce Corporation
Maridor Realty Co.
Marilyn Beauty Salon
Marion Development Co.
Marion Granite Co.
Market Service Garage, Inc.
Marlaw Realty Company
Marle Realty Co.
Marley-Chemical Company, Inc.
Marlyn Realty Company
Marmen Corporation
Marmon Holding Company
Marmon-Summit Company, Inc.
Marne Hat Manufacturing Co.
Marpole Airways, Inc.
Marshall Mfg. Co.
Marsie Laundries, Inc.
Martin Electric Company, Inc. of P. A. N. J.
Martin Furniture House, Inc.
Martin and Martin, Incorporated
Martin Motor Co., of N. J.
Martin Motor Corporation of Morris County
Martoccia & Son, Inc.
Marwein Realty Company
Mary Blicharz, Inc.
Mary Turner Company

Mascagni Corporation
Mason & Urner, Inc.
Masson Dyeing Co. Inc.
Master-Built Radiator Furniture Company
Matawan Coal & Supply Co.
Mathers Recreation Co.
Matthews Co.
Maurer No-Glare Lamp Corporation
Maxine Dress Company, Inc.
Maxkay Department Stores, Inc.
Mayfair Warehouse Co.
Mayflower Oil Burner Corporation
Mayland Holding Co., Inc.
Maynard O. Klemmt, Inc.
May Realty Co.
May Roofing Co.
M. B. J. Realty Co.
M-B-M Holding Co.
M. B. Ross Delicatessen, Inc.
McBurney and Co.
McClary Corporation
McCaul Wax Refining Co.
M & C Contracting Co.
M. C. Development Co. Inc.
McGonnell Garage, Inc.
McGrath Bros., Inc.
McGrory Chevrolet Sales Co.
McGrue Construction Co.
McKenna Motors Co. Inc.
McLaughlin-Gillette Co.
McPike Holding Corporation
Meadowbrook Storage Warehouse Co.
Mears and Willer, Inc.
Media Company
Media Garage, Inc.
Medical Aid Corporation
Medical Credit Association, Inc.
Medicinal Products Corporation
Meeker Holding Company
Meiele Building Corp.
Meister Bros. Inc., formerly "Le Tourneur Truck
Sales Co. Inc."

M. E. Jarvis, Inc.
Melberg Construction Co.
Mellor Company, Inc.
Melrose, Inc.
Melroy Construction Co.
Melvin Realty Corporation, Inc.
Melvin-Sheldon Holding Company
Melvin Wright & Co.
Menal, Inc.
Mendals Market, Inc.
Menlo Park Villas, Inc.
Mercer Arms, Inc.
Mercer Street Auto Service Co.
Merchants Land Co.
Merchantville Natatorium Corporation
Mergaugey Bus Company, Inc.
Merritt Products Corporation
M. E. Schwartz, Inc.
Metal Building Engineering Corporation
Metal Cleaning Products, Inc.
Metal Products and Engineering Corporation
Meter Service Corporation
Metropolis Holding Co.
Metropolitan Bus Co., of New Jersey, Inc.
Metropolitan Finance and Holding Co.
Metropolitan Wholesale Drug Corporation
Metro Realty Company
Metro Sites, Inc.
Metzger & Loveland, Inc.
Meyer Revolving Button Co.
M. & G. Construction Co.
M & G Realty Co.
M. Gross Confectionery Co.
M. Herschman & Co.
Michael Shelling, Inc.
Michaels Jewelry Co.
Michel & Moore Co.
Michelotti & Co. Inc.
Middleboro Holding Corporation
Middlesex Battery and Supply Co.
Middlesex Coal Co.
Middlesex Electric Co.

Middlesex Housing Company
Middlesex Pants Co.
Middlesex Sand and Gravel, Inc.
Middlesex Trucking Co.
Midland Estates, Inc.
Midland Investment Co. Inc.
Mido Holding Co.
Mid-Union Investment Company
Midway Construction Company
Midway Realty Co.
Mid-West Chemical Co. Inc.
Milask Builders Corporation
Milbert Amusement Company
Milcabe Realty Co. Inc.
Milderfis Company, Inc.
Mildred Modes, Inc.
Miles Corporation
Miles Realty Corporation
Milford Co.
Milford Delaware Bridge Co.
Milgau Electrical Specialty Co. Inc.
Milk Carrier Corporation
Millbrook Agency, Inc.
Miller Construction Co.
Miller Corporation
Miller Heating Co.
Miller Home Building Co.
Miller Metal Ceiling Co.
Miller-Zinman, Inc.
Mill Products Co. Inc.
Mills Sheet Metal Works of Union City
Millville Foot Ball and Athletic Association
Miloyd Realty Co. Inc.
Milroth Realty Corporation
Mind, Inc.
Mineral & Metal Products Co. Inc.
Miner Holding Corporation
Minerva Construction Company
Mipro Company of America
Miracle Dress Shop, Inc.
Mirador
M-J-F Construction Co.

M. J. Harrison, Inc.
M. J. Kobrin, Inc.
M. J. O'Connor's Sons
M. K. C. Realty Co.
M & K Luncheonette
M. Levy & Co. Inc.
M. M. Burris, Inc.
M. & N. Realty Co., Inc.
Model Construction Company
Model Radio Corporation
Modern Cinderella
Modern Construction Co.
Modern Electrical Supply Co.
Modern Equipment Co.
Modern Investment & Loan Association
Modern Laundry, Inc.
Modern Plumbing & Heating Co.
Modern Theatre Co.
Modern Utilities Corporation
Mod-Ra-On-Sign Corp. of America
Mohawk Investment Corporation
Mohican Realty Co.
Mohilev Silk Co.
Moisturette Manufacturing Co.
Molise Loan Association, Inc.
Monarch Fur Farms
Monarch Manufacturing Co.
Monitor Holding Co.
Monitor, Inc.
Monks Loan Association
Monmouth Avenue Investment Corporation
Monmouth Pleasure Club Association
Monmouth U-Drive Company
Monroe Kap Realty Co.
Monroe Rubber Products Co.
Monroe Street Realty Co.
Monroe Tire Company, Inc.
Montclair Aviation Service, Inc.
Montclair Realty Co.
Monticello Holding Corporation
Monticello Pharmacy, Inc.
Monticello Theatre Company, Inc.

Monument Pottery Company of Trenton, New
Jersey
Mooney Weber Co.
Moore Real Estate Corporation
Moore Realty Corporation
Moorestown Estates
Moreset Engineering and Machine Co.
Morgan Cemetery, Inc.
Morgan Corporation
Morgan K. Harris, Inc.
Morgan Motor Car Co. Inc.
Morningside Heights Building Corporation
Morris Avenue Realty Co.
Morris Motor Co.
Morris Schlein, Inc.
Morrissey Investment Co.
Morris-Sussex Bond & Mortgage Co. Inc.
Morris-Sussex Tractor & Implement Co.
Morris and Warren Specialty Co.
Morristown Air Lines, Inc.
Morristown Bond and Mortgage Corporation
Morristown Estates
Morristown Swimming Pool, Inc.
Morris Zeffler, Inc.
Morrow Park Amusement Co.
Mortgage Securities Corp., formerly "Coburn
Realty Corp."
Morton, Inc.
Moscowitz & Sossin, Inc.
Mosque Realty Company, Inc.
Moss, Inc.
Motor Equipment Co.
Motorized Road Equipment Sales, Inc.
Motor Parts Corporation
Motor Repair Co., Inc.
Motor Transport Equipment Co.
Motorways of America, Inc.
Mott & Stretch, Inc.
Mountainside Investment Co. Inc.
Mountainside Restaurant, Inc.
Mount Kemble Swimming Pool, Inc.
Mount Olive Dairies, Inc.

Mount Pleasant Nurseries, Inc.
Mount Prospect Holding Co.
Mt. Tabor Construction Company
Mount Vernon Country Club, Inc.
M. P. Duffy, Inc.
M. P. M. Realty Co., Inc.
M. P. S. Realty & Contracting Co.
M & P Urken, Inc.
M & R Embroidery Works, Inc.
M. Robins, Inc.
M & R Realty Co. Inc.
M. S. Borden Co.
M. Solomon & Sons
Mulberry Holding Co.
Muller & Co.
Mullica Township Development Co.
Mullin and Wendt Co.
Multi-Color Press Corporation
Mummert Co. Inc.
Mundt Realty Co., Inc.
Municipal Oil Co. of New Jersey
Munn Construction Corp.
Mural Realty Corporation
Muriel Silk Co.
Murray C. Eldridge Realty Corporation, Inc.
Murray Company, Inc.
Murray Home Corporation
Murray J. Saltzman, Inc.
Murray-Nutze, Inc.
Musto Bros. Inc.
Mutual Development Corporation
Mutual Distributing Corporation of N. J.
Mutual Gas & Oil Co. of America
Mutual Home Builders Corporation
Mutual Loan Society
Mutual Oil & Supply Company
Mutual Profit-Sharing Finance Co.
Mutual Wall Paper Co.
M. V. N. Construction Co.
M. Ward Plumbing Supply Co.
M-W Co. Inc.
Myer Flush Valve Co. Inc.

My Laundry Co. Inc.
Myles Realty Co.
Myrtle Clothing Company, Inc.
Myrtle Fruit Co., Inc.
Myrtle Home Builders, Inc.
Myrtle Land & Development Co.

Nabo Construction Corporation
Nadel Transportation Co., Inc.
Napoliello Tailoring Shop
Nardi Manufacturing Co.
Nash-Englewood, Inc.
Nassau Loan Association
Nassau Securities Corporation
Nathan's Department Store, Inc.
National Auto Register, Inc.
National Box Lunch Corp.
National Bureau for Organizations and Industry
National City Realty Co. Inc.
National Co-Operative Mortgage Company, Inc.
National Cranberry Company, Inc.
National 5c-10c and \$1.00 Stores
National Fuel and Supply Company
National-Harris Wire Co.
National Home Exhibit Corporation
National Home Furnishing Co.
National Home Supply Co.
National Investment and Mortgage Co.
National Land Development Corporation
National Leather Products Co.
National Manufacturing Co., Inc.
National Manufacturers Distributing Company,
Incorporated
National Products Corporation
National Ring Co. Inc.
National Roofers, Inc.
National Rubber Company
National Sand and Gravel Co., Inc.
National Screen Corporation
National Securities Corporation of N. J.
National Tire Company, Incorporated
National Title and Mortgage Co. Inc.

National Trading Corporation
National Transfer Company
Natural Egg Noodle Co.
Nauman, Birtwell & Pezderack, Inc.
Nautilus Realty Co.
Navesink Contracting & Engineering Corp.
N. B. Conover Lumber Co.
N. B. Conover Trading Co.
N. C. Investment Co.
N. C. Smith & Co., Inc.
N. E. Construction Co., Inc.
Neighborhood Circulating Library, Inc.
Nelson Arms, Inc.
Nemcass Company
Neps Realty Company
Neptune Development Corporation
Neptune Hotels Co.
Ner-Sag, Inc.
Newark Auto Top and Body Service Co. Inc.
Newark Bus Company, Inc.
Newark Butter & Egg Co., Inc.
Newark Compressed Steel Corp.
Newark Construction & Realty Corporation
Newark Crockery Co.
Newark Employment Exchange
Newark Galleries, Inc.
Newark General Hospital, Inc.
Newark Metal Products Co. Inc.
Newark Modern Laundry Company
Newark Mortgage Corp.
Newark Plaza Holding Company
Newark-Sanford Co.
Newark Sheet Metal & Kalomein Co.
Newark Shirt Company
Newark Soda Fountain Co.
Newark Soda Water Co., Inc.
Newark Specialty Corporation
Newark Star Baking Co.
Newark Table Company
Newark Towing Service, Inc.
Newark Waste Material Co. Inc.
Newark Wimsett Thrift Co.

New Art Home Builders, Inc.
New Bridge Coal & Supply Company, Inc.
New-Bridge Development Co.
New Brunswick Finance & Loan Association
New Brunswick Glass Co., Inc.
New Brunswick Hillcrest Gardens
New Brunswick Realty Co.
New Central Restaurant, Inc.
New Eagle Cleaning and Dyeing Company
New England Selling Co.
New Era Mortgage and Finance Co.
New-Gary Co., Inc.
New Jersey Agency, Inc.
New Jersey Airways, Incorporated
New Jersey Air Transport Co. Inc.
New Jersey Artesian Well Drilling Company
New Jersey Auto Contract Co.
New Jersey Automatic Corporation
New Jersey Automobile Co.
New Jersey Auto Radiator Co.
New Jersey Aviation & Finance Corporation
New Jersey Board of Trade, Inc.
New Jersey Bonded Collection Agency
New Jersey Bottlers Protective Association
New Jersey Bridge Development Co.
New Jersey Cabinet & Millworks Co. Inc.
New Jersey Cement Products Company
New Jersey Certified Title Co.
New Jersey Chemical Products Co. Inc.
N. J. Circuit, Inc.
New Jersey Clay Manufacturing Company
New Jersey Cleaners & Dyers of Secaucus, Inc.
New Jersey Copper and Chemical Co.
New Jersey Council Football Club
New Jersey Delivery Corporation
New Jersey Diamond Works, Inc.
New Jersey Dress Corporation
New Jersey "Duco" Refinishing Co.
New Jersey Electric Sign Manufacturing & Supply
Co.
New Jersey Fibre Products Company
New Jersey Fidelity Company

New Jersey Finance Service of Atlantic City
New Jersey Funding Corporation
New Jersey Fur & Skin Dressing Co., Inc.
New Jersey Glass Company, Inc.
New Jersey Greenhouse Co., Inc.
New Jersey Holding Corporation
New Jersey House Furnishing Co.
New Jersey Industrial Engineers, Inc.
New Jersey Institute of Art
New Jersey Interurban Company
New Jersey Investment Realty Corp.
New Jersey Iron and Metal Co.
New Jersey Jewelry Manufacturing Co.
New Jersey Land Owners Protective Corporation
New Jersey Landscaping Co., Inc.
New Jersey Leather Goods Co.
New Jersey Lime Products Corporation
New Jersey Merchandising Corporation
New Jersey Mineral Company
New Jersey Motor Car Finance Corporation
New Jersey National Slate Machine Co.
New Jersey Oil Burning Equipment Co.
New Jersey Oil and Gasoline Co.
New Jersey Paint Mixing Company, Incorporated
New Jersey-Penn Gas & Appliance Corporation
New Jersey Plastering Company
New Jersey Pools Corporation
New Jersey Portable Fireplace Co.
New Jersey Safety Device Agency, Inc.
New Jersey School Furniture Co.
N. J. Shoe Leather and Finding Corporation
New Jersey Sign Hanging Company, Inc.
New Jersey Silk Dyeing Co., Inc.
New Jersey State Adjustment Company, Inc.
New Jersey State Detective and Collection Agency
New Jersey Title Abstracting Co.
New Jersey Trading Corporation
New Jersey Wrecking Co., Inc.
New Kriegel Hotel Company
Newland Realty Co.
New Lincoln Construction Company, Inc.
New Mark Credit House

New Market Speedway, Inc.
New Milford Motor Co., Inc.
New Model Garage, Inc.
New Savoy Holding Co., Inc.
News Democrat Publishing Company
News Reporter Publishing Co. Inc.
New Staten Island Dye Works, Inc.
Newton Bond & Mortgage Co. Inc.
Newton Realty Company
Newton Transportation Company
Newton W. Knauer, Inc.
New York Dentists, Inc.
New York Furniture Company of Trenton
N. Y. and N. J. Development Company
New York and New Jersey Scrap Iron Steel &
Metal Co. Inc.
New York Textile Mills
Niagara Mortgage Company
Nicholas Construction Co.
Nicholas Demattheis & Son
Nicholas, Inc.
Nicholson-Gurling, Inc.
Nick Manolio, Inc.
Nielsen Co., Inc.
938 Broad Corporation
920 Grove St. Inc.
Ninth Ave. Realty Corp.
Ninth St. Garage
Ninth Street Pier Co.
Nittoli-Norcia Hardware Company
Nixon Forrest Theatre Co.
Nola Brig Realty Co.
Nomona Realty Company
Nonpareil Cleaners & Dyers, Inc.
Nora Realty Corp.
Norma Improvement Association
Morra Mill Work, Inc.
Norman Cohn Realty Co., Inc.
Norman Securities, Inc.
North American Herring Co. Inc.
North American Thrift Association (Incorporated)
North Bergen Fur Dyeing Corp.

North Broad Realty Co.
North Cape May Realty Development Corporation
North End Amusement Co.
Northern Investing Company
Northern Silk and Rayon Corporation
Northern Transit Corporation
North Essex Construction Company
Northfield Suburbs Co.
North Highland Land and Improvement Company
North Hudson Contractors, Inc.
North Hudson Loan Co.
North Jersey Commercial Adjustment Co.
North Jersey Development & Investment Corp.
North Jersey Fire Protection Co.
North Jersey Fixture Co.
North Jersey Furniture Company
North Jersey Land & Housing Corp.
North Jersey Service Corp.
North Passaic Realty Co.
North Philadelphia Storage Company
North Road Realty Company, Inc.
North's Drug Store, Inc.
North Side Builders, Inc.
North Sixth Street Corporation
North Star Embroidery Works, Inc.
Northwestern Realty and Mining Company
Norton Hotels Company
Norwood Realty Company
Nottingham Products Company
Novelty Rayon Corporation
Novita Remedies Corporation
Novo Realty Co.
Noyar Products Corporation
N. R. Porterfield, Inc.
Nu-Blood Medicine Company, Inc.
Nugent Concrete Construction Company, Inc.
Nugold Dress Co.
Nu-Style Embroidery Co.
Nutley Amusement Company
Nu-Way Laundry Co.
N. V. S. Motors, Inc.
Nyamco Corp.
Nydham Builders, Inc.

Oak Farm Dairy
Oak Grove Development Co.
Oak Knoll Development Company
Oakland Amusement Park, Inc.
Oakland Farms
Oaklyn Chevrolet, Inc.
Oaklyn Development Co.
Oaklyn Manor Corporation
Oaklyn Realty Company
Oak Ridge Construction Corporation
Oakshaw-Investment Co.
Oak Tree Grove Co. Inc.
Oak Tree Land & Building Company
Oak Valley Construction Company
Oak Valley Sales Corporation
Ocean Avenue Realty Company
Ocean Boulevard Realty Company
Ocean City Fisheries, Inc.
Ocean City Market, Inc.
Ocean Crest Camps, Inc.
Ocean Pier and Amusement Corporation of Long
Branch, N. J.
Oceanside Realty Co. Inc.
Ocean View Finance Co.
Oconee Mining Corporation
O'Connell-Scott Company
O & C Realty Corporation
O'Donnell & North, Inc.
Oettinger & Feldman, Inc.
Ohlson & Wallin Construction Co.
Oil Heater and Refrigerator Corporation
O. K. Construction Co.
O. K. Electric Supply Company, Inc., No. 2
O. K. Investment Co.
O. K. Restaurant, Inc.
Old English Builders, Inc.
Oliver H. Guttridge Company
Olivieri and Co.
Olldorf & Son, Inc.
Omar Holding, Inc.
One Forty-Five Belmont Avenue Corporation
One Hundred Six North Grove Street, Inc.

173 Nelson Avenue Corp.
171 Washington Avenue, Inc.
120 Sixteenth Ave. Realty Co.
102 North Broad Realty Corp.
Oneida Syndicate
O'Neil Manufacturing Corporation
1155 East Jersey Street Corporation
Ora Construction Co.
Orange Awning Co.
Orange Cab Co.
Orange Center Realty Co.
Orange Hotels, Inc.
Orange Lumber Co.
Orange Motors, Inc.
Orange Theatre Corporation
Orco Holding Co.
Oriental Dyeing Corp.
Oriental Yarn House, Inc.
Orient Amusement Company
Orient Holding Company
Orient Realty Co.
Original Big Hole in The Wall, Inc.
Original Orchestrion & Piano Company
Orintani Men's Shop, Inc.
Ornstein Bros. Inc.
O. R. Realty Co.
Orr-Wright Co.
Ortley Beach Co.
Osborne Realty Company
Osmun Company
Ostern Building Corp.
Ostrander Fire Brick Co.
Ottenstein Realty Corporation
Otto Moll, Jr. Trucking Corporation
Outfitters Operating Realty Co., Inc.
Outlook Publishing Co.
Overhill Company of Verona, N. J.
Over-Look Estates, Inc.
Overseas Company, Incorporated
Over-The-River Loan Company, Inc.
Owens Engineering and Construction Co.
Owens Tunnel Kiln Co.

Oxford Lunch and Restaurant, Inc.
Oxford Piece Dye Works, Inc.
Oxford Vitreous Enameling Corporation
Oxol Products Corporation
Oxygen Equipment Corporation of America
Oyster Bay Fisheries, Inc.

Pacific Millwork and Lumber Company, Inc.
Pacific Realty Co.
Packers Corporation
Padgo Realty Co.
Palace Hotel Corporation
Palent Brothers
Palisade Corporation
Palisades Estate, Inc.
Palisades Park Lumber and Supply Company
Palisadestocks, Inc.
Pallotta Realty Co.
Palmadel Loan Company
Palm Dress Shop, Inc.
Palmer Manufacturing Company
Pamlico-Atlantic Land Co.
Pamrapo Agency, Inc.
Pandera Construction Co.
Paragon Weatherproofing Company, Inc.
Paramount Fertilizer Co., formerly "New Jersey
Fertilizer"
Paramount Finance Company
Paramount Grill, No. 1
Paramount Manufacturing Company
Paramount Pen Company
Paramount Service Gas & Oil Co.
Paramount Water Front Co.
"Paraoyl Corporation"
Parisian Novelty Co. Inc.
Paris Leather Sports Wear Corporation
Paris Men's Clothing, Inc.
Park Auto Sales Corporation
Park Avenue Manor, Inc.
Park Brooke Clothes
Park Central Realty Holding Corporation
Park Construction Company of Bergen Co.

Park Electric & Radio Co.
Parker Utilities Co. Inc.
Park Finance Corporation
Parklake Company
Park Lane Realty and Construction Co.
Park Ridge Co-Operative Builders, Inc.
Park and Seventh Corporation
Parkside Realty Company
Parkview Investment Co.
Parkway Restaurant, Inc.
Parmelee Realty Corporation
Parnes Vegetarian, Inc.
Parsons Coal Co. Inc.
Passaic Bargain House, Inc.
Passaic County Delivery Co. Inc.
Passaic Harness and Auto Top Co.
Passaic Merchants Finance Company
Passaic Motor Company, Inc.
Passaic Paper Box Manufacturing Co.
Passaic Peerless Co.
Passaic Ridge Development Company
Passaic U. Drive It System
Pastime Theatre Company
Patented Sales Company
Paterson Airport Corporation
Paterson Basket Ball Association, Inc.
Paterson Brewing and Malting Co.
Paterson Busy Bee Inc. 5c to \$1.00 Store
Paterson Central Improvement Company
Paterson Excavation Co.
Paterson French Bakery, Inc.
Paterson Holding Company
Paterson Paper Box Company
Paterson Paper Stock Co.
Paterson Realty Company
Paterson Securities Co.
Paterson Super-Compression Engine Co. Inc.
Paterson Welding Company
Paterson Windsor, Inc.
Patterson & Carpenter, Incorporated
Patterson Lunch Company
Patterson Shale Brick Corporation

Paul Bradley Building Construction, Inc.
Paul Mirandon Co.
Paulsboro Home Sites Co.
Paulsen Holding Co.
Paulstra Holding Co. Inc.
Pavonia Holding Corporation
P & B Construction Co. Inc.
P. C. Buck & Sons, Inc.
P. D. C. Realty Corporation
P. D. Hughes Company
Peacock Dahlia Farms
Pearl Crystal Decorators, Inc.
Peck Building Co.
Peerless Drug Company, Inc.
Peerless Securities Co.
Peller Corporation
Pellman Co., Inc.
Pem Realty Corporation
Peninsula City Publishing Co.
Pennant Heating Engineering Co.
Penn Distributing Co.
Penn-El Holding Co.
Penn Grains and Feed Co.
Pennington Realty Co.
Penn Ink Co.
Penn-Jersey Business Corp.
Penn-Jersey Construction Co.
Penn-Jersey Corporation
Penn-Jersey Power Company
Penn Linen Supply Co.
Penn Shops, Inc.
Pennsylvania Commercial Co.
Pennsylvania Hotel Company
Pennsylvania Oil & Chemical Co. Inc.
Pennsylvania Realty Securities Co.
Penn Tire Store
Peoples Finance Corporation of Camden, New
Jersey
Peoples 5c-10c and \$1.00 Stores, Inc.
Peoples Medical Laboratory
Peoples' Realty Investment Co.
Pepiera Company, Inc.

Pepsinic Seltzer Sales Co. Inc.
Perephmo Co. Inc.
Perfect Amusement Co.
Perfect Construction Co.
Perfection Charlotte Russe Co.
Perfection Clothing Company, Inc.
Perfection Jar Closure Company
Perfection Machine & Manufacturing Works
Perfection Propeller Company, Inc.
Perfection Radio Stores, Inc.
Perfection Sales Co.
Perfect Weighing Scale Co. Inc.
Permanent Homes Construction Co.
Perseverance Corporation
Perth Amboy Hotel Co.
Perth Amboy Investment Company
Petchesky-Katz Realty Corporation
Peter C. Nelson, Jr., Inc.
Peter and Dempsey, Inc.
Peter & Joseph, Inc.
Peter Ostergaard Investment Co. Inc.
Peter Vande Kappelle & Sons
Petrick Asbestos Co.
Petro Oil Heating Co.
Petry Express and Storage Co.
Pettangood Realty Corporation
Pfeifer and Sweet Amusement Company
Pflanzer Realty Company
Philadelphia Peoples Finance Corp.
Philadelphia Sweet Shop
Philbrin-Patterson Corporation
Phileo Construction Co.
Phil-Greene Lamp Mfg. Co.
Philip Cohen, Inc.
Philip Feinstein, Inc.
Philip Schwarz Co.
Philips Decorating Co. Inc.
Phillipsburg Dyeing & Finishing Co.
Phillipsburg Upholstering Company
Phil-Lips, Inc.
Philips-Paine Corporation
Phoenix Plan

Piccadilly Nut Shelling Co.
Pickover Construction Co.
Pierson Management Corporation
Pike Motors, Inc.
Pilgrim Egg & Poultry Exchange
Pine Grove Realty Co.
Pinehurst Finance Company
Pine Inn, Inc.
Pine View Camp
Pinewald Beach Company
Pinewald Engineering & Construction Co.
Pinewood Holding Co.
Pinnas and Pinnas
Pioneer Butter & Egg Co. Inc.
Pioneer Construction Company
Pioneer Publishing Company, Inc.
Pirozzi Construction Corporation
Pitman Golf Club
Pitted Date Corporation
Pittl Weiner Dairy Co.
Pittsburgh Building Corporation of Ocean City,
N. J.
P. J. Kelly & Son, Inc.
Plainfield City Garage
Plainfield Drivurself Co.
Plainfield Estates
Plainfield Gardens, Inc.
Plainfield Investment Company
Plainfield Recreation
Plainfield Spanish Home Building Co. Inc.
Plainfield Steam Laundry
Plains Hunting Club, Inc.
P-L Amusement Corp.
Plane & Orange Holding Co.
Plane Street Realty Company
Plankroad Plaza Realty Co.
Plantagenet Corporation
Play-O-Golf, Inc.
Plaza Silk Mills, Inc.
Pleasant Homes, Inc.
Pleasant Valley Land & Improvement Co.
Pleasant Valley Realty Co.

Pleasantville Finance Co.
Pleasantville Title & Finance Company
Plumbing & Radiation Sales, Inc.
Plumeyer Corporation
Plymouth Fur Company
Plymouth Investment Co.
Plymouth Laundry, Inc.
P. & M. Construction Co.
P. M. Roy and Company, Incorporated
P. Naples and Co. Inc.
Pneumatic Cushion Manufacturing Corporation
P. N. Lawes Co., Inc.
Poidomani Trucking Company
Point Land Corporation
Polacuna Realty Company, Inc.
Polish American Citizen Publishing Co.
Pombrin Construction Co. Inc.
Pompeston Farms, Inc.
Pompton Lakes Realty Company
Pontiere System, Incorporated
Poole & Duff, Inc.
Popick Phono-Cycle Company, Inc.
Poppy Dress Stores
Port Newark Lumber Co.
Potts Aquarium Company, Inc.
Pourtales & Co. Inc.
Powers Automotive Service
Practical Furrier, Inc.
Precision Co.
Preferred Security Corporation
Premium Gasoline Company, Inc.
Premo Motors, Inc.
Prepared Lime and Mortar Co.
Presdo Manufacturing Co., formerly Chas. H.
Klein Specialty Co.
President Hotel Company
Press Publishing Co. Incorporated
Pride of Bayonne Baking Co.
Pride Realty Company
Primmer Garage & Repair Co. Inc.
Primmer Motor Car Co.
Princess Specialty Shop, Inc.

Princeton Garage and Taxi, Inc.
Princeton Highland Realty Company
Princeton Road Co.
Produce Loaders, Inc.
Productive Realty Co.
Proferry Holding Co.
Professional Bag Co., Inc.
Professional Pharmacy
Progress Construction Corporation
Progress Realty & Investment Corp.
Progressive Realty Corporation
Progressive Trucking Corporation
Promenade, Inc.
Prompt Loan Association
Prospect Avenue Realty Company
Prospect Heights Land Company
Prospect Hill Manor
Prospect-Mountain Co.
Prospectors Finance Corporation
Prospect Park Hardware Co.
Prospect Park Realty Co.
Prospect Printing Co.
Prospect Slipper Co., Inc.
Protective Construction Co.
Protective Device Co.
Providence Loan Co.
Prudence Company
Prudential Title Co.
Pryll Meat Markets, Inc.
P. S. Gallena, Inc.
Public Bakery, Inc.
Public Oil Co. Inc.
Public Realty & Construction Co.
Public Electric Maintenance Co., Inc.
Public Service Realty Associates
Public Service Tire Shop
Pull-Box Co., Inc.
Pullman Gardens, Inc.
Pulsifer and Applegate, Inc.
Puncher Cigar Co.
Pupp-Well Amusement Corporation
Puritan Investors Corporation

Puritan Laundry Company
Puritan Realty Company
Purity Bottling Works
Putt-Well Amusement Corporation
Pyor-Nil Co. Inc.
Pyro Corrosanti Company, Inc.

Quaker Bond and Mortgage Co. Inc.
Quaker Hill Realty Co.
Quality Furniture Co.
Quality-Guarantee Laundry Co.
Quality Home Builders, Inc.
Quality Paper Box Co. Inc.
Quarry Realty Corp.
Queen Anne Amusement Corp.
Queen Anne Realty Corp.
Queen Candy Co.
Queen Quality Food Products Co., Inc.
Quickin Piston Company

Race Track Building Corporation
Radburn Building and Construction Company
Radburn Manor Realty Corp.
Radburn Realty Corporation
Radburn Trucking and Transportation Co.
Radford Realty Company
Radio Electric Co. Inc.
Radio Home Builders
Radio King Tube Corporation
Radiomatic Corporation of New Jersey
Radio Outlet Stores, Inc.
Radio Service, Inc.
Radio & Television, Inc.
Radio Tube Corporation
Radom Realty Corporation
Rafalowitz Painting Company
Rahway Pants Co. Inc.
Railway Sales & Supply Co. Inc.
Rainbow Investment Corporation
R. A. Keale Motor Sales, Inc.
Ralbo Aero-Auto Corp. Inc.
Rale Homes Building Co. Inc.
Raleigh Homebuilders, Inc.

Ralph L. Chester, Inc.
Ramig Manufacturing Co.
Ramona Hat Shops, Inc.
Ramp Garage, Inc.
Rancocas Construction Company
Rancocas Fur Farms
Rankine & Bogert, Inc.
Rankin & Co.
Rankin & Roux, Inc.
Ranlin Holding Corporation
Ransome Building Company of Newark, New
Jersey
Rapino Holding Co.
Rare Alloy Metal Company, Inc.
Raritan Bay Realty Co. No. 1
Raritan Holding Corporation
Raritan Home Sites, Incorporated
Raritan Realty Corporation
Rat Snap, Inc.
Raybins Beach Development Co.
Ray Coon's Auto Service, Inc.
Raymond Realty Company of Newark, New Jersey
Rayoloid Manufacturing Co.
Rayon Converting Co., Inc.
Ray Sporting Goods Manufacturing Company
R. & B. Realty & Investment Co.
R. B. Spafford Associates
Read's, Inc.
Rea-Duncan Construction Co., Inc.
Ready Mixed Concrete Company, of New Jersey
Rea Hosiery Shop
Real Construction Co.
Real Estate Adjustment & Sales Co.
Real Estate Holding Corp.
Real Estate Investment Corp.
Real Homes, Inc.
Real Properties, Inc.
Realty Corporation of Cape May
Realty Corporation of Palmyra
Realty Development & Engineering Co.
Realty Holding & Finance Corporation
Realty Investment Co. of Trenton, N. J.

Record-O-Phone Syndicate, Inc.
Reco Realty Corp.
Redding Manufacturing Company, Inc.
Reder Brothers, Inc.
Red Road Construction Corporation
Red Seal Dollar Hat Stores, Inc.
Reed & Hargen Co.
Refrigerating Construction and Supply Co.
Regar Garment Corporation
Regent Sanitary Laundry, Inc.
Regional Realty Corporation
R. & E. Grandt Jewelry Corporation
Reid Palisades Land Co.
Reiner's Rotaprint, Inc.
Reinhardt-Strunck Chevrolet Company, Inc.
Relative Holding Company
Relay Realty Co., Inc.
Relda Realty Corporation
Reliable Auto Radiator Company
Reliable Cleaning Co.
Reliable Construction Co.
Reliable Japanning Company, Inc.
Reliable Paint and Hardware Co.
Reliable Trading Co., Inc.
Reliable Trucking & Storage Company
Reliable Welding Company, Inc.
Reliance Concrete Block Company
Reliance Electrical Supply Co.
Reliance Investment Co.
Reliance Iron Works, Inc.
Reliance Manufacturing Co.
Reliance Realty Investing Corporation
R. E. M. Cement Products Co.
Remoto-Control Recording Co.
Renaldo Builders, Inc.
Renault Holding Co.
Renault's, Inc.
Rent-A-Car Company of N. J.
Replacement Parts, Incorporated
Reproduction Corporation
Reservation Heights Realty Co.
Resort Realty Company

Retail Grocers of Hudson County Exhibition Co.
Retail Stores Service Corp.
Revalex Realty Co.
Revere Investment Co.
Revere Realty Co.
Review Publications, Inc.
Rex Engineering & Construction Co.
Rex Jewelry Manufacturers, Inc.
Rex Theatrical Amusement Co.
Rex Theatrical Enterprises, Incorporated
Reygon Home Builders, Inc.
Reynier Dye Works
Reynolds Motor Co.
Reynolds Realty Co.
R. Fay Radio Co.
R & F Concreting Company, Inc.
R. F. & M. Corporation
R. and F. Realty Company
R. H. Barlow, Inc.
R. H. C. Realty Co.
R. H. Kelly & Co.
R. H. Shaw & Company
Rialto Arcade, Inc.
Rialto Manufacturing Co., Inc.
Rice's, Inc.
Richland Gardens, Inc.
Richland Mutual Rural Telephone Co.
Richland Public Service Co.
Rich-Land Realty Corporation
Richman-Richards, Inc.
Richmond Oil Co. Inc.
Ridgedale Park Development Corp.
Ridgefield Foods Co.
Ridgefield Holding Company
Ridgehurst Holding Co.
Ridgewood Bakery
Ridgewood Building Co.
Ridgewood Gables Construction Co., Inc.
Ridgewood Homes, Inc.
Ridgewood Land Company, Inc.
Ridgeway-Lehman Motor Truck Co.
Riedel Airways, Inc.
Riedel Fertilizing Process Co., Inc.

Rieger-Benjamin Feed Co. Inc.
Riger Housing Corporation
Riggins Construction Co.
Risack & Co.
Rite-Bite Restaurant, Inc.
Ritz Carlton Pharmacy
Ritz Electric Service, Inc.
Ritz Radio Stores, Inc.
Rivercliff Holding Co.
Riverside Amusement Park, Inc.
Riverside Boat & Social Club
Riverside Building Co., Inc.
Riverside Contracting Co., Inc.
Riverside Dairy Co.
Riverside Loan Company
Riverside Restaurant, Inc.
Rivervale Land Corporation
Riviera Restaurant Co.
Rixmann Company, Inc.
R. J. A. Holding Co.
R & L Finance Company
Roach Realty Co.
Roanoke Company, Inc.
Robben Realty Co.
Robbins & Frizzell, Inc.
Robert C. Buchanan, Inc.
Robert E. Fritsch, Inc.
Robert H. Johnston & Sons
Rob't. H. Wortendyke, Inc.
Robert Land Co.
Robert L. Evans, Inc.
Robert L. Flipping, Incorporated
Robert Lincoln Land Co.
Robert N. Cherry, Inc.
Robert Place Realty Co.
Robert Scott, Inc.
Robert Spadea Co. Inc.
Robert Summerton, Inc.
Robinson-Jacobson, Inc.
Robinson Motor Co.
Robinson Scrap Rubber Co.

Rob-Roy, Inc.
Rochelle Park Building & Construction Co.
Rochelle Park Drug Co.
Rockaway Homes and Investment Co.
Rockland Realty Corp.
R. O. Corporation
Rodiser Co.
Rodman's Cleaning and Dyeing Works, Inc.
Rodun Mutual Service
Roessner & Heyeck, Inc.
R. & O. Investment Co.
Rolle Composition Co., Inc.
Rolling Chair, Inc.
Roma Art Co., Inc.
Roma Investment Company
Rome Realty Co., Inc.
Roosevelt Investment Company
Rosara Investment Company
Rosary Flower Shop, Inc.
Rosco Holding Co., Inc.
Rosco Realty Co. Inc.
Rosedale Grocery Corp.
Rosedale Manor, Inc.
Rose Dry Goods Stores, Inc.
Roselin Realty Corporation
Roselle Home Development Company
Roselle Park Amusement Co.
Roselton Corporation
Rosemaid Corporation
Rose Marie Dress Manufacturing Co.
Rosemont Stores
Rosenbaum and Company
Rosenberg & O'Leary
Rosenbluth Realty Co.
Rose Publishing Company
Roseville Loan Company, Inc.
Roslyn Amusement Corporation
Roslyn Diner, Inc.
Rosner Realty & Mortgage Co.
Ross Fenrich, Inc.
Ross Industries Corporation
Ross Sales Engineering Corporation

Ross Stores, Inc.
Ross Taxi Service
Roth's Shoes, Inc.
Rothwell Realty Company
Rovel Holding Corporation
Rowe Corporation
Rowe's, Inc.
Rowland Real Estate Co.
Roxy Cloak Company
Roxylite Corporation
Royal Baby Shop, Inc.
Royal Cake Company
Royal Candy Stores
Royal Cleaning and Dyeing Co.
Royal Engineering Co. Inc.
Royal Furniture Corporation
Royal Hardwood Floor & Supply Company
Royal Home Furnishers
Royal Realty Company
Royal Recreation Club
Royal Silk Mills of N. J.
R. & B. H. Wright, Inc.
R. S. & P. Realty & Investment Corp.
R. & S. Securities Co.
R. S. T. Corporation
Rubber Products Corporation
Ruby Silk Mills, Inc.
Ruden-Kras Company, Orange, N. J.
Ruderman Bros.
Ruh Magnesite Products Corp.
Rumler Manufacturing Company, Inc.
Runnemedde Lamp Shade Mfg. Co.
Runyon Corporation
Russ Distributing Corporation
Russell A. Groff Co., Inc.
Russell Holding Corporation
Russell W. Smith Holding Co.
Rust Research Corporation
Rutgers Realty and Construction Co.
Rutherford Agency
Rutherford and Carlstadt Land and Building Co.
Rutherford Hardware Co.

Rutherford Realty Co.
Rutherford Sport Hat Corporation
Ruth Operating Corporation
R. X. Company
R. & Y. Realty Co.

Saads Realty Co.
Sabold-Herb Company
Sachs Bros. Inc.
Saddle River Polo Fields, Inc.
Safeguard Investment Co.
Safety Dry Cleaning System Co.
Sage Rayon Corporation
St. George Theatre Corporation
St. Gerard's Realty & Investment Co.
Salfo Construction Co. Inc.
Sally Smart, Incorporated
Salus Brake Co.
Samberg Realty Company
Sammara & Company, Incorporated
Samos Realty & Investment Co. Inc.
Sample Shoe Shops, Inc.
Sam's Shoe Shop, Inc.
Samuel Colacurcio, Inc.
Samuel Mitterhof, Inc.
Samuel M. Jacobsohn Realty Company, Inc.
Samuel Schild, Inc.
Sanders Silk Co.
Sandford Bros, Inc.
Sandler's 5c to \$5 Stores, Inc.
Sandwichland, Inc.
Sandy Hook Realty Co.
Sangor Hotel Corporation
Sanitarium Holding Corporation
Sanitary Bottling Works, Incorporated
Sanitary Food Corporation
Sanitary Plumbing & Heating Co. Inc.
Sanitary Urine Tube Corporation
S A. Press Co.
Sarah-Helena, Inc.
Saranac Building Fund, Inc.
Sash, Door & Trim Co. of Englewood

Sattler Company, Inc.
Saul B. Siegel, Inc.
Saul Holding Co. Inc.
Saul Perlmutter, Inc.
Savory Foods, Inc.
Savoy Electrical Company, Inc.
Savoy Press, Inc.
Saxe & Terhune, Inc.
S. & B. Company, Inc.
S. & B. Construction Co. Inc.
S. B. D. Motor Company
S. Berman & Son, Inc.
S. B. G. Realty Co.
S. B. Homes, Inc.
S. B. & H. Realty Company
Scangarello-Castiglio Bakery Co., Inc.
Scarnechia Co. Inc.
Scarnecchia Holding Corp.
Scarpa Heating & Contracting Company, Inc.
S. C. Bishop Company
S. C. Fordham & Company, Inc.
Schaefer Electrical Co.
Schall & Richmond, Inc.
Schantz & Eckert Co.
Shefrin Auto Supply, Inc.
Scheld Bros. & Bieck, Inc.
Scherer Realty Co.
Scher Photo Studio, Inc.
Schindler Realty Corporation
Schlenger Realty Co.
Schlossberg, Gluckman, Goldowsky, Kern, Inc.
Schoch Bldg., Co. Inc.
Schoellner & Horbach Mfg. Co.
Schrenell Bros.
Schroeter-Grotheer's, Inc.
Schulz & Sons, Inc.
Schustrin Holding Co.
Schuyler Lumber Co.
Schwartzman, Inc.
Scientific Fur Products Corporation
Scotland Worsted Mills, Inc.
Scott & De Palma Furniture Co.

Scott Motors, Inc.
Scudder Market
Scully Manufacturing Company
S-D-G Realty Company
Seaboard Paving and Contracting Co.
Seaboard Ramp Garage Corporation
Seaboard Refining Company, Inc.
Seacoast Finance Corporation
Seacoast Fisheries, Inc.
Seacoast Investment Company
Seacoast Overland Motors, Inc.
Sea Isle Junction Sand Co.
Seal Silk Corporation
Seaman & Co. Inc.
Seashore & Mainland Development Co. Inc.
Seashore & Mainland Transportation Co.
Seashore Radio Company
Seashore Search Company of Cape May Court
House, New Jersey
Seashore and Suburban Realty Corporation
Seaside Park Fishery, Inc.
Seaspray Realty Co. Inc.
Secaucus Community Club, Inc.
Secaucus Realty Corporation
Secaucus Theatre Corporation
Secaucus Wrecking Corporation
Seckler Shepperd, Inc., formerly "Paterson Mortgage Company"
Securities Company of the Oranges
Securities Corporation of America
Securities Sales Corporation
Security Investment Co.
Security Land Company
Sed Realty Company, Inc.
Sefox Silk Company
Seguine Co.
Seklite Realty Corp.
Select Housing Company
Selfed Pencil Company, Inc.
Selling-Finance Publishing Co.
Senior Realty Corp.
Seno Realty & Construction Co.

Sep Laboratories, Inc.
Service Markets
Service Millinery Stores
Service Plumbing & Heating Co.
Service Shoe Company
Service X-Ray Co.
Sesko, Inc.
796-800 Broadway, Inc.
Seventeenth Street Live Poultry Market, Inc.
Seville Hotel, Incorporated
Sewells Point Amusement Company
Sewing Machine Supply Co.
S. F. B. Realty Co.
S. G. Rogers, Inc.
Shadow Lawn Realty & Development Co. Inc.
Schaefer & McClain, Inc.
Shafer, Davis Motor Co.
Shampanore & Sons, Inc.
Shamrock Manufacturing Co.
Shaner-Smith, Inc.
Share Mergers, Inc.
Shattls & Co. Inc.
Shaw & Casperson, Inc.
Sheba Pistachio Corp.
Sheldon Realty Co.
Sheldon's, Inc.
Shelley Coal & Ice Corporation
Shepherd Engineering Co.
Sheridan Building Company
Sheridan Neckware Co.
Sherman's, Inc.
Sherwood Baking Co.
Sherwood Realty Company
Shirley Shoe Shop, Incorporated
Shoe String Revue
Shore Acres, Inc.
Shore Grill, Inc.
Shore Produce Company
Shore Products Co. Inc.
Shore Realty Co.
Shumlin Theatrical Co. Inc.
S. H. & Z. Realty Company

Sicca and Wagner Bus Co.
Sicilian Trading Corporation
Sidney Corporation
Siegert Service Co. Inc.
Sierra Publishing Company
Sigal Bros. Inc.
Silberg Trading Co. Inc.
Silger Building Corp.
Silver-Diamond Corporation
Silver Lake Iron Work Co. Inc.
Silver Lake Terrace, Inc.
Silver Lake Tile, Marble and Terrazzo Co.
Simmen Hydraulic Jack Corporation
Simon Bennet Corporation
Simon Bros. Furniture Co. Inc.
Simon & Cohn, Inc.
Simon Furniture Co. Inc.
Simplex Piston Ring Sales Co. of Northern N. J.
Sindia Realty Corporation
Singac Drug Company
Singer & Lorentz, Inc.
Sip Building Corporation
Sip Realty Company
Siro Construction Company
Sirrom Holding Company
Sisbro Realty Co. Inc.
614 Company, Inc.
Sixty-Three Smith Street Realty Corp.
Skandia Importing Co. Inc.
Skarnel Realty Corporation
S & K Baking Co. Inc.
S. & K. Holding Co.
Skillman-Thomas Corporation
Skinner Mfg. Co. of N. J.
Sklar Bros. Padded Vans & Storage Co. Inc.
S & K Realty and Mortgage Company, Inc.
S. K. & S. Clothing Co.
Slater Construction Co.
S. L. Dowd, Inc.
S. L. S. Realty Co.
Smalley & Race, Inc.
Small Loan Association

S. Mandelbaum & Company
S. & M. Coffee Shop
Smilax Realty Corporation
Smiles, Incorporated
Smilow & Seidenberg, Inc.
Smith & Beck, Inc.
Smith Furniture Co. Inc.
Smith-Sandford Reo Co. Inc.
Smith Silk Co.
Snappy Style Shop, Inc.
Snedeker-Nash Corporation
Sneyd Enameled Brick, Inc.
Snyder-Brown Company
Snyder Multiform Sales Co. of N. J.
Sobel & Gray
Social Record Publications
S. O. H. M. Realty Company
Soho Building Company of Newark, New Jersey
Solar Electric Manufacturing Co.
Soldax Realty Co.
Soluble Coffee Co.
Somerset-Cook, Incorporated
Somerset Garage, Inc. No. 2
Somerset Golf Club, Incorporated
Somerset Park
Somerset Radio Service, Inc.
Sommers Bros. Inc.
Sophie Krayner, Inc.
Sorett Frocks, Inc.
Souder Printing Company
South Amboy Realty Corporation
South Bergen Construction Co.
South Bergen Laundry Service, Inc.
South Camden Terminal & Industrial Realty Co.
South Carolina Clay Co.
South East House Repairing Company
South Hudson Holding Co.
South Hudson Publishing Co.
South Kearny Cooperage Co.
South Newark Realty Company
South Newark Reo Co. Inc.
South Parkway Homes of Clifton, Inc.

South Seaville Sand and Gravel Company
South Jersey Engineering and Sales Co.
South Jersey Home Improvement, Inc.
South Jersey Motors, Inc.
South Jersey Oil Co.
South Jersey Public Utilities Corporation
South Jersey Realty Corporation
South Jersey Shores Corporation
Sovereign Manor, Inc.
Sovereign Mortgage Corp.
Spanish Homes, Inc.
Specht Corporation
Specialty Corset Shop, Incorporated
Specialty Homes, Inc.
Specification Paint & Varnish Corporation
Speedway Concession Co.
Speedway Service Station
Speedwell Homes Corporation
Spencer Boardwalk Corporation
Spencer-Braislin Co.
Spick & Span Hosiery Shoppe, Inc.
Spinach Products Co. Inc.
Spinelli Motor Truck Sales, Inc.
Sportswear Manufacturing Co. Inc.
Spray Beach Hotel, Inc.
Springdale Park Civic Association of Mercer County, New Jersey
Springfield Coal Co. Inc.
Springfield Gas & Oil Co.
Spring Lake Beach Development Co. Inc.
Spring Lake Investment Co.
Spring Lake Polo Corp'n.
Spring Valley Express Bus Service
Spruce Creamery, Inc.
Square Realty and Holding Co. Inc.
Square Service Garage
S. Reinach Co.
S. & R. Mfg. Co.
S. Roth and Son, Inc.
Ssorg Realty Co.
S. S. Straus Co.
S. & S. Trucking Co.

Stadium Court Holding Co.
Stairs Construction Co.
Standard Alloy Wire Co.
Standard-American, Inc.
Standard Asphalt Paint Co.
Standard Biologic Laboratories, Inc.
Standard Brick Co.
Standard By-Product Company
Standard Co-Operative Corporation
Standard Development Company
Standard Distributing Corporation
Standard Electric & Gas Heating Co.
Standard Feed Co.
Standard Food Store, Inc.
Standard Greenhouses, Inc.
Standard Holding Co.
Standard Loan & Investment Corporation
Standard Metal Manufacturing Co.
Standard Milk Products Corporation
Standard Site Tee Company
Standard Vacuum Brake Co.
Standish Building Company, Inc.
Stanley Clothes
Stanley Construction Co.
Stanley Dye Works, Inc.
Stanley Herbert Co.
Stanley Sash & Door Co. Inc.
Stanley Stores, Inc.
Star Hardware & Paint Supply Co.
Star Outfitting Co. Inc.
Star Realty Corporation
Star Sanitary Wet Wash Laundry
Stasia Construction Co. Inc.
State Automatic Radio Corp.
State Central Realty Co.
State Goody Shoppe
State Holding Corporation
State Line Holding Corporation
State Loan Association
State Products Company
State Radio Distributing Co.
States Avenue Realty Co.

State Service System
Statewide Realty Co.
Stathakis Express Company
Station Realty Co.
Steaming Appliance Co.
Stearns and Gordon Company
Stearns-Knight Co. of Hudson County
Steel Finance Corporation
Stehlik Development Co.
Steinberger, Asher & Feinberg, Inc.
Stein & Vasfailo Building Co.
Stemick Realty Co.
Stenberg Realty Company
Stencil Corporation of America
Stephens Motor Sales, Inc.
Sterling Agency, Inc.
Sterling Millinery, Inc.
Sterling Silk Underwear Mills
Sterling Waxed Paper Manufacturing Co.
Sternbach Chevrolet Co.
Steven Perelli and Son Company, Inc.
Stevens & Co.
Stevens-Earle Corporation
Stevenson Co.
S. T. Fairbanks, Inc.
Stillman Holding Co.
Stimon's, Inc.
Stocker Bros., Inc.
Stone Realty Corporation
Stone & Stone, Inc.
Stornell Associates, Inc.
Strand Pure Food Shops, Inc.
Stratmore Corporation
Stratton Engineering Corp.
Strauss Construction Co.
Strauss-Horn Co. Inc.
Strauss Jewelry Store, Inc.
Streiffs & Co. Inc.
Strode Battery Service
Stryker's Garage & Storage Warehouse Company,
Inc.
Stuart and Peterson Co.

Stuart & Wood, Inc.
Stull Bro's. Co.
Stutz Motors, Inc.
Stuyvesant Heights, Inc.
Stuyvesant Motors, Inc.
Style Dress Company, Inc.
Suburban Homes Finance Corp.
Suburban Land Co.
Suburban Theatres, Inc.
Sulport Developers, Inc.
Summer Avenue Holding Co. Inc.
Summer Holding Co.
Summit Apartments, Inc. No. 1
Summit Estates Co.
Summit Mining Co.
Summit Sweets Shoppe, Inc.
Summit Terrace Home Builders, Inc.
Sunbeam Appliance Corp.
Sun Drug Company
Sun Finance Corporation
Sunlight Laundry, Inc.
Sunnyland Poultry Sales Co.
Sunnyside Manor, Inc.
Sun Publishing Company
Sunset Corporation
Sunshine Dye Works
Superior Airadiomatic Owners, Inc.
Superior Automatic Radio Co. Inc.
Superior Homes, Inc.
Superiod Lodge No. 215, I. B. P. O. E. of W. Building
Superior Metal Products, Inc.
Superior Plumbing, Heating & Engineering Co. Inc.
Superior Realty Corporation
Superior Remedy Co.
Superior Resistor Corporation
Superior Wet Wash Laundry, Inc.
Supreme Broad Silk Company, Inc.
Supreme Holding Company, Inc.
Supreme Investment Company
Surety Egg Box Co.

Surety Finance Corporation
Surf Bathing Pavilion, Inc.
Surf Bungalows Corporation
Surf City Realty Co.
Surteb Realty Co.
Sussex Print Works
Sussex Register Publishing Co.
Sussex Theatre Corporation
Swan Feather and Down Company, Inc.
Swan-Haverstick, Inc.
Swastika Foundation, Inc.
S. W. Corner Pacific & New York Avenues, Inc.
S & W Department Store, Inc.
Swedesboro Fish Corporation
Swedesboro Ice & Coal Storage Company
Sweet & Grigg, Inc.
Sweetwater Camp
S & W Realty Corporation
Sylvania Realty Co.
Sylvester Construction Co.
Sylvester's Taxi
Syndicate Investors, Inc.
System Investments, Inc.
S. Z. S. Holding Company

Tabor Heights Realty Company
Taft Building Company
Taglieri Realty Corp.
Tahen Holding Corporation
Taichmor Corporation
Tambur Corporation
Tappé Inc.
Tappé Millinery, Inc.
Tar Paper Tavern, Inc.
Taubenkimel Bros., Service Stations, Inc.
Taylor Contracting Company, Inc., formerly Taylor and Riehl Inc."
Taylor-Maid Stores, Inc.
Taylor Road Realty Company
T. C. Co.
Teaneck Publishers, Inc.
Technical Engineering Corporation

Technical Supply Company
Tel-A-Fire, Inc., formerly "Bergen County Estates
Inc."
Telford Realty Company
Tenafly Development Company
Tenafly Engineering & Construction Co.
Tenafly Textile Mills
Ten Sixteen Broad St.
Terlis Holding Co.
Terminal Mortgage Company
Terrace Heights Holding Corporation
Terra Construction Co.
Terra Cotta Products Corporation
Texmco
Textile Engravings Incorporated
Textile Novelty Co.
T. F. Morford Motor Car Co.
T. & G. Co.
Thelma Realty Co. Inc.
Theo Building Corporation
Theodore C. Muller Construction Co.
Thermalead Refining Company
Thermal System, Inc.
Thirteenth Avenue Corporation
Thirty-five Kensington Avenue Corporation
Thirty-five Summit Ave. Holding Co.
This and That Company, Inc.
Thomas B. Suydam, Inc.
Thomas C. Fogarty, Inc.
Thomas Cort, Incorporated
Thomas E. Day, Inc.
Thomas Laboratories, Inc.
Thompson-Reilly Company
Thomson and Anderson, Inc.
Thorngill Realty Corporation
Thraco Corporation
Three-County-Publishing Co.
308-312 Stewart Ave., Inc.
347 Belleville Ave., Inc.
341 Bloomfield Ave., Corp.
Threemor Corporation
396 Main St. Corp.

Three Rivers Fur Co.
376 William Street Corporation
365 Lincoln Avenue Corporation
Thrift Finance Company
Thrift Funding Corp.
Thrift Housing Association
Thrift Millinery Shops
Thrilling Stories Publishing Co. Inc.
Tieger Florida Land Co.
Tietje Furniture Co.
Tile Talk, Inc.
Tip Topics Bureau, Inc.
Tip-Top Lighting Fixture Co., Inc.
Tivoli Gift Shop, Corporation
Tlusty's
T. Nakaya & Co.
Tobiasson Brothers, Inc.
Tobin and Meyer, Inc.
Toms River Hotel Corporation
Tony Hunting Amusement Company
Toriello & Sansone Construction Co.
Torjesen Construction Co. Inc.
Totowa Borough Cash Meat Market
Totowa Electric Company
Tower Holding Co.
Townsend Realty Co.
Trachtenberg Luggage Manufacturing Co.
Traders Mortgage and Loan Co.
Traders Realty Co.
Traffic and Service Development Corporation of
America
Trago Corporation
Trainer Brewing Company, formerly "Penn Beverage Company"
Transamerica Corporation
Trefoil Construction Company, Inc.
Tregger Co.
Trenrex Realty Corporation
Trenton Banana Sales Company, Inc., No. 2
Trenton City Bridge Co.
Trenton Lumber and Millwork Company
Trenton-Princeton Airport, Inc.

Trenton Provision Company
Trenton Theatres Operating Corporation
Triad Realty Corporation
Triangle Agency
Triangle Construction Co.
Triangle Garage
Triangle Letter Service, Inc.
Tri-County Corporation
Trident Electric Corporation
Trigon Coal Company
Tri Loan Association
Tri Seal Corporation
Tri-State Realty & Building Corp
Tri-State Rubber Co.
Triune Company
Trubilt Homes, Inc.
True Value Home Builders Co.
Trufood Restaurant, Inc.
Truitt-Lewis Motors, Inc.
Truppi Realty Co.
Trustee Acceptance Corporation
Trustoil Company, Inc.
Tryon-Oakland Realty Co., Inc.
T. & S. Construction Co.
Tuckerton Beach Development Co
Tuckerton Community Theatre
Tudor Terrace Company
Tulp and Greene
Turkey Hill Realty Co.
Turner & Adams, Inc.
Turner Engineering Corporation
Turner Lumber Co. Inc.
Turner's Stationery Store, Inc.
Tussel Construction Co.
Tuxedo Land Co.
Tuxedo Park Heights Development Co.
T. W. B. Corporation
Twelfth Avenue Realty Company
Twelfth Ward Realty Company
Twentieth Street Holding Company
2801 Boulevard Corporation
23 East Price Street Holding Co.

26 Jones Street Holding Corp.
26 Winans Street Corp.
22 Henry Ave. Corp.
Twenty-Three East Park Street, Inc.
Twin-Boro Holding Co. Inc.
Twin City Bus Co. Inc.
Twin County Holding Corporation
Twin Realty Co.
254-256 Smith Street Realty Co.
T. W. McDowell & Co., Inc., formerly "H. E. Erickson Inc."
Two Hundred and Seventeen Greylock Parkway, Inc.
275-279 Chestnut St., Inc.
203-209 Smith Street Realty Co.
263 Springfield Avenue, Inc.
222 Chancellor Ave., Inc.
Typewriter Sales and Service of Paterson, Inc.

Ultra Disinfecting Co.
Underwriters Associates, Inc.
Uneda Wet Wash Laundry Co.
Uniform Boat Fender, Inc.
Uni-Lec-Tric Sales Co., Inc.
Union Candy Manufacturing Co.
Union-Carmita Corporation
Union Cash Grocery Company, Inc.
Union City Amusement Corporation
Union City Motors, Inc.
Union City Realty and Construction Co.
Union Co-operative Bakery of Roselle, Inc.
Union County Brick-Crete Block Co. Inc.
Union County Holding Co.
Union County Natatorium, Inc.
Union Credit Store, Inc.
Union Distributors, Inc.
Union Finance & Investment Co.
Union-Graham-Paige, Inc.
Union Hill Printing & Engraving Co.
Union Individual Laundry
Union Land & Improvement Co.
Union Loan Association

Union Lumber Co.
Union Real Estate and Investment Co.
Union Realty and Investment Company of Orange,
New Jersey
Union Silk Company
Union Tile Works, Inc.
Union Wrecking Co.
Unique Bead Shops, Inc.
Unison Realty Co.
United Agency of N. J.
United Aircraft Corporation
United Airports Corporation of America, Inc.
United Apartments
United Auction House
United Beauty Parlor and Barber Shop
United Beverage Corporation
United Bottlers' Association of New Jersey
United Business Men's Association
United Capital and Sales, Inc.
United Cemeteries Corporation
United Combination Stores, Inc.
United Commission Corporation
United Conservatory of Music
United Degreasing Corporation
United Electric Shops
United Famous Luncheonette, Inc.
United Feed Co.
United Financial Corporation
United Haberdashers, Inc.
United Homes Development Corporation
United Investing & Trading Corporation
United Lathing Co.
United Lumber and Sales Corporation
United Manufacturing Company, Inc.
United Produce Company
United Products Co.
United Reproducers Corporation
United Royalties Corporation
United Salesmen, Inc.
United Savings & Loan Association
United Service Detective Bureau
United Shoe Chain, Inc.

United Silk Fabrics Corporation
United States Automobile Association
United Vest Makers Co., Inc.
United You-Drive, Inc.
U. S. Blade Corporation
United States Consolidated Realty Corp.
United States Hammered Piston Ring Co.
United States Holding Company
U. S. Irish Line
United States Key Bolt Company
United States Mechanical Laboratories
United States Piano Corporation
United States Piano Corporation of Newark
United States Radio Supply Co.
U. S. Securities Corp.
United States Thrift Society, Inc.
United States Zinc Products Corporation
Unity Stores, Inc.
Universal Conservatory of Music, Inc.
Universal Construction Co.
Universal Electric Sign Co.
Universal Food Products, Inc.
Universal Fur Dressing Co.
Universal House & Window Cleaning Co., Inc.
Universal Investment & Securities Corporation
Universal Lamp & Novelty Co. Inc.
Universal Products Manufacturing Company, Inc.
Universal Products Sales Co.
Universal Shoe Company
Universal Shoe Market, Inc.
Universal Trucking Co. Inc.
Universal Underwriters Agency
Universal Window Corporation of New Jersey
Univitra Corporation
U. & O. Realty Co. Inc.
Upper Ridgewood Development Co.
Ur-Own Home Company
Used Buick Cars, Inc.
U. S. Film Industries, Inc.
Utility Bag Co.
Utility Service Co.
Utility Steel Products Co. Inc.
Utopia Park, Inc.

Vacarr Auto Repair Co.
Vacationland, Incorporated
Vacca Brothers Silk Throwing Co.
Vailsburg Hardware, Inc.
Vailsburg Tonsorial & Beauty Parlor Co. Inc.
Val Duray, Inc.
Valentine Corporation
Valentine's Drug Stores, Inc.
Valentino Realty, Inc.
Vallatese Construction Co.
Vallatese Loan Association
Valley Distributing Co., Inc.
Valley View, Inc.
Valuable Holding Corporation
Vance Stewart Company, Inc.
Van Genderen Fixture Studio
Van Heertum Building, Inc.
Van Pelts' Garage, Inc.
Van Winkle Chevrolet, Inc.
Van Winkle Development Co.
Vapo Zone Co. of New Jersey
Varick Realty Co.
Variety Shop
Variety Spinning Co.
Varoma Medical Co.
Veenstra Realty Company
Veg. Corporation
Vel Realty Co., Inc.
Venetian Garden, Inc.
Vent-I-Brac Corporation
Ventnor Hotel Corporation
Ventnor Pencil Print Co., Inc.
Ventnor Plaza Company
Verdon-Roche Corporation
Verne J. Dassinger, Inc.
Vernon Court Apartments, Inc.
Vernon Realty Corporation
Verona Estate, Inc.
Verro Construction, Inc.
Veterans Better Homes Corporation
V. I. C. Holding Company
Vielaide, Inc.

Victoria Hosiery Mills, Inc.
Victor Loan Ass'n. & Finance Co., Inc.
Victor Realty & Mortgage Co.
Victory Mortgage Co. of Perth Amboy, N. J.
Victory Oil Co., Inc.
Victory Realty Company
Vienna Art Knitters, Inc.
Vincent Marriott Co., Inc.
Vineland Clothing Manufacturing Co.
Vineland Transfer Company, Inc.
Virginia Mortgage and Investment Co.
Visible Pump Co.
Vita-Bac Corporation
Vital and Jobin Inc.
Vitaphone Dress Co.
V. & L. Realty Co.
V. L. V. Construction Company
Vogue Dress Shoppe
Vogue Shoppe, Inc.
Volcan Mining Co.
Velow Construction Co.
Von Minden Co.
Vrana Florists, Inc.

Wachsberg Pickle Works, Inc.
Wainwright Building Co.
Walburn & Co.
Walcar Realty Company
Walco Pictorial Co.
Walco Wiring Devices, Inc.
Waldman and Geers
Waldorf Restaurant Co.
Walker Draft Gear Corporation
Wallace Building Corporation
Wallace and Gilbert, Inc.
Wallace Roberts Canning Co.
Wallington and Passaic Coal and Ice Co.
Walnor Realty Co. Inc.
Walnut Bottling Co.
Walter L. Eckhardt Associates, Inc.
Walthal Electric Co. Inc.
Walton Holding Corporation

Wamsitta Company
Wanstall Engineering Co. Inc.
Ward-Clark Holding Co.
Ward Estate, Inc.
Warehousing Corporation
Wargacki Testa Photoplayers
Warner Drug Corporation
Warranty Building Co.
Warren Chemical Company, Inc.
Warren Clinton, Inc.
Warrenette Roofs, Inc.
Warren Piano Company, Inc.
Warren Point Lumber Co.
Washington Automobile Service Corporation
Washington Dancing Academy
Washington Felting Mills
Washington Holding Co.
Washington Market Holding Corp.
Washington Loan Company of Atlantic City
Washington Park Development Co.
Wash-Rite Laundry, Inc.
Wastena Builders, Inc.
Watchung Delicatessen, Inc.
Watchung Holding Co.
Watchung Valley Associates
Waterbury Co.
Waterfront Operators' Corporation
Waterloo Ice Co.
Water Witch Development Co.
Watson Printing Co.
Watsessing Investments, Inc.
Waverly Construction Co., Inc.
Wayne City Corporation
Wayne Land and Development Co.
W-B Bearing & Parts Co. Inc.
W. D. Marshall, Incorporated
Wear Well Slipper Co. Inc.
Weaver Dry Goods Company, formerly "T. L. Fox
Co."
Weber Tire Co.
Wedgwood, Inc.
Weehawken Holding Corp.

Weequahic Cleaners, Dyers & Tailors, Inc.
Weinwill Realty & Investment Co.
Weiselberg Bedding Corporation
Weiss Furniture Co.
Weiss-Rodel Building Co. Inc.
Weiss & Sharp, Inc.
Well-Made Embroidery Co. Inc.
Well Made Home Building and Remodeling, Inc.
Well-Made Umbrella Company, Inc.
Wembrant Realty Co.
Werner Construction Co.
West Bergen Coal Co.
West Coast Distribution Co. Inc.
Westdale Construction Co.
West Elizabeth Realty Company
West End Investment Co.
West End Realty and Contracting Co.
West End Theatre Co.
West Englewood Apartments, Inc.
West Englewood Construction Co.
West Englewood Home Co.
West Englewood Mortgage and Finance Corporation
West Englewood Realty Exchange, Inc.
West Essex News, Incorporated
West Essex Securities Company
West Essex Small Loan Co.
West India Land and Trading Company
West Market Securities Co. Inc.
West Milford Development Co.
Westfield Avenue Corporation
Westfield Contracting & Construction Corporation
Westfield Dairy, Inc.
Westfield Holding Co. Inc.
Westfield Manor, Inc.
Westfield Shawl M'F'G' Co. Inc.
Westfield Villas, Inc.
West Hudson Coal Co., formerly "Arlington Coal Co."
West Jersey Finance Co.
West Jersey Gas and Oil Transportation Company, Inc.
West Jersey Trading Co.

Westminster Loan Co.
West Newark Charcoal Co. Inc.
West New York Auto Body Company
West New York Iron Works
West New York Mortgage Co.
West New York Radio Shop
West Nutley Construction Co.
West Orange Estates, Inc.
West Paterson Agency, Inc.
West Philadelphia Model Baking Co.
West Side Construction Co.
West Side Realty Co.
West Side Shoe Co.
West Slope Realty Corporation
West View Home Building Corp.
Westwood Securities Corporation
Westwood Stationery Store, Inc.
Westwood Transportation Co.
Wexler Realty Co.
W. F. Woodford, Inc.
W. G. Banfield, Inc.
W-G-R-W Inc. of Perth Amboy, N. J.
W. G. Stevens Sons
Wheeler Dining Room, Inc.
Whelen Realty Co.
W. H. E. V. Holding Co.
Whippany Lumber Company, Inc.
White Broad Silk Works, Inc.
White and Hess, Inc.
White Horse Bond & Mortgage Co. Inc.
White & Jefferson Investment Co. Inc.
Whitney Plumbing & Heating Company, Inc.
Wiggins, Bowers & Co., Inc.
Wilborton Ware, Inc.
Wilburtha Poultry Farms, Inc.
Wilbur Wet Wash Laundry, Inc.
Wildwood Development Co.
Wildwood Strand Realty Co.
Wildwood & Suburban Realty Co.
Wilgrist Fur Co.
Wil-Jo Holding Co.
Wilkesbarre & Hazleton Railroad Co.
Willard Diners, Inc.

Willet Company, Inc.
Wm. A. Burgess, Inc.
William Apostolacus and Samuel Skopas, Inc.
Wm. Becharas & Co. Inc.
William Brick, Inc.
William Decter Co.
William F. Casey Co.
William F. Lemon & Bro. Inc.
William Grieves & Sons, Inc.
William H. Mallon Co. Inc.
William H. Stevenson Co.
Wm. J. Henderson Co. Inc.
William J. Hogan and Son, Inc.
William Lanterman, Incorporated
Wm. Lewin Advertising Agency
William Lewis Company
Wm. Penn Oil Company
William P. Lohman, Inc.
William R. Simpson Corporation
William Schimper and Co.
William T. Nardin Manufacturing Co.
William Wrifford, Incorporated
Williamson Holding Co.
Willie's Lunch, Inc.
Willis Armature Service Co.
Willis Investment Corporation
Will-Pal Investment Co.
Wilmore Corporation
Wilson Building Corporation
Wilson Holding Company, Inc.
Wilson Sales Co. Inc.
Wilson Sand & Gravel Co.
Wilson Stores Incorporated
Wilton Pharmacy, Inc.
Windsor Construction Co.
Winfield Scott Garage
Winnett Sales Service
Wintone Sales Co.
Wippert Construction Co.
Wire Specialty Co.
Wische Fuel Oil Co.
Wiseman & Co.
W. J. MacEvoy Construction Co.

W. J. Rich Development Co.
W. K. Realty Co.
W. L. Building Co.
W. O. Harris, Inc.
Wolcott Corporation
Wolf Equipment Company
Wolff Furniture Company
Wol-Kan Electric Motors Corporation
Wolpert Holding Co. Inc.
Wonder Shoe, Inc.
Woodbine Flour and Feed Company
Woodcliff Tile Co. Inc.
Woodcrest Corporation
Woodfan Realty Co.
Woodhull and Martin Company
Wood and Kirby, Inc.
Woodland Estates, Inc.
Woodland Realty Co.
Woodland Rest
Wood-Ridge Press, Inc.
Woodward Building Co.
Workingmen's Investment Co.
World Food Products Corporation
Worrall Company
Wright Metal Works
Wright Realty Co.
W. S. Construction Co.
W. S. S. Realty & Construction Co.
W. W. H. Corporation
W. W. Snyder & Co.
Wyant Way of New York, Inc.
Wyckoff Auto Sales, Inc.
Wyckoff Estates, Inc.
Wyckoff Finance Co. Inc.
Wyckoff Nurseries, Inc.
Wyoming Holding Company, Inc.

X-Glare Company

Yale Motor Coach Co. Inc.
Yale Tire Company of New Jersey
Yanks Home Improvement Co. Inc.
Yanticaw Building Co.

Yardville Chemical and Solvent Co. Inc.
 Yee Chong Importing Company
 Yellow Cab Co. of Bayonne, Inc.
 Yellow Cab Company of Paterson
 Yogman and Co.
 Yorkview Construction Company, Inc.
 York View Realty Corporation
 Yosemite Co. Inc.
 Young & Dodds, Incorporated

Zad Gasoline Station, Inc.
 Zadory Construction Co. Inc.
 Zakrzewski Investment Co.
 Zambone Store of Vineland, Inc.
 Zehnpfund Embossing Process Company
 Zeisweiss Brothers, Inc.
 Zeliff Realty Company
 Zender Investment Corp.
 Zenith Chemical Co.
 Zeppone Construction Co. Inc.
 Zients Coal Co.
 Zip Electric, Inc.
 Zirm Finance Corporation
 Zwald Silk Dyeing Co. Incorporated
 Zwieback and Gurland Construction Co.
 Zwillman Realty Company
 Zwirn Realty Co., formerly "Ja-Em Realty Co."

are void, and all powers conferred by law upon such corporations and each of them, are hereby declared inoperative and void.

Given under my hand and the Great Seal of New Jersey, this nineteenth day
 [SEAL] of January, A. D. one thousand nine hundred and thirty-three, and in the independence of the United States the one hundred and fifty-seventh.

A. HARRY MOORE,
Governor.

By the Governor.
 THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

To conserve is as important as to build. We never grow weary of paying tribute to the dauntless pioneers who, in the midst of a wilderness, laid the foundations of our nation. We cannot honor them too much. But we would be false to the heritage which they left us if we failed to conserve the great resources of the country which they established.

The economic value of our natural resources is untold. The esthetic value of our forests, our streams and lakes, and our plant life cannot be estimated. To conserve and protect these and all the other natural resources is of such importance that our attention should be directed to this necessity from time to time.

THEREFORE, I, A. HARRY MOORE, Governor of the State of New Jersey, do hereby proclaim the week beginning April 3, 1933, as

CONSERVATION WEEK,

and I would request that during this week all educational agencies of the State, both public and private, conduct programs covering various phases of the work of conservation.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this first day of March, in the year of Our Lord one thousand nine hundred and thirty-three, and in the Independence of the United States the one hundred and fifty-seventh.

A. HARRY MOORE,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

For the protection of the interests of the public, bank depositors and bank stockholders, a legal holiday for all banks in New Jersey is hereby declared by me.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this fourth day of March, in the year of Our Lord one thousand nine hundred and thirty-three, and in the Independence of the United States the one hundred and fifty-seventh.

A. HARRY MOORE,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

 PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

The present emergency calls for undivided support of the President in the grave task which confronts him. The nature of the national crisis with which we are faced demands an expression of confidence and allegiance on the part of all the people in the national administration.

In common with the Governors of all of the States, I, A. HARRY MOORE, Governor of the State of New Jersey, do hereby issue this, my

PROCLAMATION

urging united and whole-hearted support of the President of the United States and of our institutions, and as an evidence that we are willing and anxious to co-operate to the best of our ability in the great task of restoring confidence and prosperity.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this eighth day of March, in the year of Our Lord, one thousand nine hundred and thirty-three, and in the Independence of the United States the one hundred and fifty-seventh.

A. HARRY MOORE,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, Wilfred H. Jayne, Jr., was at the general election held on the third day of November, one thousand nine hundred and thirty-one, elected by the voters of the County of Ocean to represent said county in the Senate of this State, and subsequently did qualify himself as such Senator, and after such election and qualification did, on the twentieth day of October, one thousand nine hundred and thirty-two, resign the office of Senator, thereby causing a vacancy to exist in the Senate of this State,

THEREFORE, I, A. HARRY MOORE, Governor of the State of New Jersey, pursuant to law, do hereby issue this, my proclamation, directing that an election be held, according to the laws of the State of New Jersey, in said county, on Tuesday, the seventh day of November, one thousand nine hundred and thirty-three, for the purpose of electing a Senator for the said county, to fill the vacancy caused by the resignation of the said Wilfred H. Jayne, Jr.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this twenty-second day of March, in the year of Our Lord one thousand nine hundred and thirty-three, and in the Independence of the United States the one hundred and fifty-seventh.

A. HARRY MOORE,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, Thursday, April 6, 1933, has been set aside for the sixth observance in this country of Army Day, and has been duly authorized and approved by the President of the United States; and

WHEREAS, This observance has been sponsored by the North Jersey Chapter of the Military Order of the World War, the National Guard, and the New Jersey State Department of the Reserve Officers Association; and

WHEREAS, These organizations are composed of ex-service men, who in times of peril, responded to the call to arms and are now banded together in a

solemn and patriotic effort to support and perpetuate the ideals of this country.

THEREFORE, I, A. HARRY MOORE, Governor of the State of New Jersey, do hereby proclaim

THURSDAY, APRIL 6TH,
as
ARMY DAY,

and I call upon the people of the State to display from their homes and places of business, and from buildings of every kind, the national colors, as evidence of patriotism and interest in our regular army and the National Guard of New Jersey.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this fourth day of April, in the year of Our Lord one thousand nine hundred and thirty-three, and in the Independence of the United States the one hundred and fifty-seventh.

A. HARRY MOORE,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The Congress of the United States by enactment of May 18, 1928, has set aside Child Health Day; and

WHEREAS, The President of the United States by proclamation has set aside this day for earnest consideration of the needs of children in their communities and in their homes; and

WHEREAS, In the present necessity for strict economy and curtailment of public and private activities there is danger that the health of our children will be seriously impaired;

THEREFORE, I, A. HARRY MOORE, Governor of the State of New Jersey, urge all organizations, agencies and persons interested in the continued progress of our State, to unite upon that day in the observance of May 1, 1933, as Child Health Day and arrange such activities as they do believe will further the health and welfare of our children and our State.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this fifteenth day of April, in the year of Our Lord one thousand nine hundred and thirty-three, and in the Independence of the United States the one hundred and fifty-seventh.

A. HARRY MOORE,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, These are times when public officials need every aid and encouragement; and

WHEREAS, His Excellency, the President of the United States, is beset with grave problems and exacting responsibilities; and

WHEREAS, His leadership thus far has given rise to a spirit of optimism and confidence throughout the civilized world; and

WHEREAS, It behooves us as Americans to pledge our allegiance to him in every effort which he may make for the good and welfare of our country and the world;

THEREFORE, I, A. HARRY MOORE, Governor of the State of New Jersey, do hereby proclaim

SUNDAY, APRIL 30TH,
as
PRESIDENT'S DAY,

to be observed by prayers of thanksgiving for the hope which he has given us and for divine guidance in the great task which lies before him.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this twenty-eighth day of April, in the year of Our Lord, one thousand nine hundred and thirty-three, and in the Independence of the United States the one hundred and fifty-seventh.

A. HARRY MOORE,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, Pursuant to Chapter 73 of the Laws of 1933, an election was held on the sixteenth day of May, 1933, for the election of delegates to the convention to consider the article of amendment proposed by the Congress to the Constitution of the

United States, designed to repeal the Eighteenth Article of Amendment; and

WHEREAS, Section thirteen of said act requires the Governor of this State within twenty days after the holding of said election, by proclamation, to convene the said convention;

THEREFORE, I, A. HARRY MOORE, Governor of the State of New Jersey, pursuant to the power and authority vested in me by said act of the Legislature, do hereby convene the said convention to meet in the Memorial Building, Stacy Park, in the City of Trenton, on Thursday, the first day of June, next, at the hour of eleven o'clock in the forenoon of said day (Eastern Standard Time).

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this twenty-second day of May, in the year one thousand nine hundred and thirty-three, and in the Independence of the United States the one hundred and fifty-seventh.

A. HARRY MOORE,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, It has been satisfactorily made to appear that in the laws of New Jersey corporations reported to the Governor of said State and mentioned in the Proclamation issued by him bearing date the nineteenth day of January, one thousand nine hundred and thirty-three, was inadvertently included the corporation known as the River Bank

Yacht Club as one of such corporations, which had for two consecutive years failed, neglected and refused to pay the State taxes which had been assessed against it for the year one thousand nine hundred and thirty, under the laws of said State of New Jersey, and made payable into the State treasury; and

WHEREAS, It has been established to my satisfaction that said River Bank Yacht Club was inadvertently reported to me by the State Tax Commissioner as refusing or neglecting to pay the same as aforesaid, said corporation having paid said tax, the said company is not liable to the penalty set forth in the Proclamation of the Governor of said date, bearing date of the nineteenth day of January, one thousand nine hundred and thirty-three, although said corporation known as the River Bank Yacht Club is included in the list of corporations specified therein;

THEREFORE, I, A. HARRY MOORE, Governor of the State of New Jersey, do hereby issue this my Proclamation revoking so much of said Proclamation of January nineteenth, one thousand nine hundred and thirty-three above referred to, as applies to the said River Bank Yacht Club, and said company is hereby declared to be restored to all of its corporate rights, powers, privileges and franchises as fully as if said Proclamation had not been issued and published as aforesaid, and I further direct that this Proclamation be filed in the office of the Secretary of State of the State of New Jersey.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this sixth day of June, in the year of Our Lord one thousand nine hundred and thirty-three, and in the Independence of the United States the one hundred and fifty-seventh.

A. HARRY MOORE,
Governor.

By the Governor:

THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, It is most fitting and proper that we should celebrate the anniversary of the adoption of the Stars and Stripes as the American flag;

THEREFORE, I, A. HARRY MOORE, Governor of the State of New Jersey, do hereby designate

WEDNESDAY, JUNE 14TH,

as

FLAG DAY,

and I request that the flag be displayed from public buildings, places of business and private dwellings on that day.

[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 thirty-three, and in the Independence of the United States the one hundred and fifty-seventh.

A. HARRY MOORE,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, On July 12, 1930, Captain Emilio Carranza was killed at Chatsworth, New Jersey, while returning from New York to Mexico after a good-will flight to the United States; and

WHEREAS, It is most fitting that New Jersey, which was the scene of his death, shall demonstrate deep and lasting appreciation of his efforts to further the good will existing between this country and his own; and in order to pay due homage to his courage and reverence to his memory;

THEREFORE, I, A. HARRY MOORE, Governor of the State of New Jersey, do hereby proclaim

WEDNESDAY, JULY 12TH,

as

CARRANZA DAY

and I urge upon all who can to take part in the appropriate memorial exercises which are held at Chatsworth yearly by the American Legion of Burlington County, co-operating with the representatives of the Mexican Government.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this seventh day of July, in the year of Our Lord one thousand nine hundred and thirty-three, and in the Independence of the United States the one hundred and fifty-eighth.

A. HARRY MOORE,
Governor.

By the Governor:

THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

To protect life and limb and to conserve property is as important as to build. We marvel at the advancement made in recent years in highway and motor vehicle facilities and the pleasures and conveniences these advancements have brought about.

Last year these facilities, combined with human frailties of drivers, caused more than a thousand deaths and more than thirty-one thousand personal injuries in New Jersey.

The economic value of these losses, together with the sorrow and suffering due to motor vehicle accidents, is tremendous and today represents one of the greatest civic problems.

To have and maintain greater safety upon the streets and highways is of such importance that attention should be directed to this necessity.

THEREFORE, I, A. HARRY MOORE, Governor of the State of New Jersey, do hereby proclaim the month of September, one thousand nine hundred and thirty-three, as a month of concerted effort by all to bring about greater safety upon the highways, and I urge that during this month the utmost courtesy and caution be exercised by all who make use of the highways, to the end that these qualities shall become permanent characteristics.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this tenth day of August, in the year of Our Lord one thousand nine hundred and thirty-three, and in the Independence of the United States the one hundred and fifty-eighth.

A. HARRY MOORE,
Governor.

By the Governor:

THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The Governor and the Legislature of New Jersey, in recognition of the heroic and self-sacrificing service rendered by General Casimir

Pulaski during the war for the independence of the thirteen colonies, and remembering that New Jersey was known as the "Battleground of the Revolution" and that here was expended much of General's splendid effort in the cause of liberty, have designated the overhead road between Jersey City and Newark as the "General Pulaski Skyway"; and

WHEREAS, On October 11, 1933, the anniversary of the birth of General Pulaski, appropriate commemorative services will be held thereon;

THEREFORE, I, A. HARRY MOORE, Governor of the State of New Jersey, call upon the people to on that day recall to mind the debt of gratitude which we owe to that distinguished and devoted patriot and, if possible, to join in the aforementioned service or observe the day in some other fitting manner.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this
nineteenth day of September, in the year
of Our Lord one thousand nine hundred
and thirty-three, and in the Independence
of the United States the one hundred
and fifty-eighth.

A. HARRY MOORE,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

In accordance with a proclamation issued by the Honorable Franklin D. Roosevelt, President of the United States, I wish to urge that the people of our State observe the forthcoming Fire Prevention Week, October 8-14, 1933, "an occasion of special

significance" and that they will assist in eliminating the tremendous fire destruction and loss recorded annually during the ensuing twelve months.

In the State of New Jersey this should mean a saving of many lives, chiefly of women and children, which now constitutes a distressing and unnecessary sacrifice due to fire. It also will preserve from waste a considerable sum of money that is so badly needed and is a matter of large importance under present economic conditions.

THEREFORE, I, A. HARRY MOORE, Governor of the State of New Jersey, by authority in me vested, do designate and proclaim the period from

OCTOBER 8 to 14

as

FIRE PREVENTION WEEK

To this end, I urge that local officials and organizations in every community promptly unite upon specific programs of co-operation, in order to discover and correct existent fire hazards, promote measures of public and private fire protection, extend instruction in fire prevention among adults as well as school children, and arouse the people generally to the need for habits of greater carefulness.

If this be undertaken without delay and earnestly carried out throughout the year, the result cannot fail to be a large contribution to public welfare.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this nineteenth day of November, in the year of Our Lord one thousand nine hundred and thirty-three, and in the Independence of the United States the one hundred and fifty-eighth.

A. HARRY MOORE,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, It appears to me that public necessity demands the convening of the Legislature of the State of New Jersey in special session,

THEREFORE, I, EMERSON L. RICHARDS, President of the Senate, Acting Governor of the State of New Jersey, in and by virtue of the power vested in me by Article V, paragraph 6, of the State Constitution, do hereby convene the Legislature of this State to meet in special session on Thursday, the twenty-eighth day of September, A. D. 1933, at 11:30 o'clock in the morning of the said day.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this
twenty-second day of September, in the
Year of Our Lord one thousand nine
hundred and thirty-three, and in the In-
dependence of the United States the one
hundred and fifty-eighth.

EMERSON L. RICHARDS,
President of the Senate,
Acting Governor.

By the Governor:

THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

The State of New Jersey has dedicated itself to the ideal of an opportunity for every youth and to secure an education which will not only fit him for his life work, but will enable him intelligently to

assume his responsibilities as a citizen of a democratic society. The people of this nation have always recognized the dissemination of knowledge as the basic foundation of a democracy, and to the end that the ideal of universal education might be realized, have generously supported public education.

In these times, when the State and nation are confronted with unusual problems of great social moment, it is important that our people shall not lose sight of the significance of education, and thereby fall short in meeting their obligations to the citizens of tomorrow.

Under the sponsorship of the United States Office of Education, the American Legion and the National Education Association, a week, known as Education Week, is set aside each year to stress the importance of our public schools.

The schools need now, more than ever before, the understanding and appreciation and support of all who believe in the education of our youth—the State's most valuable asset.

Universal education has been largely responsible for the continuance of the orderly work of our governmental agencies and for the stability of our people. Our schools have contributed to the greatness of our State and nation, and through the maintenance of our ideal of an educational opportunity for all the youth of the State we can be assured of continued development and of still greater accomplishments.

THEREFORE, I, A. HARRY MOORE, Governor of the State of New Jersey, do hereby proclaim and designate the period from

NOVEMBER 6TH TO NOVEMBER 12TH

as

AMERICAN EDUCATION WEEK,

and I respectfully request that all citizens of the Commonwealth of New Jersey observe it accordingly.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, on the first day of November, in the year of Our Lord one thousand nine hundred and thirty-three, and in the Independence of the United States the one hundred and fifty-eighth.

A. HARRY MOORE,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

November 11, 1933, is the fifteenth anniversary of the signing of the Armistice.

Lest the passing of time serve to dim the memory of the sacrifices and struggles of the World War, and to make us forgetful of the debt which humanity owes those who suffered and died in the conflict.

I, A. HARRY MOORE, Governor of the State of New Jersey, do hereby proclaim

SATURDAY, NOVEMBER 11TH,
as
ARMISTICE DAY

and I ask that the day be observed with due solemnity and patriotic spirit. I would further request that two minutes of silence be observed by all the people of the State at the eleventh hour of the day, in accordance with universal custom.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this
tenth day of November, in the year of
Our Lord, one thousand nine hundred
and thirty-three, and in the Independ-
ence of the United States the one hun-
dred and fifty-eighth.

A. HARRY MOORE,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

The blessings which have come to the United States of America in the year 1933 are such that we may, with utmost sincerity and enthusiasm, render very ardent thanks.

It is, for example, a matter of thanksgiving and rejoicing that the economic situation has reached the point where the State and local agencies are relieved of a portion of the burden which the care of the indigent has imposed upon them, and that so many individuals and families are again on a self-supporting basis.

This is but one of the many blessings which have been granted this nation. We are blest in that we have not, as a nation, lost sight of the fact that the Giver of all good gifts is watching over us and dispensing His mercies and blessings; that His will is the law which guides our destinies, and it is to Him that we owe our undivided allegiance.

Let us give thanks for our many spiritual and material blessings, and for the continuance of American institutions and ideals.

THEREFORE, I, A. HARRY MOORE, Governor of the State of New Jersey, do hereby proclaim

THURSDAY, NOVEMBER 30TH,

as

THANKSGIVING DAY,

and I urge that the people gather in places of worship in order to render suitable thanks for the favors of the past year, and that we may petition Almighty God for a continuance of His bounty.

Given under my hand and the Great [SEAL] Seal of the State of New Jersey, this twenty-first day of November, in the year of Our Lord, one thousand nine hundred and thirty-three, and in the Independence of the United States the one hundred and fifty-eighth.

A. HARRY MOORE,
Governor.

By the Governor:

THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, It appears to me that public necessity demands the convening of the Senate of the State of New Jersey in special session;

THEREFORE, I, A. HARRY MOORE, Governor of the State of New Jersey, in and by virtue of the power vested in me by Article V, Paragraph 6, of the State Constitution, do hereby convene the Senate of this State to meet in special session on Thursday, the fourteenth day of December, A. D., at one P. M. of the said day.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this
eleventh day of December, in the year
of Our Lord one thousand nine hundred
and thirty-three, and in the Independ-
ence of the United States the one hun-
dred and fifty-eighth.

A. HARRY MOORE,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

Decrees of Dissolution

(1467)

Decrees of Dissolution

IN CHANCERY OF NEW JERSEY

In pursuance of Chapter 185 of the Laws of 1896, copies of decrees of dissolution of the charters of the following corporations have been filed in the office of the Secretary of State:

<i>Name</i>	<i>Filed</i>
Federal Bond and Mortgage Co.	July 8, 1932
Paramount Upholstering Works	Aug. 2, 1932
Security Funding Corporation	Aug. 11, 1932
Urban Finance Company	Aug. 11, 1932
Urban Funding Corporation	Aug. 11, 1932
Security Finance Company	Aug. 11, 1932
Security Funding Corporation	Aug. 11, 1932
The Mayflower Restaurant Co., Inc.	Sept. 7, 1932
Landacre Company	Sept. 15, 1932
Industrial Sales Engineering Co., Inc.	Nov. 28, 1932
Building Supply Company of Engle- wood, N. J.	Dec. 8, 1932
South Orange Record Publishing Co., Inc.	Dec. 9, 1932
Merchants' Express and Coal Com- pany	Dec. 14, 1932
New Jersey Bankers Securities Co.	Dec. 22, 1932
Philip J. Murray Co., Inc.	Dec. 23, 1932
Standard Motor Construction Com- pany	Dec. 30, 1932
Mercer Porcelain Company	Dec. 30, 1932
Whitehead Pottery Company	Jan. 3, 1933
Consolidated Mortgage and Credit Co.	Jan. 30, 1933
A. G. Schoonmaker & Sons, Incor- porated	Feb. 9, 1933

1470 DECREES OF DISSOLUTION

The Groff Coal Company	Feb. 20, 1933
Labrusca Vineyard Company	Feb. 28, 1933
Alemite Company of New Jersey	Feb. 28, 1933
Universal Full Fashion Hosiery Company	Mar. 3, 1933
The Bell Furniture Company	Mar. 9, 1933
Stephen J. Leo Co.	Mar. 25, 1933
Russell Hinman, Incorporated	Mar. 29, 1933
Miller Club Plan	Mar. 30, 1933
Raritan Mercantile Company	April 6, 1933
Osmo Laboratories, Inc.	May 10, 1933
Cylinder Mfg. Co.	May 15, 1933
Hudson Hat Manufacturing Com- pany, Inc.	May 19, 1933
Main Street Company	June 12, 1933
William Ball Company	July 17, 1933
Austin Roberts Co.	July 17, 1933
Bond Hats, Inc.	July 26, 1933
Atlas Player Roll Co.	Aug. 23, 1933
Williams Silk Manufacturing Com- pany	Sept. 8, 1933
Geo. W. Heath & Co., Inc.	Sept. 12, 1933
Strand Holding Company	Oct. 5, 1933
Arnotag Industrial Loan and Fi- nance Corporation	Oct. 17, 1933
Broad and Lafayette Corporation	Oct. 20, 1933
Union City Brewing Co.	Oct. 21, 1933
The Heidritter Lumber Company	Nov. 21, 1933
Tuco Federal Corporation	Dec. 6, 1933

Change of Corporate Title of
Municipalities

(1471)

Change of Corporate Title of Municipalities

In pursuance to law, the following changes of corporate titles of municipalities have been filed in the office of the Secretary of State:

“The inhabitants of the Township of Saddle River in the County of Bergen” has changed its name to “Township of Saddle River in the County of Bergen.” Filed September 29, 1932.

“The Township of North Plainfield in the County of Somerset” has changed its name to “The Township of Green Brook in the County of Somerset.” Filed November 25, 1932.

Statements of Results of
Municipal Elections

(1475)

Statements of Results of Municipal Elections

The following municipalities have filed in the office of the Secretary of State statements of the results of elections held as provided in Chapter 22, Laws of 1915:

CHAPTER 286, P. L. 1933

“An act to incorporate the borough of Island Beach in the county of Ocean.” Approved June 23, 1933. Adopted August 18, 1933.

Statements of Results of Elections

(1479)



Statements of Results of Elections

The following returns have been filed in the office of the Secretary of State showing the results of elections held as provided in Chapter 22, Laws of 1915.

At the general election held on November 8, 1932, the following acts were adopted and became effective December 6, 1932:

CHAPTER 171, P. L. 1932

“An act to repeal an act entitled ‘An act concerning intoxicating liquor used or to be used for beverage purposes,’ passed March seventeenth, one thousand nine hundred and twenty-two.” Approved June 10, 1932.

CHAPTER 250, P. L. 1932

“An act to reduce to sixty-three million dollars the debt authorized to be created by an act entitled ‘An act authorizing the creation of a debt of the State of New Jersey by the issuance of bonds of the State in the sum of eighty-three million dollars for highway improvements; providing the ways and means to pay the interest of said debt, and also to pay and discharge the principal thereof; and providing for the submission of this law to the people at a general election,’ approved April eighteenth, one thousand nine hundred and thirty.” Approved June 14, 1932.

CHAPTER 251, P. L. 1932

“An act authorizing the creation of a debt of the State of New Jersey by the issuance of bonds of the State in the sum of twenty million dollars for the

1482 RESULTS OF ELECTIONS

relief of the unemployed and dependents in this State; providing the ways and means to pay the interest of said debt, and also to pay and discharge the principal thereof; and providing for the submission of this law to the people at a general election." Approved June 14, 1932.

And also at the General Election held on November 7, 1933, the following acts were adopted and became effective December 5, 1933.

CHAPTER 387, P. L. 1933

"An act authorizing the creation of a debt of the State of New Jersey by the issuance of bonds of the State in the sum of seven million dollars (\$7,000,000.00) to aid school districts of this State in the payment of teachers' salaries and current expenses; providing the ways and means to pay the interest of said debt, and also to pay and discharge the principal thereof; and providing for the submission of this law to the people at a general election." Approved September 5, 1933.

CHAPTER 388, P. L. 1933

"An act to repeal an act entitled 'An act authorizing the creation of a debt of the State of New Jersey by the issuance of bonds of the State in the sum of seven million dollars (\$7,000,000.00) for the acquisition of lands and interest therein, water rights and interest therein, for the purpose of appropriating, conserving and protecting the potable waters of this State; providing the ways and means to pay the interest of said debt and also to pay and discharge the principal thereof; and providing for the submission of this law to the people at a general election,' approved April eighteenth, one thousand nine hundred and thirty." Approved September 5, 1933.

CHAPTER 397, P. L. 1933

“An act to reduce to fifty-eight million dollars (\$58,000,000.00) the debt authorized to be created by an act entitled ‘An act authorizing the creation of a debt of the State of New Jersey by the issuance of bonds of the State in the sum of eighty-three million dollars (\$83,000,000.00) for highway improvements; providing the ways and means to pay the interest of said debt, and also to pay and discharge the principal thereof and providing for the submission of this law to the people at a general election,’ approved April eighteenth, one thousand nine hundred and thirty.” Approved September 5, 1933.

CHAPTER 398, P. L. 1933

“An act authorizing the creation of a debt of the State of New Jersey by the issuance of bonds of the State in the sum of five million dollars (\$5,000,000.00) for the relief of the unemployed and dependents in this State; providing the ways and means to pay the interest of said debt, and also to pay and discharge the principal thereof and providing for the submission of this law to the people at a general election.” Approved September 5, 1933.

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