LAWS—NEW JERSEY

1928

ACTS

OF THE

One Hundred and Fifty-second Legislature

OF THE

STATE OF NEW JERSEY

AND

Eighty-fourth Under the New Constitution



1928

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

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Secretary of State.

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One Hundred and Fifty-second Legislature

OF NEW JERSEY

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LAWS

ACTS

PASSED BY THE

One Hundred and Fifty-second Legislature

CHAPTER 1.

An Act concerning the condemnation of land or real estate by cities of the fourth class of this State.

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

1. Whenever any city of the fourth class of this State has authority to acquire land or real estate by condemnation it may so acquire the same with rights reserved therein and thereupon to remain to the owner and owners thereof, and to such other person or persons having an interest therein, and also may acquire the same subject to conditions as to the use thereof by any such city; *provided*, that the rights reserved and the conditions shall be determined by the governing body in an ordinance finally passed by it, and also such rights and conditions shall be inserted in the petition for the appointment of commissioners to appraise the land or real estate and assess damages; *and provided, further,* that a reservation or condition shall not provide for the payment or to assume payment of any mortgage or lien or any portion thereof. Rights reserved in condemnation. Proviso. Proviso.

2. This act shall take effect immediately.

Approved February 6, 1928.

A. HARRY MOORE,
Governor.

CHAPTER 2.

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:*

Co-operation in work.

1. It shall be lawful for the State Highway Commission to enter into written agreement with any board of chosen freeholders or other public body, or any person or corporation for co-operation in any work,

Sharing cost.

and to assume any portion of that cost. Such board or public body may raise their proportionate share of such cost in accordance with the provisions of any law

Payments.

providing for road improvement or maintenance. Upon approval by the said commission of the certificate of the inspector and engineer in charge of the work that the same has been satisfactorily completed in whole or in part, according to contract, drawings and specifications, the disbursing officer of said board or body shall pay its share of the whole or partial cost to the State Treasurer to the credit of the State Road Fund.

Work done by contract.

2. If, in the judgment of the State Highway Commission, the co-operating board or body, person or corporation, could obtain more advantageous prices for the work and the best interests of the State will be served by having the said co-operating board or body, person or corporation, award the contract for the work, the State Highway Commission shall approve the drawings and specifications of the co-operating board or body, person or corporation and shall approve the con-

Agreement.

tract for the work, and may, subject to the consent, in writing, of the State House Commission, enter into an agreement in writing to pay the co-operating board

or body, person or corporation, such portion of the cost as the State Highway Commission may deem advisable. Payment on the part of the State shall be made only after the State Highway Commission shall have approved the certificate of the inspector and engineer in charge of the work that the same has been satisfactorily completed, in whole or in part, according to the contract, drawings and specifications; *provided,* that if such co-operating body is a public utility corporation under the jurisdiction of the Public Utilities Commission and the work is to be done without contract by the employees of such public utility corporation, the State Highway Commission may waive the requirement as to approval of the contract for the work.

Approval of work.

Proviso.

3. This act shall take effect immediately.

Approved February 6, 1928.

CHAPTER 3.

An Act to repeal an act entitled "An act respecting 'cities of the fourth class,' and providing for the nomination and election of commissioners elected therein," 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. An act entitled "An act respecting 'cities of the fourth class,' and providing for the nomination and election of commissioners elected therein," approved March eleventh, one thousand nine hundred and twenty-four, be and the same is hereby repealed; *provided, however,* that all commissioners elected pursuant to the provisions of the act hereby repealed shall continue in office for the said terms for which they were severally elected.

Act repealed.

Proviso.

2. This act shall take effect immediately.

Approved February 8, 1928.

CHAPTER 4.

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 by any municipality, or upon any execution, resolution, ordinance, or other process or order issued by virtue thereof.

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

Validating sale of real property notwithstanding faulty advertising.

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, or by any municipality by virtue of any resolution or ordinance, shall be invalidated by reason of any omission to properly advertise such sale or any adjournment thereof in the manner or for the length of time then required by law, or by reason of any other irregularity or default in such advertisement of such sale, but the purchaser or purchasers of such lands, tenements, hereditaments or real estate having paid the price therefor and having received his, her, its or their deed therefor, his, her, its or their heirs, successors or assigns shall be deemed to have as good and complete a title thereto as if such sale or adjournment had been in all particulars duly advertised or as if there had been duly inserted any matters required by law to be inserted in any such advertisement thereof.

Title complete.

2. This act shall take effect immediately.

Approved February 20, 1928.

CHAPTER 5.

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

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

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

Sec. 18, Art. VI, amended.

18. The chairman of the State committee of each of the two political parties as aforesaid, shall, during the month of February, in writing, nominate two persons residing in each county, qualified as aforesaid for members of the county board of elections in and for such county; and if nomination be made in said month of February the Governor shall commission such appointees on or before the first day of March; *provided,* that two of such appointees, who shall be members of opposite parties, shall be commissioned for the term of one year from the first day of March and the remaining members shall be appointed for the term of two years from the first day of March; and thereafter one member of such board shall be nominated annually by each of said chairmen, in the same manner, in the month of February, and shall be commissioned by the Governor as aforesaid, and shall continue in office for two years from the first day March next after their appointment. The terms of office of all members now holding office which terminate on the first day of July, one thousand nine hundred and twenty-five, shall terminate on the first day of March, one thousand nine hundred and twenty-six. The terms of office of all members now holding office which terminate on the first day of July, one thousand nine hundred and twenty-six, shall terminate on the first day of March, one thousand nine hun-

Selection of members of county boards of elections.

Proviso.

Terms.

One named annually.

Expiration of terms.

Proviso.

Naming members in third class counties.

dred and twenty-seven; *provided, however,* that in all third class counties of this State, now or hereafter having a population of less than forty thousand inhabitants, as ascertained by the preceding federal census, and commencing with the year one thousand nine hundred and twenty-eight, the members of the county board of elections in such counties shall be recommended by the chairmen of the respective county committees to the State chairmen of the two political parties, which recommendations shall be binding upon the said State chairmen and the Governor shall commission such appointees on or before the first day of March in each year.

2. This act shall take effect immediately.

Approved February 21, 1928.

CHAPTER 6.

An Act to amend an act entitled "An act relative to guardians and minors" (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 1 amended.

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

Disposition of children by deed or will.

1. That when any person hath or shall have any child or children under the age of twenty-one years, and not married at the time of his or her death, it shall be lawful for the father or mother of such child or children, whether born at the time of the decease of the father or mother or at that time in ventre sa mere, or whether such father or mother be within the age of twenty-one years, or of full age, by his or her deed executed in his or her lifetime or by his or her last will and testament in writing, made and published by such father or mother

according to law, and proved and recorded in the manner prescribed by the laws of this State, to dispose of the custody and tuition of such child or children for and during such time as he, she or they shall respectively remain under the age of twenty-one years or any less time, to any person or persons in possession or remainder; provided, that the other parent of the child, if living, consent to such appointment, which consent shall be in writing, and signed and acknowledged by such parent in the presence of two witnesses present at the same time, who shall subscribe their names thereto as witnesses in the presence of such parent, and such consent shall be proved to have been so given and acknowledged at the time the will appointing the testamentary guardian shall be admitted to probate; and such disposition of the custody of such child or children so made as aforesaid, shall be good and effectual against all and every person or persons claiming the custody or tuition of such child or children, as guardian in socage or otherwise; and such person or persons to whom the custody of such child or children hath been or shall be so disposed or devised as aforesaid, may maintain an action of ravishment of ward or trespass against any person or persons who shall wrongfully take away or detain such child or children, for the recovery of such child or children, and may recover damages for the same in the said action, for the use and benefit of such child or children; and may take into his, her or their custody, for the use of such child or children, the profits of all lands, tenements and hereditaments of such child or children; and also the custody and management of the goods, chattels and personal estate of such child or children, till his or her or their respective age of twenty-one years or any less time, according to such disposition aforesaid; and may bring such action or actions in relation thereto, as by law a guardian in common socage might do.

Proviso—consent by other parent.

Consent proved.

Effect of disposition.

Rights of custodian.

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

Section 2 amended.

2. That if no guardian shall have been appointed under the last preceding section, the sole surviving parent of any minor child or children may by his or her

Appointment of guardian.

last will and testament made and published, and proved and recorded according to law, appoint a guardian for his or her minor children in all cases in which one parent is authorized to make such appointment with the consent of the other; and such guardian shall have the same power and authority in all respects as a guardian appointed under the last preceding section.

Power of guardian.

3. This act shall take effect immediately.

Approved February 23, 1928.

CHAPTER 7.

An Act to validate and confirm any election heretofore held in cities of the fourth class having a population of not more than ten thousand inhabitants, which said election was held pursuant to the provisions of an act entitled "An act relating to, regulating and providing for the government of cities, towns, townships, boroughs, villages and municipalities governed by boards of commissioners or improvement commissions in this State," which said act was approved April twenty-fifth, one thousand nine hundred and eleven, the title of which was amended to read as above set forth by an act approved April second, one thousand nine hundred and twelve.

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

Validating elections in fourth class cities.

1. All elections heretofore held in any city of the fourth class having a population of not more than ten thousand inhabitants, which said elections were held pursuant to the provisions of an act entitled "An act relating to, regulating and providing for the government of cities, towns, townships, boroughs, villages and municipalities governed by boards of commissioners and improvement commissions in this State," which

said act was approved April twenty-fifth, one thousand nine hundred and eleven, the title of which was amended to read as above set forth by an act approved April second, one thousand nine hundred and twelve, are hereby validated, ratified and affirmed.

2. This act shall take effect immediately.

Approved February 23, 1928.

CHAPTER 8.

A Supplement to an act entitled "An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture and provide open and closed seasons for such capture and possession" (Revision of 1903), approved April fourteenth, one thousand nine hundred and three.

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

1. It shall be unlawful to set or use any snare, snood, net, trap, or device for the catching or trapping of any bird or animal above the level of the surrounding ground, and commonly knows as "pole traps"; *provided, however,* that nothing herein contained shall prohibit the setting of traps or snares on the ground, nor shall anything herein contained be construed as prohibiting trapping by the State Fish and Game Commission or its employes on fish hatcheries or game farms. Any person violating the provisions of this section shall be liable to a penalty of $20.00 for each snare, snood, net, trap, or device so set or used.

Use of pole traps unlawful.

Proviso.

Penalty.

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 violation thereof," approved March twenty-ninth, eighteen hundred and

Enforcement.

ninety-seven, and the acts amendatory thereof and supplementary thereto.

3. This act shall take effect immediately.

Approved February 23, 1928.

CHAPTER 9.

An Act to further amend the title of an act entitled "An act to authorize two or more municipalities in this State to jointly construct and maintain outlet or trunk sewers," approved March fifteenth, one thousand eight hundred and ninety-nine, constituting chapter thirty-six of the laws of said year, so that said title shall read as follows: "An act to authorize two or more municipalities of this State to jointly construct and maintain outlet or trunk sewers and disposal works, and to authorize every such municipality to construct local sewers within its corporate limits connecting with or discharging into such joint outlet or trunk sewers."

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

Title amended.

1. The title of the act to which this act is an amendment is hereby further amended to read as follows: "An act to authorize two or more municipalities of this State to jointly construct and maintain outlet or trunk sewers and disposal works, and to authorize every such municipality to construct local sewers within its corporate limits connecting with or discharging into such joint outlet or trunk sewers."

2. This act shall take effect immediately.

Approved February 23, 1928.

CHAPTER 10.

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," approved March twenty-second, one thousand nine hundred and sixteen, constituting Chapter 252 of the Pamphlet Laws of 1916.

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

Deducting part of indebtedness.

1. The chief financial officer of a municipality is authorized to deduct indebtedness for a sewer system in any annual or supplemental debt statement to the extent of an amount of which the annual net revenue from the operation thereof is five per centum.

Annual net revenue.

2. To determine annual net revenue the expenses of operation, maintenance and current repairs shall be deducted from the gross revenue derived from sewer rates or charges. Depreciation, replacements, and the payment of principal and interest of indebtedness or charges to reserves for such purposes shall not be included in the calculation.

Basis.

3. Annual net revenue shall be based on the results of operation during the calendar year preceding that in which the annual or supplemental debt statement is filed.

Estimating net revenue on acquired sewer system.

4. If a municipality is about to acquire or has acquired a sewer system theretofore operated otherwise than by the municipality, then the annual net revenue shall be based on an estimate of what the results of operation will be after such sewer system has been acquired and all additions and extensions have been completed that are part of the plan which includes the acquisition of such sewer system. The rates or charges must be officially established before the estimate is made and the estimate must be made by an engineer and be submitted to and approved by the governing body. No

Rates fixed.

When estimate used.

such estimates may be used as a basis for a deduction after the end of the first full calendar year in which such system and additions and extensions have been in operation and thereafter the actual results of operation must be the basis of the deduction.

Reliance on debt statement.

5. All persons shall be entitled to rely on the annual or supplemental debt statements without investigation of the manner in which the same are prepared or the propriety of the statements or figures therein.

Self sustaining sewer debt.

6. The indebtedness deducted in pursuance of this act may be referred to in any annual or supplemental debt statement as "self sustaining sewer debt," or in any other appropriate words.

7. This act shall take effect immediately.

Approved February 27, 1928.

CHAPTER 11.

An Act validating, ratifying and confirming school bonds of cities and the proceedings for their issuance and authorizing the issuance of such bonds.

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

Validating issuance of school bonds in cities.

1. All proceedings for the issuance by cities of this State of bonds for the purchase of lands for school purposes or for erecting, enlarging, repairing or furnishing a schoolhouse or schoolhouses, are hereby ratified and confirmed, notwithstanding the amount of bonds authorized or that the amount of the appropriation for the purpose for which such bonds are authorized, exceeds any statutory limitations upon such amounts; *provided,* that prior to the date when this act takes effect, such bonds have been authorized to be issued and appropriation by ordinance made therefor in which case the issuance and sale of such bonds, pursuant to said proceedings and authorization is hereby authorized.

Proviso.

2. This act shall take effect immediately.

Approved February 27, 1928.

CHAPTER 12.

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:*

Raising money for school purposes in third class cities.

1. Whenever a city board of education in a city of the third class of this State shall decide that it is necessary to raise money for the purchase of lands for school purposes, or for erecting, enlarging, repairing or furnishing a schoolhouse or schoolhouses, it shall prepare and deliver to each member of the board of school estimate of such school district a statement of the amount of money estimated to be necessary for such purpose or purposes; said board of school estimate shall fix and determine the amount necessary for such purpose or purposes; and shall make two certificates of such amount, one of which certificates shall be delivered to said board of education, and the other to the common council, board of finance or other body in such city having the power to make appropriations of money raised by tax in such city, hereafter designated by the governing body; said governing body may appropriate such sum or sums for such purpose or purposes in the same manner as moneys appropriated for other purposes in such city are raised, assessed, levied and collected; or said governing body may appropriate and borrow such sum or sums for the purpose or purposes aforesaid, and may secure the repayment of the sum or sums so borrowed, together with interest thereon at a rate not to exceed six per centum per annum, by the issue of bonds in the corporate name of such city; bonds so issued shall be designated "school bonds," may be registered or coupon, or both, of such denominations as the governing body may determine.

Amount determined.

Appropriation.

Bond issue.

Bonds payable in installments.

2. Bonds issued hereunder shall be made payable in annual installments, commencing not more than two years from their date of issue; no installment shall be more than fifty per centum in excess of the amount of the smallest prior installment.

Maturity of bonds.

3. All bonds issued hereunder shall mature within a period not to exceed the following number of years for the following classes of purposes:

Character of building.

A. For the acquisition or construction of schoolhouses, whether including or not including the original furnishings, or equipment, or machinery, or apparatus, required for the proper equipment of such buildings, if such buildings be:

Frame;

(a) Of frame construction—that is, a building of which the exterior walls, or a portion thereof, shall be constructed of wood, or a building sheathed with boards and partially or entirely covered with four inches or less of masonry or with metal sheets—twenty years;

Nonfireproof;

(b) Of nonfireproof construction—that is, a building the outer walls of which are constructed in accord with the specifications contained in clause (c) of this subdivision for a fireproof building, but which fail to conform with any of the other specifications for a fireproof building, as defined in clause (c)—thirty years;

Fireproof.

(c) Of fireproof construction—that is, a building the walls of which are constructed of brick, stone, iron or hard incombustible materials, and in which there are no wood beams or lintels, and in which the floor, stair halls and public halls are built entirely of brick, stone, iron or other hard, incombustible materials, and in which no woodwork or other inflammable material is used in any of the partitions, floorings or ceilings; but this definition shall include a building in which there is used, elsewhere than in the stair halls and entrance halls, wooden flooring and sleepers on top of the fireproof floor, wooden hand rails and treads if made of hardwood not less than two inches thick, or having wooden doors or window sash, or wooden jambs, frames, casings or trim in other than stairs or entrance halls—forty years.

Acquiring land.

B. For acquiring land for school purposes and for grading, drainage or otherwise improving or embellishing the land thus acquired—forty years.

C. For construction of an addition or additions to schoolhouses, and for the reconstruction of schoolhouses if the schoolhouse to which an addition or reconstruction is made is a building: Building addition;

(a) Of the character described in subdivision A, clause (a)—fifteen years; Frame;

(b) Of the character described in subdivision A, clause (b)—twenty years; nonfireproof;

(c) Of the character described in subdivision A, clause (c)—thirty years. Fireproof.

D. For furnishing, refurnishing, equipment or apparatus or renewal of any or all of these things, when not in connection with the original furnishing, equipment or apparatus—ten years. Furnishings, equipment, etc.

4. No bonds issued under this section after July first, one thousand nine hundred and seventeen, shall be renewed or refunded but any bonds issued prior to such date, where the fund or funds on hand for the payment of same at their maturity, or at the time such bonds may be called for payment, will be insufficient to pay same; then such portion only of such bonds as cannot be paid with the fund or funds on hand may be refunded by the issuance of refunding bonds. Such refunding bonds shall run for a period not to exceed twenty years, and shall be made payable in annual installments, each installment to be, as nearly as practical, of the same amount. As to renewal of bonds. Refunding bonds.

5. Bonds issued for more than one purpose shall mature within a period not exceeding the average of the different periods assigned by this section to the several purposes for which the bonds are issued, taking into consideration the amount of bonds to be issued on account of the several purposes. The determination of such average period by the governing body shall be conclusive in any action or proceeding involving the validity of such bonds. Maturity of bonds.

6. Bonds shall be sold at not less than par and unless the authorized amount thereof is ten thousand dollars, or less, and unless such bonds shall first be offered to the trustees of the school fund and accepted by them, they shall be sold upon sealed proposals or at public auction after notice of such sale published at least twice, Sale of bonds.

the first publication at least ten days prior to sale, in a newspaper of the municipality, or if no newspaper is published therein then in a newspaper published in the county and circulating in such municipality, and also at least once in a financial paper selected by the governing body. Such notice shall state the terms of sale of such bonds, and shall require all bidders to deposit a certified check for two per centum of the amount of bonds bid for, drawn upon an incorporated bank or trust company, to secure the municipality against any loss resulting from the failure of the bidder to comply with the terms of his bid. If no bids are received for any bonds advertised to be sold at public sale herein, they may, within thirty days thereafter, be sold at private sale, but such sales shall be made or confirmed by resolution of the governing body adopted by a two-thirds vote of all the members thereof. The governing body may, by a two-thirds vote of all the members thereof, sell to the sinking fund of such municipality any issue of such bonds or any part thereof at a private sale at not less than par. No more bonds of any shall in any event be less than will produce a sum equal to the authorized amount thereof, and an additional sum of less than the smallest denomination of the bond.

Terms of sale.

Private sale.

Limitation.

Conditions of sale.

7. Such bonds may be sold at one time or in installments, each of which, with the previous installments, shall mature within the period herein fixed. If sold in one installment, or upon the sale of the last installment, the notice of sale shall state the sum required to be obtained at such sale, not exceeding with the proceeds of any previous installments the amount of bonds authorized, and that bonds will be sold in an amount not exceeding such sum, and the maturities of such bonds and the rate of interest thereon. It shall also state that unless all bids are rejected said bonds shall be sold to the bidder or bidders complying with the terms of sale offering to pay not less than such sum, and to take therefor the least amount of bonds, commencing with the first maturity and stated in a multiple of the smallest denomination of the bonds. Where two or more bidders offer to take the same amount of such bonds, then the bonds shall be sold to the bidder or bidders offering

To whom sold.

to pay therefor the highest additional price. The proceeds of any bonds issued under this act shall be paid to the custodian of school moneys of the school district, who shall in no event disburse the same, except to pay the expenses of issuing and selling the same, and for the purpose or purposes for which such bonds were issued. If, for any reason, any part of such proceeds are not applied to or necessary for such purpose or purposes, the board of education may transfer the balance remaining unapplied to the building and repairing account of the school district.

Proceeds of sale paid to custodian of school moneys.

8. Such city shall in its annual tax levy raise money sufficient to pay the interest and the principal of such bonds as may mature during that year; the proceeds of the sale of such bonds shall be deposited with the custodian of school moneys of such school district, and shall be paid out only on the warrants or orders of the board of education; *provided,* that no amount in excess of three per centum of the taxable valuation of the real and personal property shall be appropriated only with the concurrence and consent of the governing body, expressed by its resolution duly passed; *provided, further,* that the total amount of bonds for such purposes, including bonds theretofore issued for the purposes named in this section and not redeemed, shall not exceed at any one time a sum equal to nine per centum of the taxable valuation of the real and personal property in such district; *and provided, further,* that if the charter of such city shall limit the amount of indebtedness in such city, or shall by its terms prevent the carrying out of the provisions of this section, said charter provisions shall hereafter be held not to apply to the issuing of bonds under the provisions of this section.

Meeting principal and interest.

Proviso.

Proviso.

Proviso.

9. This act shall be construed and held to create a method of procedure respecting the matters herein provided for third class cities only and shall not affect, alter or amend the provisions of section seventy-six of the act to which this is a supplement, except in so far as cities of the third class are concerned.

Applies only to cities of third class.

10. This act shall take effect immediately.

Approved February 27, 1928.

CHAPTER 13.

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

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

Sec. 2, Art. VIII, amended.

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

Suggested polling places.

2. It shall be the duty of the clerk of every municipality to certify to the county board of elections of every county wherein such municipality is located before the first day of April in each year, except presidential year, then before the first day of March, a suggested list of places in said municipality suitable for polling places. The said county board of elections shall select the polling places for each election district in said municipalities of said county for all elections in said municipalities in said county, including all commission government elections in said county; *provided, however,* that in any case where the county board of elections shall fail to agree as to the selection of the polling place or places for any election district, within five days of any election, then the county clerk shall select and designate the polling place or places in any such election district; *and provided,* that no place shall be suggested by said municipal clerks or chosen by said county boards of elections as a polling place in any building in which is located or maintained any inn or tavern or saloon where intoxicating liquors are licensed to be sold; *and provided, further,* that said county board of elections shall not be obliged to select the polling places so suggested by the municipal clerks, but may choose others where they may deem it expedient; *and provided, further,* that the county board of elections may, in its discretion, select a polling place other than a schoolhouse or public building outside of such district, but such polling place shall not be located more than one thousand feet distant from the boundary line of such district.

Proviso—in case of failure to select.

Proviso.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved February 27, 1928.

CHAPTER 14.

An Act to amend an act entitled "An act creating a State Athletic Commission for the regulation of boxing and sparring exhibitions and performances, and defining its powers and duties," approved March fourth, one thousand nine hundred and eighteen, as the title of said act was amended by act of March nineteenth, nineteen hundred and twenty.

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

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

Section 14 amended.

14. No boxing or sparring match or exhibition or performance shall be of more than fifteen rounds in length and the contestants shall wear during such contests gloves weighing at least eight ounces each, and no decision shall be given in any such exhibition, match or performance except that in any contest in which the title of the division, class or grade to which the contestants belong shall be subject to being won, or in the event of a contest being held which in the judgment of the State Athletic Commissioner should be a decision contest; in any decision contest under this act such decision shall be rendered by the referee immediately upon the conclusion of the contest.

Rounds permitted.

Gloves.

Decision contest.

2. This act shall take effect immediately.

Approved February 28, 1928.

CHAPTER 15.

An Act to repeal two acts concerning the vacation of streets and avenues in this State.

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

Acts repealed.

1. From and after the time when this act shall take effect, the following acts and parts of acts be and the same are hereby repealed:

"An act concerning the vacation of streets and avenues in municipalities of this State," known as Chapter 320 of the Laws of 1926, and "An act to amend an act entitled 'An act concerning the vacation of streets and avenues in municipalities of this State,' approved March thirty-first, one thousand nine hundred and twenty-six," known as Chapter 52 of the Laws of 1927.

2. This act shall take effect immediately.

Approved March 6, 1928.

CHAPTER 16.

An Act to amend an act entitled "An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture and provide open and close seasons for such capture and possession" (Revision of 1903), approved April fourteenth, one thousand nine hundred and three.

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

Section 2 amended.

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

2. Nothing in this act shall be so construed as to prevent farmers and fruit growers from trapping gray squirrels, rabbits or hare in box traps, or shooting gray squirrels, rabbits or hare during the entire year; *provided, however,* that such trapping or shooting shall be done on the property owned or leased for the raising of fruit, vegetables, trees, shrubbery, nursery stock, or other produce by the person so trapping or shooting; *and provided,* that the person so trapping or shooting shall first have made an affidavit before a justice of the peace or any official authorized to administer oaths, that gray squirrels or rabbits have injured fruit, vegetables, trees, shrubbery, nursery stock or other produce on his or her premises, and shall have immediately sent the same to the president of the Fish and Game Commission, who, upon the receipt of the said affidavit, shall in his discretion issue to said person or his authorized representative a permit to so trap or shoot, and the person so trapping shall keep the gray squirrels or rabbits alive, and notify the fish and game warden of the county, who shall liberate said gray squirrels or rabbits in such parts of the State as may be directed by the Board of Fish and Game Commissioners, and the person so shooting shall report the number of gray squirrels or rabbits killed to the game warden of the county in which such gray squirrels or rabbits were killed, within forty-eight hours after such killing; *provided, further,* that no person or persons shall be permitted to barter or sell any gray squirrels or rabbits so trapped or shot.

Trapping or shooting squirrels and rabbits.

Proviso

Proviso.

Permit.

Report.

Proviso.

Approved March 6, 1928.

CHAPTER 17.

An Act to amend an act entitled "An act relative to clerks of counties and of county courts" (Revision of 1902), approved April third, one thousand nine hundred and two.

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

Section 10 amended.

1. Section ten of the above-entitled act be and the same is hereby amended to read as follows:

Practicing law by county clerk.

10. The clerk of a county shall not be allowed to practice or act as an attorney-at-law in any of the courts of the county in which he may be so elected, of which he may be clerk, or to hold or exercise the office of justice of the peace; and if any clerk shall practice or act contrary to the prohibition aforesaid, for each offense he shall be liable to the penalty of fifty dollars, to be recovered in an action of debt, by any person who shall prosecute for the same, in any court where the same is cognizable, with costs of suit, and shall also be liable to be removed from office by impeachment.

Penalty.

2. This act shall take effect immediately.

Approved March 6, 1928.

CHAPTER 18.

An Act providing for the purchase of a site for and the erection, construction and equipment of an armory in the city of Woodbury, in the county of Gloucester in this State.

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

Site for armory in Woodbury.

1. The State Military Board is hereby constituted a commission to acquire on behalf of, and in the name

of the State, a suitable site in the city of Woodbury, in the county of Gloucester in this State, and to cause an armory to be constructed and erected thereon for the use of the State Militia, and to suitably equip the same when erected as aforesaid.

Appropriation.

2. For the purpose of carrying into effect the provisions of this act there is hereby appropriated the sum of seventy-five thousand dollars, or so much thereof as may be necessary for the said construction, erection and equipment of the said armory, when such sum is included in any annual or supplemental appropriation bill.

3. This act shall take effect immediately.

Approved March 6, 1928.

CHAPTER 19.

An Act to amend an act entitled "An act to establish a State Highway System, and to provide for the improvement, betterment, reconstruction, resurfacing, maintenance, repair and regulation of the use thereof" (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:*

Section 28 amended.

1. Section twenty-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:

Route 35.

28. Route No. 35. South Amboy Bridge plaza to Lakewood by way of Keyport, Eatontown, Belmar, Manasquan, Point Pleasant, Laurelton to Lakewood; *provided, however,* that the State Highway Commission shall construct said route from moneys other than moneys realized pursuant to the provisions of an act entitled "An act for the construction, improvement, reconstruction and rebuilding of the State Highway Sys-

Proviso—provision for funds.

tem, including bridges, tunnels, viaducts and rights of way as parts thereof; providing for the defraying of the cost of the same by the taxation of real and personal property in this State, and by the creation of a debt of the State in an amount not exceeding thirty million dollars by the issuance of bonds therefor, and for the submission of this act to the people at a general election," approved March twenty-eighth, one thousand nine hundred and twenty-seven.

2. This act shall take effect immediately.

Approved March 6, 1928.

CHAPTER 20.

An Act to validate and confirm deeds made by any bank organized or operating under any law of this State.

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

Validating deeds by banks in dissolution.

1. Every deed of conveyance of real estate heretofore made by officers or surviving directors, as trustees in dissolution of any bank organized or operating under any law of the State of New Jersey while in liquidation and for the purpose of settling its affairs, whether or not made in the name of the corporation, shall be good and valid and effectual to convey the estate of the corporation, notwithstanding such deed was made, executed and delivered after the time heretofore limited by law, provided such deed is good and valid in all other respects.

2. This act shall take effect immediately.

Approved March 6, 1928.

CHAPTER 21.

An Act to amend an act entitled "An act to authorize certain municipalities and counties of this State to undertake jointly the erection and maintenance of permanent memorials commemorative of the services of soldiers and sailors in the United States," approved March eleventh, nineteen hundred and twenty-four.

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

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

2. Whenever such municipality shall have determined by ordinance, to erect such memorial, and the provisions of such ordinance shall have been concurred in by resolution by the board of chosen freeholders of such county, a commission shall be established consisting of two members of the governing body of such municipality to be selected annually by the said governing body, and two members of the board of chosen freeholders of such county to be selected annually by the said board of chosen freeholders, and of five citizens to be appointed by a majority vote of all of the members of such commission selected from the governing body of such municipality and the board of chosen freeholders of such county as members of the commission created under this act. Said citizens shall be bona fide residents of such municipality or of such county, who with the members of the respective governing bodies heretofore selected shall constitute said commission. All vacancies in such commission by death, resignation or otherwise of any citizen member thereof shall be filled by the commission as constituted at the time of the happening of such vacancy. The members of such commission shall receive no compensation for their services as such commissioners. Commission in charge—how chosen. Vacancies.

2. This act shall take effect immediately.

Approved March 6, 1928.

CHAPTER 22.

An Act authorizing the Port Raritan District Commission to investigate the pollution of the Raritan river and to prepare a plan for the purification of the Raritan river and making an appropriation therefor.

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

Investigation as to pollution of Raritan river.

1. The Port Raritan District Commission is hereby authorized to cause an investigation to be made of the pollution of the Raritan river, with a view to ascertaining whether waters of the said Raritan river are being polluted in such manner as to cause or threaten injury to any of the inhabitants of this State, either in health, comfort or property, and if such investigation discloses that the said waters are being so polluted, to prepare a comprehensive plan for the purification of the said Raritan river.

Appropriation.

2. The sum of fifteen thousand dollars ($15,000.00) or as much thereof as may be necessary, is hereby appropriated, when included in any annual or supplemental appropriation bill, for the carrying out of this act.

3. This act shall take effect immediately.

Approved March 6, 1928.

CHAPTER 23.

An Act to annex to the borough of Rumson in the county of Monmouth, a part of the township of Shrewsbury in the county of Monmouth.

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

Part of Shrewsbury township annexed to borough of Rumson.

1. All that part of the township of Shrewsbury in the county of Monmouth lying within the following described boundaries, to wit:

All the lands lying in the North Shrewsbury river and the South Shrewsbury river immediately adjacent to the shores bounding the borough of Rumson between high water mark and the center of the North Shrewsbury river and between high water mark and the center of the South Shrewsbury river, be and the same are hereby set off from the township of Shrewsbury and annexed to and made a part of the borough of Rumson in the county of Monmouth.

2. This act shall take effect immediately.

Approved March 6, 1928.

CHAPTER 24.

A Supplement to an act entitled "An act authorizing the State Board of Commerce and Navigation to acquire and thereafter to preserve the Barnegat Light House," approved March twenty-first, one thousand nine hundred and twenty-five.

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

Appropriation toward Barnegat Light House.

1. For the purpose of continuing and completing the work for the preservation of the Barnegat Light House there is hereby appropriated to the State Board of Commerce and Navigation the sum of forty-five thousand dollars, when such sum is included in any annual or other appropriation bill.

2. This act shall take effect immediately.

Approved March 6, 1928.

CHAPTER 25.

An Act to amend an act entitled "An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing 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 of which this act is amendatory be and the same is hereby amended so that the same shall read as follows:

Drivers must be licensed.

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

Age.

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

Examination.

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

Expiration.

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

License fee.

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.

Driver's permit.

(2) It shall be lawful for the Commissioner of Motor Vehicles, at his discretion, to issue to any person over seventeen years of age a written permit, under the hand and seal of said commissioner, allowing the said person, for the purpose of fitting himself to become a motor vehicle driver, or a motor cycle operator, to operate a motor vehicle or motor cycle for a specified period of not more than three weeks, while in the company and under the supervision of a licensed motor vehicle driver; and such 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.

Proviso.

Fee for permit.

License signed and carried.

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

Showing license.

Operation of motor vehicles by nonresidents.

(4) Any motor vehicle or motor cycle belonging to any person who is a nonresident of this State, and who has registered such motor vehicle or motor cycle in and has complied with all the laws of the State, Territory, Federal District of the United States, or of any Province of the Dominion of Canada, in which he resides, with respect to the registration of motor vehicles and the display of registration numbers, and who shall conspicuously display such registration number as required thereby, may be driven in this State, if said motor vehicle or motor cycle be a passenger vehicle,

90 days' privilege.

during a period of not to exceed ninety days in each calendar year, or if such motor vehicle be a commercial motor vehicle, it may be driven in this State during a period of not to exceed fifteen days in each calendar year, or on two or more occasions not exceeding in the aggregate the period allowed such motor vehicle in any such year, without complying with, or being subject to the provisions of this act as the same applies to the registration of motor vehicles and licensing of the

Proviso.

operators thereof; *provided,* that each day or part of a day during which any such motor vehicle is within this State shall be considered as one of the days by

Proviso.

this section allowed; *and provided, further,* that the provisions of this section shall be operative as to any such motor vehicle by nonresidents of this State only to the extent that under the laws of the State, Territory, Federal District or Province of his residence, substantially similar exemptions and privileges are granted to motor vehicles and motor cycles duly registered under

Proviso.

the laws of this State; *and provided, further,* that the Commissioner of Motor Vehicles shall have power to suspend, for cause, the touring privileges in this act allowed in so far as it may apply to any licensed motor vehicle licensed by any State, Federal District, Territory or of the Province of the Dominion of Canada to which such privilege is granted under the provisions

Suspension of privilege.

of this act. The Commissioner of Motor Vehicles in suspending such privilege, shall give seven days' notice of such action, citing in such notice the number of the motor vehicle or motor cycle in reference to which such privilege is suspended, and shall forward such

notice to the department which issued the license against which such privilege is suspended. The Commissioner of Motor Vehicles, when suspending such privilege shall give public notice of the same, and cause all police departments or other police authorities to be notified of such action. If such motor vehicle against which such privilege has been suspended shall be driven thereafter in the State of New Jersey, during the period in which its license is in force, the driver and owner thereof shall be subject to a fine of not exceeding two hundred dollars. Penalty for violation.

(5) The touring privilege as hereinbefore provided is also extended to the chauffeurs or drivers of all nonresident motor vehicles operating in this State under such touring privilege, provided that the said chauffeur or driver has complied with the law of his resident State with respect to the licensing of drivers or chauffeurs. Touring privilege.

2. This act shall take effect immediately.

Approved March 12, 1928.

CHAPTER 26.

An Act to repeal an act entitled "An act to amend an act entitled 'An act concerning motor vehicles bailed, rented or leased, without a driver, to be operated by the bailee or lessee, his agent or servant, for purposes other than the transportation of passengers for hire, and their operation upon public highways,' approved March thirty-first, one thousand nine hundred and twenty-seven."

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

1. An act to repeal an act entitled "An act to amend an act entitled 'An act concerning motor vehicles bailed, rented or leased, without a driver, to be operated by the bailee or lessee, his agent or servant, for purposes Act repealed.

other than the transportation of passengers for hire, and their operation upon public highways,' approved March thirty-first, one thousand nine hundred and twenty-seven" (being Chapter 326, page 770, P. L. 1927), be and the same is hereby repealed.

2. This act shall take effect immediately.

Approved March 12, 1928.

CHAPTER 27.

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:*

Obtaining motor vehicle fraudulently a misdemeanor.

1. Any person, firm, corporation, association, or any officer, director or employee thereof, who or which shall, with intent to defraud the owner of any motor vehicle, or any person in lawful possession thereof, obtain possession of such motor vehicle by agreeing to pay a rental for the use thereof based in whole or in part upon the distance such motor vehicle shall travel shall be guilty of a misdemeanor. The refusal to pay the rental for such motor vehicle or absconding without paying such rental shall be prima facie evidence of the intent to defraud.

Not paying rental a fraud.

Damaging registering instruments a misdemeanor.

2. Any person, firm, corporation, association, or any officer, director or employee thereof, who or which shall, with intent to defraud the owner of any motor vehicle, or any person in lawful possession thereof, after obtaining possession of such motor vehicle by agreeing to pay a rental for the use thereof based in whole or in part upon the distance such motor vehicle shall travel, remove or damage any mileage registering instrument connected to such motor vehicle shall be guilty of a

misdemeanor. The removal or damage of any such mileage registering instrument shall be prima facie evidence of intent to defraud.

3. This act shall take effect immediately.

Approved March 12, 1928.

CHAPTER 28.

An Act to amend an act entitled "An act to amend an act entitled 'An act concerning motor vehicles bailed, rented or leased, without a driver, to be operated by the bailee or lessee, his agent or servant, for purposes other than the transportation of passengers for hire, and their operation upon public highways,' approved March twenty-ninth, one thousand nine hundred and twenty-six," which amendment was approved March thirty-first, one thousand nine hundred and twenty-seven.

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

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

(2) 2A. Every person, firm, association or corporation owning and engaged in the business of renting or leasing motor vehicles, without a driver, to be operated by the lessee or bailee, his agent or servant, for purposes other than the transportation of passengers for hire, shall file with the clerk of the municipality in which the owner resides or has his place of business for the motor vehicle or vehicles intended to be so rented or leased, a policy or policies intended to be so rented or leased a policy or policies of insurance of a company duly licensed to transact business under the insurance laws of the State of New Jersey, insuring such motor vehicle owner against loss from the liability imposed Liability insurance policy filed with municipal clerk.

by law upon such motor vehicle owner for damages on account of bodily injury or death suffered by any person or persons other than a person in the employ of such motor vehicle owner, or a person in, on or about such motor vehicle in the status of a passenger for hire as a result of accidents occurring by reason of the negligent maintenance, use or operation of such motor vehicle upon the public highways of this State; and such policy or policies of insurance shall provide a limit of liability on the part of the insurer exclusive of court costs and the expenses of investigating and defending suits for each motor vehicle covered thereby,

Amount.

in the sum of five thousand dollars ($5,000) for bodily injury to or death of any one person, and subject to the same limit of liability for each person so injured or killed, in the sum of ten thousand dollars ($10,000) for bodily injury to or death of more than one person in any one accident; and shall provide for the payment, subject, however, to the aforesaid limits of liability, of any final judgment rendered against such motor vehicle

Provisions of policy.

owner. Such policy of insurance shall contain a provision for a continuing liability thereunder, subject, however, to the aforesaid limits of liability, notwithstanding any recovery thereon, and shall further provide that nothing contained thereon, nor the violation

Insurer's liability.

of any of the provisions thereof, shall relieve the insurer within the limit of liability aforesaid from the payment of any such judgment; but this provision shall not, as between the insurer and the assured, affect the rights given by the policy to the insurers against the assured because of any such violation or otherwise.

Number of policies.

The owner, at his option, may file one policy for each motor vehicle, or one policy covering two or more vehicles, or one policy covering all vehicles operated under the same ownership, with provision for substitution and addition of motor vehicles thereunder, and may file policies of different insurers. The provisions of this act, so far as may be requisite, shall be read into and deemed to form a part of any such policy.

Section 3 amended.

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 2B added.

3. That a new paragraph be added to the act of which this act is amendatory, which shall read as follows:

Power of attorney.

2B. Such owner shall, prior to the issuance of any certificate under this act, execute and deliver to the said clerk a power of attorney, wherein and whereby the said owner shall nominate, constitute and appoint the said clerk his true and lawful attorney for the purpose of acknowledging service of any process out of a court of competent jurisdiction in any action brought to recover damages against such owner by reason of the negligent maintenance, use, or operation of any such motor vehicle as aforesaid; *provided,* that no owner shall be required to file and maintain in force more than one power of attorney under this act.

Proviso.

Section 4 amended.

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:

Certificate issued—what to show.

3. Upon the owner's compliance with the requirements of sections 2A and 2B of this act, the said clerk shall issue to the owner a certificate for each vehicle, which certificate shall describe such vehicle and certify that the owner thereof has filed a policy and power of attorney as required by this act, and which certificate shall at all times be carried in the vehicle. It shall be the duty of said clerk to revoke such certificate at any time when there is not on file with said clerk a valid policy, in full force and effect, and a power of attorney, as required to be filed by this act. Upon notice of such revocation the owner of such vehicle shall surrender such certificate to said clerk or to any person designated by said clerk to receive the same, and shall cease to operate, or cause or permit to be operated, such motor vehicle.

Revocation.

Surrender of certificate.

Section 5 amended.

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:

Notice of intent to cancel policy.

4. Any policy filed under the provisions of this act may be canceled as to accidents occurring subsequent to the effective date of cancellation, by the insurer or by the owner, upon the terms and in the manner therein provided for; but such cancellation shall not be effective

unless and until twenty (20) days' notice in writing of such cancellation shall have been given the said clerk. Service of such notice upon the said clerk may be made either personally or by mail, and if by mail shall be deemed complete when such notice is deposited in the post office, registered, postage prepaid, directed to the said clerk, at his official address. Immediately upon receipt of notice by said clerk of the cancellation of any such policy, or if the authority of the insurer to transact such business in the State of New Jersey shall be revoked, said clerk shall require the owner to replace such policy with another good and sufficient policy in accordance with the provisions of this act; in default of which the owner's certificate shall be revoked for all motor vehicles covered by such policy, and the owner shall thereupon cease to operate, or cause or permit to be operated, any such motor vehicle or motor vehicles. Upon revocation of the certificate of any owner by the clerk, other than for failure to file another policy upon notice of cancellation, as hereinabove provided for, notice shall be by the clerk sent to the insurer, and such notice of revocation shall operate automatically to cancel such policy for the motor vehicle for which such certificate was revoked, as to all accidents occurring subsequent to the revocation of such certificate and such insurer shall be liable for the return of the unearned premium upon such policy, as in case of cancellation by the insurer.

Service of notice.

Replacing policy.

Notice of revocation sent insurer.

Effect of notice.

Section 6.

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:

Carrying own insurance.

5. Such owner, if a corporation organized under the laws of this State with a paid-up cash capital of not less than two hundred thousand dollars ($200,000), may carry its own liability insurance, as required by the provisions of this act, provided it can reasonably satisfy the Commissioner of Banking and Insurance as to the permanence and financial standing of its business. Any owner desiring to be exempt from obtaining or filing such insurance policy or policies as required by this act shall make application to the Commissioner of Banking and Insurance, showing its financial ability to

Exemption by authority of Commissioner of Insurance.

pay such damages, whereupon the Commissioner of Banking and Insurance, if reasonably satisfied of the applicant's financial ability, shall by written order make such exemption and deliver a certified copy thereof to the said clerk, which certified copy of such exemption shall remain with the said clerk in lieu of such policy or policies of insurance so long as the paid-up cash capital of said corporation shall remain at not less than two hundred thousand dollars ($200,000), and the order of the Commissioner of Banking and Insurance shall remain in force. The said clerk shall issue to such corporation so exempted a certificate showing such exemption in lieu of the certificate required to be issued by section three of this act. The Commissioner of Banking and Insurance may from time to time require further statements of the financial ability of such company; and if at any time, in the opinion of the Commissioner of Banking and Insurance, such company appears no longer able to pay damages, the commissioner shall revoke his order granting exemption and notify the said clerk of such revocation; whereupon the said clerk shall revoke the certificate showing exemption issued by such commissioner, and the said company shall immediately insure its liability as required by the provisions of this act.

Certificate of exemption.

Right to revoke exemption.

6. This act shall take effect immediately.

Approved March 12, 1928.

CHAPTER 29.

An Act to amend 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:*

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

Section 3, Article XXIV, amended.

Lighting streets by townships.

3. Nothing herein shall repeal or make void any statutory provision for the creation of lighting districts in townships, and the lighting of streets and public places in said districts, and governing bodies in townships shall have power to make any contracts for lighting for a period not exceeding five years unless otherwise provided by law.

2. This act shall take effect immediately.

Approved March 12, 1928.

CHAPTER 30.

An Act to ratify, confirm and continue the incorporation of the borough of Millstone, in the county of Somerset, and to fix the boundaries and corporate name thereof.

Preamble.

WHEREAS, The inhabitants of that part of the township of Hillsborough, in the county of Somerset, within the boundaries hereinafter mentioned, were organized as a borough by the name of "The Mayor and Council of the Borough of Millstone," under and by virtue of the provisions of an act of the Legislature of the State of New Jersey entitled "An act for the formation of borough governments," approved April fifth, one thousand eight hundred and seventy-eight, and the acts amendatory thereof and supplemental thereto or under some other general borough law of this State; and

Preamble.

WHEREAS, A statement of the results of an election for the purpose of incorporation under the aforesaid act held in the borough of Millstone on the first day of May, one thousand eight hundred and ninety-four, cannot be found in the files of the office of the clerk of the county of Somerset; and

Preamble.

WHEREAS, By virtue of the provisions of an act of the Legislature of the State of New Jersey entitled "A general act relating to boroughs (Revision of 1897)," approved April twenty-fourth, one thousand eight hundred and ninety-seven, the inhabitants of every

borough theretofore established, formed or organized under the provisions of any law of this State, were created a body corporate and politic in fact, deed, name and law by the corporate name by which they were then known; and

WHEREAS, Doubt exists as to the incorporation and corporate name of the borough of Millstone; Preamble.

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

1. The inhabitants of all that territory formerly a part of the township of Hillsborough, in the county of Somerset, and now known as the borough of Millstone, and contained within the limits hereinafter set forth, are hereby continued and declared to be a body corporate and politic in fact and in law by the name of "The Borough of Millstone," and the creation, organization and incorporation of said borough of Millstone shall be governed by the general laws of this State relating to boroughs. Incorporation of borough of Millstone confirmed.

Description of the boundaries of Millstone borough:

Beginning at the Millstone river on the line between Jacob Van Doren and Paul Beardslee running westerly to a corner of said Van Doren, Paul Beardslee and Isaac B. Hoagland; thence along said Isaac B. Hoagland and Paul Beardslee westerly seventy-five rods to a stake in said line; thence north across Isaac B. Hoagland, Amwell road, William H. Baker and P. V. D. Van Doren on the line of William C. Stryker to a stake; thence east along said Stryker to a line eighty rods to a corner of the Demarest tract; thence north sixty rods along said Stryker and Demarest to a cedar tree; thence in an easterly direction to the Millstone river; and thence along the Millstone river south to the place of beginning. (Surveyed April 20, 1894.) Boundaries of borough of Millstone.

2. All acts and doings of the governing body of said borough, and of the officers thereof, since the fourteenth day of May, one thousand eight hundred and ninety-four, are hereby ratified, validated, approved and confirmed. Previous acts validated.

3. This act shall take effect immediately.

Approved March 12, 1928.

CHAPTER 31.

An Act to incorporate the township of East Hanover, in the county of Morris.

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

Corporate name.

1. The inhabitants of that portion of the township of Hanover, in the county of Morris, contained within the limits hereinafter set forth, are hereby constituted and declared to be a body politic and corporate in fact and in law by the name of "Township of East Hanover," and shall be governed by the general laws of this State relating to townships.

Boundaries of township of East Hanover.

2. The territorial limits of said township shall be as follows: All that portion in the township of Hanover within the following described lines, to wit: Beginning in the middle of Cook's bridge over the Passaic river in Hanover and in the division line between Morris county and Essex county, being the most easterly boundary line of Hanover township; thence (1) in a northerly direction in the center of the Passaic river to the junction of the Rockaway river and the Passaic river; then (2) southwesterly in the middle of the Rockaway river its various courses to where the Whippany river joins the Rockaway river (known as New river) near Malachi Sharkey; thence (3) up the middle of the Whippany river the several courses thereof to where the line of the Smith or line ditch intersects the same, at the junction of Troy brook; thence (4) up the line ditch to its intersection with the Perrine road; thence (5) in a straight line in a southwesterly direction to the middle of Haight's bridge over the Whippany river; thence (6) up the middle of the Whippany river to its junction with Black brook; thence (7) in a southwesterly direction in the middle of said brook to its intersection with the borough of Florham Park northerly line; thence (8) along the line of the borough of Florham Park easterly to its intersection with the Passaic river, in the center thereof; thence (9) up the middle of said river northeasterly to the place of beginning, in Cook's bridge.

Referendum.

3. This act shall not become operative until its provisions shall be submitted to all the voters of the entire township of Hanover at a special election to be held within said township and at said election adopted by a majority of the votes cast at said special election.

Special election.

Said special election shall be held within the said township of Hanover within sixty days, holidays excepted, from the passage of this act, and between the hours of six o'clock A. M. and seven o'clock P. M. of the day fixed for such election and at places within said township to be fixed and provided for by the clerk of the township of Hanover, in the county of Morris.

Notice given.

The clerk of the township of Hanover shall cause public notice of the time and places of holding the said election to be given by advertisements signed by himself, and set up in at least six public places in said township (three of which shall be within the above described territory), and published in at least one newspaper circulating in the township of Hanover, at least ten days prior to such election, and the said clerk shall provide for the electors voting at such election, ballots to be printed or written, or partially written and partially printed, conforming as nearly as possible with the forms of the ballots used at general elections and upon which ballots shall be printed the proposition to be submitted to the voters, with instructions in the following form:

Ballots.

Marking ballots.

If you favor the proposition printed below, make in black ink or black pencil an × mark in the square to the left and opposite the word "Yes"; and if you are opposed thereto, make in black ink or black pencil an × mark in the square to the left and opposite the word "No."

Proposition.

	Yes.	Shall an act entitled "An act to incorporated the township of East Hanover in the county of Morris" be adopted?
	No.	

Counting votes.

If the voter makes an × 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 X mark shall be made in the square to the left of and opposite the word "Yes" or "No," it shall not be counted as a vote for or against such proposition.

How and where held.

Such election shall be held at the time and places so appointed and shall be conducted by the officers of the election districts of the township of Hanover. The officers of each district holding such election shall within

Returns in duplicate.

three days after such election make a return in duplicate, one to the township committee of the township of Hanover and the other to the clerk of the county of Morris of the result of such election by statements in writing and under their hands, and the same shall be entered at length upon the minutes of the township committee of the township of Hanover and upon its adoption by a majority of such electors voting at said special election as aforesaid, and not otherwise, this act shall in

Proviso.

all respects be operative; *provided,* that if any other portion of Hanover township by act of this present Legislature shall be set off as a separate township requiring

As to another township.

a referendum of all the voters in Hanover township before its adoption, then in such case the election called for herein shall be held on the same day, time and places as such other election is held and the notices, publication and advertisements required hereunder shall be given as herein set forth. Upon the ballots used at such joint special election both propositions with the instructions, shall be printed.

Registry.

4. The registers of voters of said township of Hanover used in said township in its respective districts at the last general election shall be used in the conducting of such special election.

Meeting of board of registry.

The boards shall meet at such places provided by the clerk of Hanover township and at such time as shall be designated by the aforesaid clerk at least one week preceding said special election. Notice of the time and places so designated for such meeting shall be given by

the clerk of the township of Hanover by posting notices thereof in at least five of the most public places in the several election districts comprising the township of Hanover, said meeting of the boards of registry and election shall be held in their respective polling places provided for by the clerk of said township at one o'clock in the afternoon and continue until nine o'clock on the evening of the day fixed for said meeting and each board shall place in their register the names of all persons or legal voters within the district at the time of the passage of this act, whose names appear upon the said register used at the general election as aforesaid and in addition thereto any person who shall appear before them and establish to the satisfaction of a majority of the board in the election district in which he or she resides that he or she is entitled to vote at the said special election by reason of being an inhabitant and citizen 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 district to be entitled so to vote. A separate affidavit shall be required for each person so added, which shall contain the address of the affiant and shall be signed by him. On the following day one copy of said register shall be mailed to the chairman of the county board of elections of Morris county, to be filed by said board, and one copy shall be retained for the use of each district board of election at such special election. The cost of said election in the first instance shall be borne by the township of Hanover, but in the event of the adoption of this act the newly created municipality shall reimburse the township of Hanover for such expense.

New registry prepared.

Affidavit by new voters.

Meeting expenses.

5. Immediately after the statements of the result of such election shall be made to the township committee of the said township of Hanover, another copy of said statements certified by the clerk of the township of Hanover shall be filed by him in the office of the county clerk of the county of Morris.

Certified statement of results filed with county clerk.

6. Within ten days after a copy of the statements of said election has been filed with the county clerk of the county of Morris, and in case it is shown by said statement that this act has been adopted by the voters

Special election to select officers.

of said township as aforesaid, the said county clerk shall call another special election, to be held within the aforesaid described territory, within thirty days from the date of the filing of the said statements in his office, for the purpose of electing three committeemen, an assessor, a collector, a clerk and such other officers as provided for by law, to hold office until the first day of January following said special election, which election shall be held between the hours of six o'clock A. M. and seven o'clock P. M. on a day and at a place or places within said territory, to be fixed by said county clerk;

Notice given.

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

County clerk to provide ballots.

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 the 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 registers used at the special election held for the adoption of this act, as revised.

Nominations by petition.

Petitions making nominations for any of said offices shall be filed with the said county clerk within twenty days from the date of the filing with said county clerk of the statement showing the adoption of this act and at least five days prior to said election.

Elections, how and where held.

Such election shall be held at the time and places so appointed by said county clerk and shall be conducted by the members of the district boards of the township of Hanover residing within the above described territory, provided if there is not a complete district board the county clerk shall request the Morris county board of elections to fill the vacancies and if necessary designate a new board or boards for the purpose of conducting said election; and the ballot to be used at this election shall conform as nearly as possible to the form of ballot

Registers.

used at general elections. The registers of voters within said described territory to be used in the conducting of such special election shall be prepared and made up by

the boards of election of the districts within the above described territory as herein constituted, from the register of voters used in said districts at the special election held for the adoption of this act; *provided,* that said list for the purpose of this election shall be revised so as to include all and only such voters who may then reside within the territory comprised within the limits of the township created by this act.

Proviso.

The said boards shall meet at such places provided by the clerk of the county of Morris within said described territory and at such time as shall be designated by the clerk of the county of Morris at least one week preceding said special election. Notice of the time and places so designated for such meeting shall be given by the clerk of the county of Morris by posting notice thereof in at least five of the most public places in said districts in said described territory at least five days prior to said meeting. The said district boards of registry and election within said territory shall meet in their respective polling places provided for by the clerk of the county of Morris for the making up of said new register or registers of voters and 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 each board shall place in their register the names of all persons who are legal voters within the said districts and in the above described territory aforesaid at the time and passage of this act, whose names appear upon said register used at the said special election as aforesaid, and in addition thereto any person who shall appear before them and establish to the satisfaction of a majority of the board in the election district in which he or she resides that he or she is entitled to vote at the said special election by reason of being an inhabitant and citizen 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 added, which shall contain the address of the affiant and shall be signed by him. On the following day one copy of said register shall be mailed to the chairman of the county board of elections of Morris

Meeting of boards.

Notice posted.

Preparing new register.

Additional registrations.

Affidavits required.

county, to be filed by said board, and one copy shall be retained for the use of each district board of election at such special election.

Returns as to officers elected.

The officers holding such election shall make return thereof to the county clerk of the county of Morris 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 said township and shall continue in office until the first day of January following said special election, provided that nominations can be made and submitted to the voters on primary day for this year at which time nominations shall be made for one township committeeman for one year; one township committeeman for two years and one township committeeman for three years and such other officers as required by law; in the event that nominations cannot be made for this year's primary then the officers herein elected shall serve until other officers have been elected by the voters of said township in the year following January next after said special election and shall have duly qualified as required by law.

Continuance of officials.

Assets and liabilities divided.

7. The assets and liabilities between the township of Hanover and the newly created municipality shall be divided as of the day of adoption of this act at such special election first herein required.

In case township fails to act.

8. In the event of the failure of the township clerk to perform the duties herein imposed on him by reason of sickness, absence or any other cause or reason, then his duties shall be performed by the clerk of the county of Morris.

9. This act shall take effect immediately.

Approved March 12, 1928.

CHAPTER 32.

An Act to incorporate the township of Parsippany-Troy Hills, in the county of Morris.

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

Corporate name.

1. The inhabitants of that portion of the township of Hanover, in the county of Morris, contained within the limits hereinafter set forth, are hereby constituted and declared to be a body politic and corporate in fact and in law by the name of "Township of Parsippany-Troy Hills," and shall be governed by the general laws of this State relating to townships.

Boundaries of township of Parsippany-Troy Hills.

2. The territorial limits of said township shall be as follows: All that portion in the township of Hanover within the following described lines, to wit: Beginning at the northeasterly corner of the borough of Morris Plains in the middle of Newark and Mount Pleasant turnpike as described in the description of the borough of Morris Plains in the middle of the road next east of Littleton cross roads, said point being the end of the tenth course in the description of the borough of Morris Plains and running thence (1) northwesterly along the middle of the Newark and Mount Pleasant turnpike six thousand feet, passing Littleton cross roads to the middle of the Newark and Mount Pleasant turnpike, where the same is intersected by the northwesterly right-of-way line of the Morris County Traction Company; thence (2) southwesterly by a straight line six thousand feet to the junction of the old Todd road with the southwesterly side line of Union turnpike; thence (3) southerly by a straight line three thousand one hundred feet to the middle of the road leading northwesterly from Morris Plains to Shongum; thence (4) south 43 degrees 45 minutes west six hundred feet; thence (5) south 29 degrees 30 minutes west eight hundred and sixteen feet to the corner of State lands; thence (6) south 44 degrees 5 minutes east three hundred and seventy-five feet

to the middle of Central avenue eighty feet northwesterly from the bridge over Whatnong brook; thence (7) south 35 degrees 53 minutes west one thousand and forty-six feet; thence (8) south 25 degrees 15 minutes east one hundred and ninety-eight feet along State lands to the edge of Jaqui Mill pond, being the boundary of said State lands; thence (9) southerly four hundred and three feet along the edge of said pond to the middle of Hanover avenue; thence (10) along the middle of Hanover avenue in a northwesterly direction the several courses and distances thereof to a point where the lines dividing the township of Morris and the township of Denville intersect said road; thence (11) along the lines dividing the township of Hanover and the township of Denville in a northeasterly direction twenty-six thousand feet, more or less, to the most westerly corner of the borough of Mountain Lakes in the southerly right-of-way line of the Delaware, Lackawanna & Western Railroad; thence (12) southeasterly along the southerly right-of-way line of said railroad, five thousand feet, more or less, to its intersection with the centre line of the State highway, route 12; thence (13) along the center line of the said highway southeasterly four thousand nine hundred and fifty feet, more or less, to Spark's corner, where the center of the said highway known as route 12 is intersected by the easterly side line of what was formerly called the Ball road, now known as Intervale road, said Spark's corner being a corner about four thousand feet westerly from Cobb's corner in said highway; thence (14) northeasterly along the easterly side of said Intervale road seven thousand and seventy-five feet, more or less, to an iron rod monument in the southeasterly right-of-way line of the Delaware, Lackawanna & Western Railroad; thence (15) along the southerly right-of-way line of said railroad northeasterly two thousand five hundred feet, more or less, to the line of division between the township of Hanover and the township of Boonton; thence (16) along said division line southeasterly two hundred feet, more or less, to the westerly side line of Fanny road, sometimes known as the road leading to Old Boonton, being a line of division between the township of Boon-

ton and the town of Boonton; thence (17) along the line dividing the town of Boonton and the township of Hanover in an easterly direction the several courses and distances thereof and along the Rockaway river to a point in the Rockaway river at the junction of the Whippany river therewith known as the New river; thence (18) up the said river known as the New river to the junction thereof of line ditch or Smith ditch; thence (19) up said line ditch or Smith ditch in a westerly direction its several courses thereof a distance of about 10,500 feet in the northeasterly side of Perrine road; thence (20) along the easterly side line of Perrine road in a westerly direction its several courses thereof a distance of about 3,500 feet to the junction of Lower road; thence (21) in a northwesterly direction a distance of about 4,500 feet to a culvert in Reynolds avenue, southerly about 200 feet of the old Baldwin house; thence (22) in a northwesterly direction a distance of about 5,200 feet to the junction of the Stacy road with the road leading from Whippany to Halseytown; thence (23) in a westerly direction a distance of about 12,000 feet to the junction of the road leading from Malapardis to Van Dee Terrace with the road next east of the Littleton cross roads; thence (24) along said road in a northerly direction a distance of about 1,500 feet to the place of beginning.

Referendum.

3. This act shall not become operative until its provisions shall be submitted to all the voters of the entire township of Hanover at a special election to be held within said township and at said election adopted by a majority of the votes cast at said election. Said special election shall be held within the said township of Hanover within sixty days, holidays excepted, from the passage of this act, and between the hours of six o'clock A. M. and seven o'clock P. M. of the day fixed for such election and at places within said township to be fixed and provided for by the clerk of the township of Hanover, in the county of Morris. The clerk of the township of Hanover shall cause public notice of the time and places of holding the said election to be given by advertisements signed by himself, and set up in at least six public places in said township (three of which shall

Special election.

Notice given.

be within the above described territory) and published in at least one newspaper circulating in the township of Hanover, at least ten days prior to such election, and the said clerk shall provide for the electors voting at such election, ballots to be printed or written, or partially written and partially printed, conforming as nearly as possible with the forms of the ballots used at general elections and upon which ballots shall be printed the proposition to be submitted to the voters, with instructions in the following form:

Ballots.

Marking ballots.

If you favor the proposition printed below, make, in black ink or black pencil, an × mark in the square to the left and opposite the word "Yes"; if you are opposed thereto make, in black ink or black pencil, an × mark in the square to the left and opposite the word "No."

Proposition.

	Yes.	Shall an act entitled "An act to incorporate the township of Parsippany-Troy Hills, in the county of Morris," be adopted?
	No.	

Counting votes.

If the voter makes an × 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 × 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.

How and where held.

Such election shall be held at the time and places so appointed and shall be conducted by the officers of the election districts of the township of Hanover. The officers of each district holding such election shall within three days after such election make a return in duplicate, one to the township committee of the township of Hanover and the other to the clerk of the county of Morris, of the result of such election by statements in

Returns in duplicate.

writing and under their hands, and the same shall be entered at length upon the minutes of the township committee of the township of Hanover and upon its adoption by a majority of said electors voting at said special election as aforesaid, and not otherwise, this act shall in all respects be operative; *provided,* that if any other portion of Hanover township by act of this present Legislature shall be set off as a separate township requiring a referendum of all the voters in Hanover township before its adoption, then in such case the election called for herein shall be held on the same day, time and places as such other election is held, and the notices, publication and advertisements required hereunder shall be given as herein set forth. Upon the ballots used at such joint special election both propositions, with the instructions, shall be printed.

Proviso.

As to another township.

4. The registers of voters of said township of Hanover used in said township in its respective districts at the last general election shall be used in the conducting of such special election.

Registry.

The boards shall meet at such places provided by the clerk of Hanover township and at such time as shall be designated by the aforesaid clerk at least one week preceding said special election. Notice of the time and places so designated for such meeting shall be given by the clerk of the township of Hanover by posting notices thereof in at least five of the most public places in the several election districts comprising the township of Hanover, said meeting of the boards of registry and election shall be held in their respective polling places provided for by the clerk of said township at one o'clock in the afternoon and continue until nine o'clock on the evening of the day fixed for said meeting and each board shall place in their register the names of all persons or legal voters within the district at the time of the passage of this act, whose names appear upon the said register used at the general election as aforesaid and in addition thereto any person who shall appear before them and establish to the satisfaction of a majority of the board in the election district in which he or she resides that he or she is entitled to vote at the said special election by reason of being an inhabitant and

Meeting of board of registry.

New register prepared.

Affidavit by new voters.

citizen 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 district to be entitled so to vote. A separate affidavit shall be required for each person so added, which shall contain the address of the affiant and shall be signed by him. On the following day one copy of said register shall be mailed to the chairman of the county board of elections of Morris county, to be filed by said board, and one copy shall be retained for the use of each district board of election at such special election. The cost of said election in the first instance shall be borne by the township of Hanover, but in the event of the adoption of this act the newly created municipality shall reimburse the township of Hanover for such expense.

Meeting expenses.

Certified statement of result filed with county clerk.

5. Immediately after the statements of the result of such election shall be made to the township committee of the said township of Hanover, another copy of said statements certified by the clerk of the township of Hanover shall be filed by him in the office of the county clerk of the county of Morris.

Special election to choose officers.

6. Within ten days after a copy of the statements of said election has been filed with the county clerk of the county of Morris, and in case it is shown by said statement that this act has been adopted by the voters of said township as aforesaid, the said county clerk shall call another special election, to be held within the aforesaid described territory, within thirty days from the date of the filing of the said statement in his office, for the purpose of electing three committeemen, an assessor, a collector, a clerk and such other officers as provided for by law, to hold office until the first day of January following said special election, which election shall be held between the hours of six o'clock A. M. and seven o'clock P. M. on a day and at a place or places within said territory, to be fixed by said county clerk; and of the time, place and purpose of said special election said county clerk shall give public notice by advertisements, signed by himself and set up in at least five public places within said territory, and published in at least one newspaper circulating therein, at least five days prior to such election. Said county clerk shall provide

Notice given.

County clerk to provide ballots.

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 the 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 registers used at the special election held for the adoption of this act, as revised. Petitions making nominations for any of said offices shall be filed with the said county clerk within twenty days from the date of the filing with said county clerk of the statement showing the adoption of this act and at least five days prior to said election. Such election shall be held at the time and places so appointed by said county clerk and shall be conducted by the members of the district boards of the township of Hanover residing within the above-described territory; *provided,* if there is not a complete district board the county clerk shall request the Morris county board of elections to fill the vacancies and if necessary designate a new board or boards for the purpose of conducting said election; and the ballot to be used at this election shall conform as nearly as possible to the form of ballot used at general elections. The registers of voters within said described territory to be used in the conducting of such special election shall be prepared and made up by the boards of election of the districts within the above-described territory as herein constituted, from the register of voters used in said districts at the special election held for the adoption of this act; *provided,* that said list for the purpose of this election shall be revised so as to include all and only such voters who may then reside within the territory comprised within the limits of the township created by this act.

Nominations by petition.

Election, how and when held.

Proviso.

Preparing new register.

Proviso.

The said boards shall meet at such places provided by the clerk of the county of Morris within said described territory and at such time as shall be designated by the clerk of the county of Morris at least one week preceding said special election. Notice of the time and places so designated for such meeting shall be given by the clerk of the county of Morris by posting notice thereof in at least five of the most public places in said districts in said described territory at least five days prior to said

Meeting of boards.

Notice posted.

Preparing new register.

meeting. The said district boards of registry and election within said territory shall meet in their respective polling places provided for by the clerk of the county of Morris for the making up of said new register or registers of voters and 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 each board shall place in their register the names of all persons who are legal voters within the said districts and in the above-described territory aforesaid at the time and passage of this act, whose names appear upon said register used at the said special election as aforesaid, and in addition thereto any person who shall appear before them and establish to the satisfaction of a majority of the board in the election district in which he or she resides that he or she is entitled to vote at the said special election by reason of being an inhabitant and citizen 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 added, which shall contain the address of the affiant and shall be signed by him. On the following day one copy of said register shall be mailed to the chairman of the county board of elections of Morris county, to be filed by said board, and one copy shall be retained for the use of each district board of election at such special election.

Additional registrants.

Affidavit required.

Returns as to officers elected.

The officers holding such election shall make return thereof to the county clerk of the county of Morris 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 said township and shall continue in office until the first day of January following said special election; *provided,* that nominations can be made and submitted to the voters on primary day for this year, at which time nominations shall be made for one township committeeman for one year; one township committeeman for two years, and one township committeeman for three years each, and such other officers as required by law; in the event that nominations cannot be made for this year's primary then the officers herein elected shall serve until other officers have been elected

Proviso.

Continuance of officials.

by the voters of said township in the year following January next after said special election and shall have duly qualified as required by law.

Division of assets and liabilities.

7. The assets and liabilities between the township of Hanover and the newly created municipality shall be divided as of the day of the adoption of this act at such special election first herein required.

In case township clerk fails to act.

8. In the event of the failure of the township clerk to perform the duties herein imposed on him by reason of sickness, absence or any other cause or reason, then his duties shall be performed by the clerk of the county of Morris.

9. This act shall take effect immediately.

Approved March 12, 1928.

CHAPTER 33.

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:*

Section 40 amended.

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

Unincorporated associations may sue or be sued.

40. Any unincorporated organization, consisting of seven or more persons and having a recognized name, may sue or be sued by such name in any action affecting the common property, rights, and liabilities of such organization; all process, pleadings and other papers in such action may be served on the president or any other officer for the time being or the agent or manager or person in charge of the business of such organization; such action shall have the same force and effect as

Effect of action.

regards the common property, rights and liabilities of such organization as if it were prosecuted against all the members thereof; and such action shall not abate by reason of the death, resignation, removal or legal incapacity of any officer of such organization or by reason of any change in the membership thereof.

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

Approved March 12, 1928.

CHAPTER 34.

An Act to amend an act entitled "An act to create a commission for the rehabilitation of physically handicapped persons and to define its duties and powers," approved April tenth, nineteen hundred and nineteen.

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

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

Definitions. 1. Definitions.

Physically handicapped. (a) "Physically handicapped" shall mean any person who, by reason of a physical defect or infirmity, whether congenital or acquired by accident, injury or disease, is or may be expected to be totally or partially incapacitated for education or for remunerative occupation.

Rehabilitation. (b) "Rehabilitation" shall mean the rendering of a person physically handicapped fit to engage in a remunerative occupation.

Domiciled. (c) "Residing in the State of New Jersey" shall mean any person who is and has been domiciled within the State for one year or more.

Commission created. 2. There is hereby created a State Commission for the Rehabilitation of Physically Handicapped Persons" hereinafter referred to as the commission, to be com-

posed of the Commissioner of Education, the Commissioner of Labor and the Commissioner of the Department of Institutions and Agencies and of five other members to be appointed by the Governor for a term of three years. Their successors shall be appointed in the same manner for the term of three years.

How composed.

Term.

Of the five members appointed by the Governor one member, and only one, shall be a person who on account of his or her vocation, activities and affiliations can be considered as a representative of the employers of labor of the State, and one member, and only one, shall be a person who, on account of his or her vocation, activities and affiliations, can be considered as a representative of organized labor; *provided,* that the two additional appointed members provided for by law in nineteen hundred and twenty-eight, one of whom shall be a woman, shall be chosen because of their special interest in and knowledge of the problem of caring for, treating and educating crippled children.

Employers and employees recognized.

Proviso.

As soon as the commission is organized, and during the month of July of each year thereafter at an annual meeting, the commission shall elect its chairman.

Organization.

The members of this commission shall serve without pay, but for their actual expenses incurred in the performance of their duties shall be paid out of the funds appropriated to conduct the activities of the commission.

No pay; expenses met.

The Governor shall have power at any time to remove any member of the commission appointed by him pursuant to the provisions of this act for inefficiency or neglect of duty, charges in writing having been preferred and sustained after public hearing. Any vacancy occurring during a term shall be filled for the unexpired portion thereof by the appointment of a successor in the same manner as the predecessor was appointed.

Removal from office.

Vacancy.

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

Section 2 amended.

2. It shall be the duty of the commission to direct, as hereinafter provided, the rehabilitation of any physically handicapped persons residing in the State of New Jersey; *provided,* that said duty of this commission

Duty of commission.

Proviso—exceptions.

shall not be construed to apply to aged or helpless persons requiring permanent custodial care, or to blind persons under the care of the State Commission to Ameliorate the Condition of the Blind, or to deaf persons under the care of the State School for Deaf-Mutes, or to any epileptic or feeble-minded person, or to any person who may, in the judgment of the commission, not be susceptible of such rehabilitation.

Section 4 amended.

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

Powers of commission:

4. The commission shall have power:

To ascertain possible cases;

(1) To establish relations with all public and private hospitals to receive reports of any persons under treatment in such hospitals for any injury or disease that may permanently impair their earning capacity in order that persons thus reported may be promptly visited by representatives of the commission who shall make record of their condition and report to the commission. The commission shall then determine whether the person is susceptible of rehabilitation. Such persons as may be found so susceptible shall be acquainted by the commission with the rehabilitation facilities offered by the State and the benefits of entering upon remunerative work at an early date. Any person who chooses to take advantage of these rehabilitation facilities shall be registered with the commission, and a record kept of every such person and the measures taken for his or her rehabilitation. The commission shall proffer to any such person counsel regarding the selection of a suitable occupation and of an appropriate course of training, and shall initiate definite plans for beginning rehabilitation as soon as the physical condition of the person permits.

Take advantage of facilities;

Counsel proffered;

To learn of injured employees;

(2) To arrange with the Commissioner of Labor to receive reports of all cases of injuries received by employees in the course of employment which may result in permanent disability. The persons thus known to be injured may be visited, examined, registered and advised in the same manner and for the same purposes as specified in clause one of this section.

To receive applications;

(3) To receive applications of any physically handicapped persons residing within the State for advice and

assistance regarding their rehabilitation. The persons thus known to be physically handicapped may be visited, examined and advised in the same manner and for the same purposes as specified in clause one of this section.

(4) To make surveys to ascertain the number and condition of physically handicapped persons within the State. The persons thus known to be physically handicapped may be visited, examined, registered and advised in the same manner and for the same purposes as specified in clause one of this section. To survey conditions;

(5) To arrange for such therapeutic treatment as may be necessary for the rehabilitation of any physically handicapped persons who may have registered with the commission. To arrange treatment;

(6) To procure and furnish to physically handicapped persons registered with the commission, artificial limbs and other orthopædic and prothetic appliances, to be paid for at cost in easy installments, when such appliances cannot be otherwise provided, and when such physically handicapped persons, their parents or guardians are able to do so. To furnish artificial appliances;

(7) To establish, maintain and operate in one of the first class cities in the State a school to be known as "The New Jersey Memorial School for Rehabilitation," and to establish, maintain and operate branches of the school at such other places as may, in the judgment of the commission, be necessary. There shall be provided at the school and its branches courses of training in selected occupations for physically handicapped persons registered with the commission whose physical condition may, in the judgment of the commission, require special courses of training to render them fit to engage in remunerative employment, and who will be assigned by the commission to the school or to any of its branches for the purpose of such special training. To operate school for rehabilitation; Training courses;

The commission shall make the necessary rules for the proper conduct and management of the school and its branches; shall have control and care of the building and grounds used by the State for the school and its branches and the funds for the support thereof, appro- Rules and regulations;

priated by the State; shall purchase the necessary equipment and supplies; and shall prescribe the courses and methods of training to be given at the school and its branches.

Arrange training courses in public schools;

(8) To arrange with the Commissioner of Education for training courses in the public schools in the State in selected occupations for physically handicapped persons registered with the commission.

Courses in other schools;

(9) To arrange with any educational institution for training courses in selected occupations for physically handicapped persons registered with the commission.

Courses in business establishments;

(10) To arrange with any public or private organization or commercial, industrial or agricultural establishment for training courses in selected occupations for physically handicapped persons registered with the commission.

To provide maintenance;

(11) To provide maintenance costs during the prescribed period of training for physically handicapped persons registered with the commission; *provided,* that when the payment of maintenance costs is authorized by the commission it shall not exceed ten dollars ($10) per week, and the period during which it is paid shall not exceed twenty weeks, unless an extension of time is granted by a unanimous vote of the commission.

Proviso.

Cost limit;

Arrange social service;

(12) To arrange for social service for the visiting of physically handicapped persons registered with the commission and of their families in their homes during the period of treatment and training and after its completion, to give advice regarding any matter that may effect rehabilitation.

Co-operation;

(13) To co-operate with the Commissioner of Labor in the placement in remunerative employment of physically handicapped persons registered with the commission.

Investigations, surveys, etc.;

(14) To conduct investigations and surveys of the several industries located in the State to ascertain the occupations within each industry in which physically handicapped persons can enter upon remunerative employment under favorable conditions and work with normal effectiveness, and to determine what practicable changes and adjustments in industrial operations and practices may facilitate such employment.

(15) To make such studies and reports as may be helpful for the operation of this act. Studies and reports;

(16) To keep the people of the State informed regarding the operation of this act. Inform State;

(17) To co-operate with any department of the federal government or of the government of the State of New Jersey or with any county or municipal authorities within the State or with any private agency in the operation of this act. Co-operate with authorities.

5. This act shall take effect immediately.

Approved March 13, 1928.

CHAPTER 35.

An Act to change and amend the title and body of an act entitled "An act to authorize two or more municipalities of this State to jointly construct and maintain outlet or trunk sewers and to authorize every such municipality to construct local sewers within its corporate limits connecting with or discharging into such joint outlet or trunk sewers," approved March fifteenth, one thousand eight hundred and ninety-nine.

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

1. The title of the act of which this is an amendment is hereby changed and amended so that henceforth it shall read as follows: Title amended.

An act to authorize two or more municipalities of this State to jointly construct and maintain outlet or trunk sewers; and to jointly construct and maintain sewage disposal plants in connection therewith; and to authorize every such municipality to construct local sewers within its corporate limits connecting with or discharging into such joint outlet or trunk sewers and such sewage disposal plants. New title.

Section 1 amended.

2. Section one of the act is hereby amended to read as follows:

Municipalities may unite in providing sewers and disposal plants.

1. It shall be lawful for any two or more municipalities in this State, without regard to the form of their incorporation, to jointly provide for and cause to be constructed, and to thereafter maintain, an outlet or trunk sewer or sewers or drains, or sewage disposal plants or either or any of them, in the manner herein provided; and to that end the governing bodies or boards of any two or more municipalities in this State, such boards being charged by law with the duty of constructing sewers or drains in such municipalities, respectively, may unite and jointly cause to be made at their joint expense, by competent engineers, mechanics and others,

Surveys, maps, etc.

surveys, maps, plans, reports and estimates of proposed work and improvements relating to any contemplated outlet or trunk sewer or sewers, or drains and appurtenances, or sewage disposal plants, which such municipalities may desire to jointly construct, build and maintain under the authority conferred by this act, and for such purposes and before determining upon a final route and plan for the building or construction of any public improvement or work authorized by this act, and for the making of the surveys, maps, plans, reports and

Certain acts lawful.

estimates as provided in this section, it shall be lawful for the municipalities desiring to make such improvements, by their officers, agents, servants and employees, to enter at all times upon any lands or waters, for the purpose of exploring, surveying, leveling and laying out the route of any outlet or trunk sewer, sewers, or drains and appurtenances, locating sewage disposal plants or storage basins or pumping or other works, establishing grades and for the doing of all necessary preliminary work, doing, however, no unnecessary dam-

Surveys, etc., delivered to municipal clerks.

age or injury to private or other property; such surveys, maps, plans, reports, and estimates, or true copies thereof, shall be delivered by the persons making the same to the clerk of each of the municipalities joining in the expense of making the same, together with a statement or estimate of the cost and expense of such proposed improvement, and the percentage of such cost and expense proposed to be apportioned to and paid by each of

such municipalities, and also an estimate of the annual cost of maintenance, repairs, operation and supervision of such proposed improvements, to be annually paid by each of such municipalities after the completion of such improvements; said clerks of the respective municipalities interested as aforesaid shall immediately submit to the governing body or board of such municipality having charge of the construction of sewers and drains in such municipality, all the surveys, maps, plans, reports, estimates and statements so delivered to him, and said municipal body or board shall immediately thereafter proceed to consider the same, and if the said board shall not approve the same and decide not to join in the construction of the proposed improvements to which the matters submitted relate, then said board shall pass a resolution declaring its refusal to join in the construction of the said public improvements, and a copy of such resolution, duly certified by the clerk thereof, shall be served on the clerk of each of the other municipalities to whom like service was made as on the clerk of the municipality so refusing; if, on the contrary, such governing body or board of such municipality, as aforesaid, shall, after such consideration, by resolution duly adopted, approve the surveys, maps, plans, reports, estimates and statements so submitted to it as aforesaid, then it shall cause such surveys, maps, plans, reports, estimates and statements to be filed with the clerk of such municipality, there to remain of record; a copy of the said resolution of approval certified by the municipal clerk shall be by him served on the clerk of each of the other municipalities interested in the making of the surveys, maps, plans, reports, estimates and statements so submitted and approved as aforesaid; it shall be lawful for any two or more of the municipalities, so adopting such resolution of approval as aforesaid, and desiring to unite in the construction and making and maintaining of such public improvements as aforesaid, to thereupon respectively authorize, by an ordinance duly passed, the making and entering into, by and on behalf of such municipalities respectively, of a joint contractor contracts in writing (for which authority is hereby fully given) with such other mu-

Consideration of reports.

If not approved.

If approved.

Municipalities so agreeing to enter into joint contracts.

nicipality or municipalities as may then or thereafter desire to unite for the joint building and constructing, operating and maintaining of such outlet or trunk sewer or sewers or sewage disposal plants at the joint cost and expense of such contracting or associated municipalities, and as may be provided and specified in said contract, and for the construction of any necessary storage basins for collecting the sewage of such contracting or associated municipalities, or of any municipality located therein, and for acquiring the right to connect with and use any outlet or trunk sewer or sewers, or system of sewers and appurtenances that may have been theretofore constructed, or that may thereafter be constructed, within or by any other municipality, or within or by any of the municipalities so jointly contracting as aforesaid; such ordinance shall generally describe the route or line, size, capacity and extent of the proposed outlet or trunk sewer or sewers or drains and appurtenances to be jointly constructed by the municipalities contracting therefor with each other as aforesaid; also a general description of the main or trunk sewers or drains, if any, to be connected with such outlet or trunk sewer, and forming a part of such outlet or trunk sewer system; such ordinance shall also prescribe and fix the percentage of the capacity of such outlet or trunk sewer or sewers or drains and appurtenances and connections, to the use of which such municipality shall be entitled; also the percentage of the total cost, damages and expense of said improvements to be paid by each contracting municipality; after the passage of such ordinance by such municipality, pursuant to the laws governing the same, it shall be lawful for the proper officers thereof to join with the proper officers of the other municipalities so authorized by ordinance, in executing a joint contract in accordance with the provisions of the ordinance of such municipality hereby authorized to be enacted by such municipality, and such municipality and all the other contracting municipalities are hereby authorized to do any and all acts necessary or advisable regarding the execution and recording of such joint contract.

Ordinances, what to set out.

Joint contracts.

3. Section three of the act is hereby amended to read as follows:

Section 3 amended.

3. The said joint meeting acting on behalf and in the corporate names of the several municipalities jointly contracting with each other regarding the public improvements authorized to be jointly made under the provisions of this act, and represented in such joint meeting, shall have full power, in the joint name of all the contracting municipalities, to purchase and acquire all lands, rights or interests in land which may be deemed necessary for the construction of any and all the outlet or trunk sewers, drains, or for sewage disposal plants, storage, pumping and other works and appurtenances connected therewith; all proceedings at law or in equity relating to the doing of the work of the public improvements authorized by this act, and accomplishing the purposes contemplated by the provisions of this act, shall be instituted or taken and conducted in the joint corporate names or titles of all the municipalities contracting for the joint construction and building of such outlet or trunk sewer or sewers or drains and appurtenances, or other improvements or work hereby authorized in connection therewith, and when authorized or approved by joint meeting herein provided for, shall be deemed, taken and construed to have been taken and done for the proportionate benefit of all such contracting municipalities in accordance with the terms of the contract between them; all subcontracts, bills, estimates, measurements and all payments of money whatever, relating to or done or growing out of the public work or improvement hereby authorized, shall, before becoming effective or binding, be approved by a majority vote of such joint meeting, as herein provided, said joint meeting shall at all times keep full and accurate account of its receipts, expenditures, disbursements, assets and liabilities; an itemized or detailed statement in writing signed by the chairman and secretary of such joint meeting, and countersigned by the treasurer thereof, shall be made and rendered at least once each month, to each municipal body or board in its corporate name, represented in such joint meeting; such itemized or detailed statement shall include all sums of money ex-

Power to acquire land, rights, etc.

Proceedings at law instituted in names of municipalities.

All payments must be approved by joint meeting.

Accounts kept by joint meeting.

pended in or about such contract work, or in anywise connected therewith, including the amount and date of payment, name of person to whom paid, for what paid, and such other matters as may be deemed necessary to include in such statement, and as the joint meeting or its chairman, secretary or treasurer may deem advisable or important to include therein; said statement shall also show the amount paid, and, as far as possible, the amount to be paid by each of the contracting municipalities toward each item of expenditure therein included, and the total sum paid or to be paid by each of such municipalities, pursuant to the percentage fixed to be paid by each municipality, in the contract between them; all sums of money to be paid respecting said improvement or in any way relating to or arising out of the same shall be promptly paid by the several municipalities contracting, according to the percentage fixed in the contract or contracted between the several municipalities as aforesaid, each of such municipalities promptly contributing and paying its share thereof to the treasurer of such joint meeting.

Prompt payments.

Section 4 amended.

4. Section four of the act is hereby amended to read as follows:

Provision for repairs, cleaning, etc.

4. In any contract made and entered into by municipalities pursuant to the provisions of this act, it shall be lawful to provide for the repair, rebuilding, operation, maintenance and cleaning, and the cost and expense thereof, of any outlet or trunk sewer or sewers, drains, sewage disposal plants and appurtenances so built and constructed or of any sewer or system of sewers or drains forming a part of such outlet or trunk sewer system.

Section 5 amended.

5. Section five of the act is hereby amended to read as follows:

May pass through other municipalities.

5. It shall be lawful for the municipalities jointly contracting, as herein provided, to jointly build and construct trunk or outlet sewer or sewers or drains, with all necessary appurtenances, to tidewater, or to some other trunk or outlet sewer or sewer or drains leading to tidewater, and for this purpose to pass through or partly through territory situate within the bounds of any other municipality, and it shall be lawful for such

municipalities so contracting as aforesaid, and they shall have full power and authority, to construct such outlet or trunk sewer or sewers or drains and appurtenances (upon such terms as may be agreed upon between the jointly-contracting municipalities and the authorities of such other municipality through the streets or highways of which it is proposed to construct such outlet sewer to tidewater; and in case no agreement can be made between the said contracting municipalities and the authorities of the municipalities through the streets of which such outlet sewer is to run, the Circuit Court of the county wherein the municipality through whose streets such sewer is to run is situate shall appoint disinterested commissioners to fix terms upon which the contracting municipalities may use and occupy the streets of the municipalities through which such sewers shall run; such commissioners shall be appointed in the same manner as is provided in section ten of this act, and the findings of such commissioners shall be binding upon all the parties to such proceeding, when confirmed by the court aforesaid) along, under or over any watercourse, or under or over or across or along any street, turnpike, road, railroad, highway or other way or public park or grounds, and in or upon private or public lands under water, in such way and manner, however, as not unnecessarily to obstruct or impede travel or navigation, and may enter upon and dig up any road, street, highway or private or public land for the purpose of constructing such outlet or trunk sewer or sewers or drains and appurtenances, and for repairing and maintaining the same, and with consent of the board or body having control of the streets and highways in any municipality, may alter or change the location or grade of any highway, public street or way crossed or intercepted by such outlet or trunk or sewer or sewers or drains and appurtenances, constructed under the provisions of this act and in general may do all other acts and things necessary, convenient and proper in connection with the making and maintaining of the improvements contemplated by the provisions of this act; in case any such sewers or drains shall be laid through or across any public street, highway or public place, in a munici-

Terms of agreement.

Court to appoint commissioners.

Right of entry for construction.

Regulations applying to work done in other municipalities.

pality other than those contracting, or be cleansed, repaired or replaced therein, the work shall be done under such reasonable regulations, if any, as may be imposed by such other municipality with respect to like work done therein by itself, and such street, highway or public place shall be, as far as possible, restored to its original condition at the proper cost of municipalities jointly contracting, and for whose benefit the work is done; *provided, however,* that nothing herein contained shall be construed to authorize such jointly contracting municipalities to discharge any such outlet sewer or sewers or drains in tidewater adjacent to or within the boundaries of any municipality of this State, until after a thorough and exhaustive examination of the locality of such discharge shall have been made by the State Board of Health, and a certificate from such board shall have been given to the governing body of such municipality certifying that in the judgment of such board, such discharge will not in any manner prejudice or impair the health or comfort of the inhabitants of this State; *and further provided, however,* that no work shall be undertaken or any street, road, alley or other place occupied or land used in any municipality for the construction of sewage disposal plants without the consent of the governing body of such municipality, upon written application being made therefor, and in case of the refusal of the municipal authorities of any municipality bordering on tidewater, to grant such permission then the municipalities making the application may, within thirty days after such refusal, apply to the Department of Health of the State of New Jersey, which shall have power to reverse the decision of the local authorities of such municipality bordering on tidewater, and grant, after hearing, the application for the erection of said disposal plants, upon being satisfied that such erection of disposal plants will best serve the interest of the public health and the general welfare of the municipalities affected and of the State of New Jersey; and in case the local authorities of any municipality grant the permit to locate such disposal plants, and the same shall be deemed objectionable by the inhabitants

Proviso.

Proviso.

Permission to occupy land.

When State board of health may act.

of the municipality where it is proposed to locate such plants, then ten citizen freeholders thereof may, within thirty days of the granting of such permit, apply to the Department of Health of the State of New Jersey, which shall have like power to reverse, after hearing, the decision of the local authorities and to prohibit the location of such disposal plants upon being satisfied that such erection of disposal plants will not best serve the interest of the public health and the general welfare of the municipalities affected and of the State of New Jersey; *and it is further provided,* that all municipalities making application as aforesaid for the location of any such said disposal plants shall accompany the same with a descriptive map of the premises they propose to occupy, a copy of which shall also be filed in the office of the Department of Health of the State of New Jersey; *and provided, further,* that nothing in this act is to be construed as giving the right to construct, operate or maintain a sewage disposal plant in any municipality not bordering upon tidewater, without the consent of the governing body of that municipality.

Right of citizens to protest.

Proviso.

Proviso.

6. Section eight of the act is hereby amended to read as follows:

Section 8 amended.

8. No ordinance authorizing the making of a contract in writing, between municipalities for the joint construction of such outlet or trunk sewer or sewers or sewage disposal plants and appurtenances, under the provisions of this act, shall be passed by the governing body or board having power to construct sewers and drains in such municipality, until public notice shall be given in a newspaper published or circulating in such municipality, of the intention of such municipal or governing board or body to join in causing such public improvement to be made, and to that end it shall be the official duty of the clerk of such body or board, by direction of such body or board, to give such notice; the notice shall briefly describe the improvements proposed, and request such persons as may object thereto, to present their objections in writing at the office of such clerk and file the same with him, at or before the expiration of ten days from the date of the said notice, or to the said governing body or municipal board at

Public notice of proposed contract to be given.

its first meeting held after the expiration of said ten days, and said governing body or board of such municipality may, at such meeting or afterwards, proceed to consider and pass such ordinance, notwithstanding any objection, and thereafter the proceedings of such body or board regarding said ordinance shall be the same or as nearly as may be to like proceedings regarding ordinances passed by such body or board for the construction of sewers within such municipality.

Section 9 amended.

7. Section nine of the act is hereby amended to read as follows:

Acquire land after execution of contract.

9. At any time after the execution of a contract by and between two or more municipalities in this State for the construction of an outlet or trunk sewer or sewers or drains or sewage disposal plants and appurtenances as herein provided, and whenever such joint meeting of the municipalities shall deem it necessary, it shall be lawful for such municipalities, through the action by resolution of such joint meeting, to take and appropriate for the purposes of such improvements, any lands and real estate, either within such municipalities or any or either of them or beyond the limits of any of the same, and such contracting municipalities are hereby fully authorized to so jointly treat with the owner or owners thereof for the same; and such municipalities acting in joint meeting as aforesaid may jointly secure the rights of way or purchase said lands and real estate from the owners of the same, and agree to make such compensation therefor as such joint meeting may deem reasonable, and shall receive from such owner or owners a conveyance of such lands and real estate in the joint corporate names or titles of such contracting municipalities.

Section 24 amended.

8. Section twenty-four of the act is hereby amended to read as follows:

May borrow money and issue obligations.

24. For the purpose of defraying the costs and expenses of the construction of such outlet or trunk sewer or sewers and drains or sewage disposal plants and their appurtenances and connections as authorized by this act, in respect of which an assessment for benefits may be made on lands and real estate situated in any such contracting municipality, the governing body or

board having charge of the finances of any such contracting municipality may, if necessary, borrow money and secure the payment of the same by the notes and other temporary obligations of such municipality; these notes and obligations may be renewed from time to time until the work of such improvements be done, or the assessments for benefits confirmed; when so confirmed the said governing body or board of such municipality shall provide for the costs and expenses of such improvements in the manner hereinafter mentioned.

Renewal of obligations.

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

Repealer.

Approved March 14, 1928.

CHAPTER 36.

Supplement to an act entitled "An act providing for the canceling of record of mortgages by order of a circuit judge or law judge of a county," approved March tenth, one thousand eight hundred ninety-one.

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

1. In any case where, after the recording of any mortgage covering lands in any county of this State, the land so mortgaged shall be set off by act of the Legislature of this State to another county or be transferred to the territorial limits in such county and a proceeding may be heretofore, or may be hereafter instituted before the circuit judge or law judge of the county in which such mortgaged land shall be situate at the time of the institution thereof, under and by virtue of the provisions of the act to which this act is a supplement, or any supplement thereto or act amendatory

Cancellation of mortgage on property set off to another county.

thereof, and an order in such proceeding has been, or may hereafter be made by any such circuit judge or law judge for the canceling of the record of such mortgage, the register of deeds or the county clerk of the county in which such mortgage, so canceled, is recorded,

Copy of order.

shall, upon the production and filing of a copy of such order of cancellation, certified to be a true copy by the county clerk or register of deeds of the county in which such mortgaged lands may be situate at the time of the entry of such order of cancellation, cancel and discharge the record of such mortgage and enter on the margin of the registry or record thereof, and opposite

Entry.

thereto, the words: "Canceled by order," entering the date of such order and of the filing of the certified copy thereof.

Previous cancellations validated.

2. Any such proceeding, as mentioned in the first section hereof instituted under the act to which this act is a supplement, before a circuit judge or law judge of a county in which the lands may be situate, for the cancellation of any mortgage referred to therein, be and the same are hereby validated and confirmed, notwithstanding the record of the mortgage so canceled may be in the county in which the lands were situate at the time of the recording thereof, and such proceedings shall be valid and effectual for the cancellation of the record of such mortgage in the county in which the same may be recorded.

3. This act shall take effect immediately.

Approved March 15, 1928.

CHAPTER 37.

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, nineteen hundred and two.

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

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

Section 59 amended.

59. No such company shall be admitted until:

Requirements:

First. It shall file in the Department of Banking and Insurance a certified copy of its charter, or deed of settlement or certificate of organization, and a statement of its financial condition and business, in such form and detail as the Commissioner of Banking and Insurance may require, signed and sworn to by its president and secretary or other proper officer;

File copy of charter and condition;

Second. It shall satisfy the Commissioner of Banking and Insurance that it is fully and legally organized under the laws of its State or country to do the business it proposes to transact; that it has, if a stock company, a fully paid-up, well invested and unimpaired capital and surplus of not less than the amount required by this act to be possessed by a stock insurance company of this State transacting the same class or classes of insurance, or if a mutual company, that it has net cash assets of that amount;

As to legality, capital, surplus;

Third. It 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

Power of attorney given commissioner;

validity as if served on the company, and that the authority thereof shall continue in force irrevocable so long as any liability of the company 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 costs of suit, such service upon said commissioner shall be deemed sufficient service upon the company.

Certificate of compliance.

Fourth. It shall obtain from the Commissioner of Banking and Insurance a certificate that it has complied with all the requirements of this act applicable to it, and is authorized to transact business in this State, which certificate shall expire on the first day of May of the following year, and shall be renewed each year before the first day of May. *Provided,* that all such certificates outstanding and in force at the date of the passage of this act shall continue in full force and effect until the first day of May, one thousand nine hundred and twenty-nine, unless sooner revoked by said commissioner in accordance with the act to which this act is amendatory.

Proviso.

Section 63 amended.

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

Business done through authorized agents.

63. No officer or agent of any insurance company of another state or foreign country shall make or procure to be made, or act or aid in any manner in the negotiation of any insurance with such company until he shall procure from the Commissioner of Banking and Insurance a certificate of authority so to do, which shall state in substance that the company is authorized to do business in this State, and that the person named therein is the constituted agent of the company for the transaction of such business; upon receipt of a certificate by such company of its appointment of a suitable person to act as its agent in this State, said commissioner shall, if the facts warrant it, grant such certificate, which shall continue in force until the first day of May next after its issue, and by renewal thereof before the first day of May of each year until revoked by said commissioner for noncompliance with the laws, or until

Agent's certificate.

the appointment of such agent is revoked by written notice from the company to that effect, filed with the Commissioner of Banking and Insurance; *provided,* that all such certificates outstanding and in force at the date of the passage of this act shall continue in full force and effect until the first day of May, one thousand nine hundred and twenty-nine, unless sooner revoked in the manner above provided.

Proviso.

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

Section 65 amended.

65. Every insurance company, other than life, of another state or foreign country, transacting business in this State, shall, on or before the first day of March of each year, make to the Commissioner of Banking and Insurance a report, signed and sworn to by an officer of the company, or by its United States manager, if a company of a foreign country, stating the gross amount of premiums and premium deposits and assessments received by such company, and by each agent thereof, on business of the said company in this State for the preceding calendar year, including all premiums and premium deposits and assessments received from other companies for reinsurance of them, and the amount of premiums and premium deposits and assessments returned to the insured during said year on policies canceled, and the amount of premiums and premium deposits and assessments paid for reinsurance in other insurance companies of other states or foreign countries, authorized to do business in this State, and the amount of premiums and premium deposits and assessments and so-called dividends of unused or unabsorbed portion of all premiums and premium deposits and assessments returned or credited to policyholders during the year for which the tax is determined, and shall pay to said commissioner on or before the first day of March a tax of two per centum upon such gross amount of premiums and premium deposits and assessments received, less such returned premiums and premium deposits and assessments and such reinsurance premiums and premium deposits and assessments paid, and less the premiums and premium deposits and assess-

Annual statement by foreign insurance companies.

What report to show.

Tax payable to State.

ments and so-called dividends or unused or unabsorbed portion of all premiums and premium deposits and assessments returned or credited to policyholders during the year for which the tax is determined, which tax shall be in lieu of all other franchise taxes imposed upon said corporation; *provided,* any taxes hereafter paid to the treasurer of any firemen's relief association of this State by fire insurance companies of other states and foreign countries and their agents, in accordance with the provisions of an act entitled "An act to facilitate the collection from fire insurance companies not organized under the laws of this State, but doing business herein, and from agents and brokers, of certain premiums for the benevolent funds of the several duly incorporated firemen's relief associations of this State," approved May second, one thousand eight hundred and eighty-five, shall be considered a part of the tax payable by such companies under this section, and nothing herein contained shall be construed to repeal, alter or change the provisions of the said recited act.

Proviso.

Section 70 amended.

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

File annual statement of condition.

70. Every insurance company transacting business in this State shall annually, on or before the first day of March file in the Department of Banking and Insurance a statement, subscribed and sworn to by its president and secretary, or, in their absence, by two of its principal officers, showing its financial condition at the close of business on the thirty-first day of December of the year last preceding, and its business for that year, which statement shall be in such form and contain such matters as the Commissioner of Banking and Insurance shall prescribe; said commissioner may also address any inquiries to any such company or its officers in relation to its condition or affairs, or any matter connected with its transactions, and it shall be the duty of the officer of such company to promptly reply in writing to all such inquiries; for good cause shown the commissioner may extend the time within which any such statement may be filed; the annual statement of a company of a foreign country shall embrace only its busi-

Commissioner may require certain information.

ness and condition in the United States, and shall be subscribed and sworn to by its resident manager or principal representative in charge of its American business.

Matter to be stated in annual report.

In addition to any other matter which may be required by law or pursuant to law by the Commissioner of Banking and Insurance to be stated therein every annual report of every life insurance company doing business in this State shall contain an accurate, concise and complete statement of the following matters, to wit:

Real estate.

(1) All the real property held by the company, the dates of acquisition, the names of the vendors, the actual cost, the value at which it is carried on the company's books, the market value, the amounts expended during the year for repairs and improvements, the gross and net income from each parcel, and if any portion thereof be occupied by the company, the rental value thereof, a statement of any certificate issued by the commissioner extending the time for the disposition thereof, and all purchases and sales made since the last annual statement, with particulars as to dates, names of vendors and vendees, and the consideration.

Loans on real estate.

(2) The amount of existing loans upon the security of real property, stating the amount loaned upon property in each State and foreign country.

Loans on personal property.

(3) The outstanding sums loaned by the company other than loans upon the security of real property above mentioned and other than loans upon policies, the maturity and rate of interest of such loans, the securities held therefor, and all substitutions of securities during the past calendar year in connection therewith, and the same particulars with reference to any loans discharged since the last statement.

Other property of company.

(4) All other property owned by the company or in which it has any interest (including all securities, whether or not recognized by the law as proper investments), the date of acquisition, from whom acquired, the actual cost, the value at which the property is carried upon the books, the market value, the interest or dividends received thereon during the year; also all purchases and sales of property other than real estate made since the last annual statement, with particulars as to dates, names of purchasers and

sellers, and the consideration; and also the income received and the outlays made in connection with all such property. (5) All commissions paid to any persons in connection with loans or purchases or sales of any property, and a statement of all payments for legal expenses, giving particulars as to dates, amounts and names and addresses of payees. (6) All moneys expended in connection with any matter pending before any legislative body or any officer or department of government, giving particulars as to dates, amounts, names and addresses of payees, the measure or proceeding in connection with which the payment was made, and the interest of the company therein. (7) The names of the officers and directors of the company, the proceedings at the last annual election, giving the names of candidates and the number of votes cast for each and whether in person, by proxy or by mail. (8) The salary, compensation and emoluments received by officers or directors, without exception, and that received by any person, firm or corporation, where the same amounts to more than five thousand dollars, with particulars as to dates, amounts, payees and the authority by which the payment was made; also all salaries paid to any representative either at the home office or at any branch office, or agency, for agency supervision. (9) The largest balances carried in each bank or trust company during each month of the year. (10) All death claims resisted or compromised during the year, with particulars as to sums insured, sums paid and reasons assigned for resisting or compromising the same in each case. (11) A complete statement of the profits and losses upon the business transacted during the year and the sources of such gains and losses, and a statement showing separately the margins upon premiums for the first year of insurance and the actual expenses chargeable to the procurement of new business incurred since the last annual statement. A company, issuing both participating and nonparticipating polices, shall make a separate statement of profits and losses, margins and expenses, as aforesaid, with reference to each of said kinds of business, and also showing the manner in which any general outlays of the company

Commissions paid.

Moneys expended on legislative business.

Officers and directors.

Salaries.

Bank balances.

Certain death claims.

Profits and losses.

have been apportioned to each of such kinds of business. (12) The rates of annual dividends declared during the year for all plans of insurance and all durations and for ages at entry, twenty-five, thirty-five, forty-five and fifty-five, or as near as may be, and the precise method by which such dividends have been calculated. (13) A statement showing the rates of dividends declared upon deferred dividend policies completing their dividend periods for all plans of insurance, and for ages at entry, twenty-five, thirty-five, forty-five and fifty-five, or as near as may be, and the precise methods of which said dividends have been calculated. (14) A statement showing any and all amounts set apart or provisionally ascertained or calculated or held awaiting apportionment upon policies with deferred dividend periods longer than one year for all plans of insurance and all durations, together with the precise statements of the methods of calculation by which the same have been provisionally or otherwise determined. (15) A statement of any and all reserve of surplus funds held by the company and for what purpose they are claimed, respectively, to be held.

Dividends.

Dividends on deferred dividend policies.

Amount set apart.

Reserve fund.

The rendition of the statement or statements required under subdivision eleven may be postponed until not later than the thirtieth day of June following the year for which required, in all cases where a company shall state that it is unable to comply with the requirements of said subdivision satisfactorily at the time of making its statement of the other details required herein.

Final date of rendering statements.

5. This act shall take effect immediately.

Approved March 15, 1928.

CHAPTER 38.

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 65 amended.

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

Annual statement by foreign insurance companies.

65. Every insurance company, other than life, of another State or foreign country, transacting business in this State, shall, on or before the first day of March of each year, make to the Commissioner of Banking and Insurance a report, signed and sworn to by an officer of the company, or by its United States manager, if a company of a foreign country, stating the gross amount of premiums and premium deposits and assessments received by such company, and by each agent thereof, on business of the said company in this State for the preceding calendar year, including all premiums and premium deposits and assessments received from other companies for reinsurance of them, and the amount of premiums and premium deposits and assessments returned to the insured during said year on policies canceled, and the amount of premiums and premium deposits and assessments paid for reinsurance in other insurance companies of other States or foreign countries, authorized to do business in this State, and the amount of premiums and premium deposits and assessments and so-called dividends or unused or unabsorbed portion of all premiums and premium deposits and assessments returned or credited to policyholders during the year for which the tax is determined, and shall pay to said commissioner on or before the first day of March a tax of two per centum upon such gross amount of premiums and premium deposits and assessments

What report to show.

Tax payable to State.

received, less such returned premiums and premium deposits and assessments and such reinsurance permiums and premium deposits and assessments paid, and less the premiums and premium deposits and assessments and so-called dividends or unused or unabsorbed portion of all premiums and premium deposits and assessments returned or credited to policyholders during the year for which the tax is determined, which tax shall be in lieu of all other franchise taxes imposed upon said corporation; *provided,* any taxes hereafter paid to the treasurer of any firemen's relief association of this State by fire insurance companies of other States and foreign countries and their agents, in accordance with the provisions of an act entitled "An act to facilitate the collection from fire insurance companies not organized under the laws of this State, but doing business herein, and from agents and brokers, of certain premiums for the benevolent funds of the several duly incorporated firemen's relief associations of this State," approved May second, one thousand eight hundred and eighty-five, shall be considered a part of the tax payable by such companies under this section, and nothing herein contained shall be construed to repeal, alter or change the provisions of the said recited act.

Proviso.

This section shall not apply to premiums received for marine insurance, as described by section sixty-five-A of this act when reported for purposes of taxation thereunder.

Not applicable to marine insurance.

2. Such act is hereby amended by adding a new section to be section sixty-five-A, to read as follows:

Section 65-A added.

65-A. Taxation; Reports. With the exception of license fees, real estate and personal property taxes, and taxes under the reciprocal provisions of section sixty-six of this act as amended, every insurer organized, admitted or licensed to transact the business of marine insurance within this State, shall with respect to all insurances written within this State, upon hulls, freights, or disbursements, or upon goods, wares, merchandise and all other personal property and interests therein, in course of exportation from, importation into any country, or transportation coastwise, including transportation by land or water from point of origin

Reports by marine companies—what to show.

to final destination in respect to, appertaining to, or in connection with, any and all risks or perils of navigation, transit or transportation, and while being prepared for, and while awaiting shipment, and during any delays, storage, transhipment or reshipment incident thereto, including war risks and marine builder's risks, be taxed only on that proportion of the total underwriting profit of such insurer from such insurances written within the United States, which the gross premiums of the insurer from such insurance written within this State bear to the gross premiums of such insurers from such insurance written within the United States. The term "underwriting profit," as used herein, shall be arrived at by deducting from the net earned premiums on such marine insurance contracts written within the United States during the calendar year (1) the losses incurred, and (2) expenses incurred, including all taxes, State and federal, in connection with such net earned premiums.

"Underwriting profit" defined.

Net earned premiums—how derived.

Net earned premiums on such marine insurance contracts written during the calendar year shall be arrived at as follows:

Gross premiums on such marine insurance contracts written during the calendar year, less any and all return premiums, any and all premiums on policies not taken and any and all premiums paid for such reinsurance.

Add unearned premiums on such outstanding marine business at the end of the preceding calendar year.

Deduct unearned premiums on such outstanding marine business at the end of the current calendar year.

Losses incurred.

Losses incurred, as used herein, shall mean gross losses incurred during the calendar year under such marine contracts written within the United States, less reinsurance claims collected or collectible and salvages or recoveries collectible from any source applicable to the aforesaid losses.

Expenses incurred:

Expenses incurred shall include:

Specific expenses;

(a) Specific expenses incurred on such earned marine premiums, consisting of all commissions, agency expenses, taxes, licenses, fees, loss-adjustment expenses, and all other expenses incurred directly and specifically in connection with such premiums, less recoveries or

reimbursements on account of or in connection with such commissions or other expenses collected or collectible because of reinsurance or from any other source.

General expenses.

(b) General expenses incurred on such earned premiums, consisting of that proportion of general or overhead expenses, such as salaries of officers and employees, printing and stationery, all taxes of this State and of the United States, except as otherwise provided herein, and all other expenses not chargeable specifically to a particular class of insurance which the net premiums of such marine insurance written bear to the total net premiums written by such insurer from all classes of insurance written by it during the current calendar year.

Proviso.

Provided, however, that in arriving at the aforesaid "underwriting profit," for purposes of taxation under this section there shall not be deducted in respect to expenses incurred, as hereinbefore defined and specified in paragraphs (a) and (b), amounts which, in the aggregate, exceed forty per centum of the aforesaid gross premiums on such marine insurance contracts.

Report filed by marine companies.

Every insurer transacting marine insurance in this State shall file on or before the first day of April in each year with the Commissioner of Banking and Insurance, and in the form prescribed by him, a report of all the items pertaining to its insurance business as enumerated and prescribed in the preceding subdivision.

Determining basis of tax on underwriting profit.

To determine the basis of the tax on underwriting profit, every insurer which has been writing such marine insurance in this State for three years shall furnish the Commissioner of Banking and Insurance a statement of all of the aforementioned items, in the form prescribed by him for each of the preceding three calendar years. An insurer which has not been writing such marine insurance for three years shall furnish to the Commissioner of Banking and Insurance a statement of all the aforementioned items for each of the calendar years during which it has written such marine insurance.

Commissioner to ascertain certain facts.

If the Commissioner of Banking and Insurance finds the report of the insurer reporting correct, he shall, if the insurer has transacted such marine insurance for three years, (1) ascertain the average annual under-

writing profit, as defined by this section, derived by the insurer from such marine insurance business written within the United States during the last preceding three calendar years, (2) ascertain the proportion which the average annual premiums of the insurer from such marine insurance written by it in this State during the last preceding three calendar years bears to the average total of such marine premiums of the insurer during the same three years, (3) compute an amount of five per centum on this proportion of the aforementioned average annual underwriting profit of the insurer from such marine insurance, and (4) charge the amount of tax thus computed to such insurer as a tax upon such marine insurance written by it in this State during the current calendar year. The Commissioner of Banking and Insurance shall each year compute the tax, according to the method described in this section, upon the average annual underwriting profit of such insurer from such marine insurance during the preceding three years, including the current calendar year, namely, at the expiration of each current calendar year, the profit or loss on such marine insurance business of that year is to be added or deducted, and the profit or loss upon such marine insurance business of the first calendar year of the preceding three-year period is to be dropped so that the computation of underwriting profit for purposes of taxation under this section will always be on a three-year average, *provided, however,* that an insurer which has not been writing such marine insurance in this State for three years shall, until it has transacted such business in this State for that number of years, be taxed on the basis of its annual underwriting profit on such marine insurance written within the United States for the current calendar year, subject, however, to an adjustment in the tax as soon as the Commissioner of Banking and Insurance, in accordance with the provisions of this section, is enabled to compute the tax on the aforementioned three-year basis; *and provided, further,* that in the case of mutual companies, the Commissioner of Banking and Insurance shall not include in underwriting profit, when computing the tax prescribed by this section, the amounts refunded

Computation of tax.

Proviso.

Proviso.

by such companies on account of premiums previously paid by their policyholders.

When the Commissioner of Banking and Insurance has computed the tax on an insurer's underwriting profit, he shall forthwith mail to the last known address of the principal office of such insurer a statement of the amount so charged against it, which amount the insurer shall pay to the Commissioner of Banking and Insurance within fifteen days after receipt of such notice from said commissioner, *provided, however,* that in assessing taxes under the reciprocal provisions of section sixty-six of the act of which this act is amendatory credit shall be allowed for any taxes paid or payable under this section.

Tax bill mailed to insurer.

Payment.

Proviso.

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

Repealer.

4. This act shall take effect immediately.

Approved March 15, 1928.

CHAPTER 39.

An Act to amend an act entitled "An act to authorize the State Water Supply Commission to have supervision over the erection and maintenance of dams on certain rivers and streams or reservoirs within this State or between this and any other State" (Chapter 243, P. L. 1912), approved March twenty-eighth, one thousand nine hundred and twelve, and amended April seventh, one thousand nine hundred and nineteen (Chapter 44, P. L. 1919).

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

1. Section one is hereby amended to read as follows:

Section 1 amended.

1. No municipal corporation, corporation or person shall, without the consent of the State Water Supply Commission, build any reservoir or construct any dam

Limiting height of dams.

on any river or stream in this State or between this and any other State which will raise the waters of such river or stream more than five feet above their usual mean low-water height, nor repair, alter or improve dams now existing which so raise the water, without such consent; but this act shall not affect or relate to dams where the drainage area above the same shall be less than one-half square mile in extent; *provided,* that in case the water surface created by any such dam or reservoir is less than one hundred acres in extent, it shall not be necessary to obtain the approval of the commission for the repair of any such dam which would raise the water less than eight feet above the surface of the ground unless complaint be made in writing to the commission raising a question as to the security and safety of the existing structure.

Proviso.

2. This act shall take effect immediately.

Approved March 15, 1928.

CHAPTER 40.

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:*

Park commission to consent to highways through its jurisdiction.

1. Hereafter, in the location of State highway routes by the State Highway Commission, said State Highway Commission shall not make location of, or construct, or make use of, lay out or improve, in any county of this State, any route in, over, under, through, or across, any park, reservation or parkway now or hereafter established, owned by or under the control and juris-

diction of any park commission organized in said county under and pursuant to the act entitled "An act to establish public parks in certain counties of this State, and to regulate the same," approved March fifth, one thousand eight hundred and ninety-five (Chapter 91, Laws of 1895), and the supplements thereto and amendments thereof, without the consent of such park commission; and said State Highway Commission and any such park commission are hereby authorized and empowered to enter into contract with each other in relation to the location, laying out, opening, improving, construction and maintenance of any such State highway route or routes in, over, under, through or across any park, reservation or parkway now or hereafter established, owned by or under the control and jurisdiction of any such park commission, fixing the location thereof, and defining the terms and conditions agreed upon for the laying out, opening, improving, construction and maintenance thereof, and until the making and delivery of such contract the said State Highway Commission shall not enter in or upon any park, reservation or parkway for the purpose (excepting only preliminary surveys and examinations) of laying out, opening, improving, constructing, maintaining or using any State highway route in, over, under, through or across any such park, reservation or parkway. To effectuate any such contract any such park commission may convey to the State Highway Commission any lands or rights in lands of any such park commission in, over, under, through or across which any State highway may, pursuant to the terms of any such agreement, be located.

Mutual contracts for work to be done.

Conveyance to highway commission.

2. Any contract, which might have been lawfully made after this act shall be in effect, heretofore made between the State Highway Commission and any park commission organized in any county of this State under and pursuant to the said act entitled "An act to establish public parks in certain counties of this State and to regulate the same," approved March fifth, one thousand eight hundred and ninety-five (Chapter 91, Laws of 1895), and the supplements thereto and amendments thereof, in respect to the location, laying out, opening, improving, construction and maintenance of any portion

Contracts validated.

of a State highway route in the county in which said park commission is established in, over, under, through or across any park, reservation or parkway under the control and jurisdiction of such park commission, is hereby authorized and confirmed, and the contracting parties are hereby authorized and empowered to carry out the terms thereof as fully and completely as though both had been theretofore empowered and authorized to enter into such contract.

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

4 This act shall take effect immediately.

Approved March 15, 1928.

CHAPTER 41.

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 19 added to Article XXI. 1. Article XXI of the act of which this act is an amendment shall be and the same is hereby amended by adding thereto a new section, to be known as section nineteen, which section shall read as follows:

Extension of sewerage system into other municipalities. 19. Any municipality may extend its sewerage system into another municipality for the purpose of furnishing sewerage service to a resident or to residents of such other municipality. Any such extension shall be installed in the manner prescribed by the municipality making the same and under the supervision of its proper officers and such service shall be subject to the rules and regulations of said municipality. Such extension shall be at the expense of the property holder desiring such service and said property holder shall pay such annual service charge as may be fixed by said municipality. The municipality shall have a lien upon the property

Expense.

Lien on property.

served for the payment of the service charge and until the same shall be paid. Any such extension shall be made only in case the municipality making the same shall at the time be supplying public water to the property to be served and only with the consent of the governing body of such other municipality. Condition of extension.

Approved March 15, 1928.

CHAPTER 42.

An Act to validate and confirm deeds, mortgages, assignments of mortgages, discharges of mortgages, releases of mortgages and postponements of mortgages heretofore made by any bank, banking institution or trust company of the State of New Jersey which has been dissolved or whose charter has been surrendered or forfeited.

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

1. Any deed or deeds of conveyance, mortgage or mortgages, assignment or assignments of mortgages, discharge or discharges of mortgages, release or releases of mortgages or postponement or postponements of mortgages heretofore executed by any bank, banking institution or trust company previously organized under the laws of the State of New Jersey, or executed by trustees in dissolution or liquidation of any such bank, banking institution or trust company, for and upon any lands, tenements or hereditaments situate in this State, are hereby validated and confirmed, notwithstanding that such bank, banking institution or trust company has or had been dissolved or has or had surrendered or forfeited its charter to the State of New Jersey and notwithstanding that such instrument has or had been executed and delivered at a time subsequent to the time Certain instruments made by dissolved banks validated.

limited therefor by any other law of the State of New Jersey.

2. This act shall take effect immediately.

Approved March 15, 1928.

CHAPTER 43.

A 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.

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

Certain instruments made by banks out of business validated.

1. Where any bank, banking institution or trust company heretofore organized under the laws of the State of New Jersey, either by its officers or by its surviving directors as trustees in dissolution or liquidation, has heretofore executed and delivered any deed or deeds of conveyance, mortgage or mortgages, assignment or assignments of mortgages, discharge or discharges of mortgages, release or releases of mortgages or postponement or postponements of mortgages, after such bank, banking institution or trust company has been dissolved or has surrendered or forfeited its charter to the State of New Jersey, and such instrument was executed and delivered subsequent to the time limited under section thirty-three of the act to which this is a supplement, such deed or deeds of conveyance, mortgage or mortgages, assignment or assignments of mortgages, discharge or discharges of mortgages, release or releases of mortgages or postponement or postponements of mortgages shall, notwithstanding its execution and delivery after the lapse of said period of three years, be good, valid and effectual; *provided,* that said deed or deeds of conveyance, mortgage or mortgages, assignment or assignments of mortgages, discharge or discharges, release or releases of mortgages or postpone-

Proviso.

ment or postponements of mortgages were in fact executed by persons who had previously been officers of said bank, banking institution or trust company or executed by the persons who were in fact at the time of the execution and delivery of said deed or deeds of conveyance, mortgage or mortgages, assignment or assignments of mortgages, discharge or discharges of mortgages, release or releases of mortgages or postponement or postponements of mortgages, the last surviving directors of such bank, banking institution or trust company; *and provided, further,* that the said deed or deeds of conveyance, mortgage or mortgages, assignment or assignments of mortgages, discharge or discharges of mortgages, release or releases of mortgages or postponement or postponements of mortgages are good and valid in all other respects. Proviso.

2. This act shall take effect immediately.

Approved March 15, 1928.

CHAPTER 44.

An Act to prohibit false labels and misrepresentation in the sale of certain food products, and provide penalties for the 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 any one who shall sell or expose for sale in any restaurant or hotel, or other place where food products are sold, any article of food falsely represented as kosher, either by direct statements, orally or in writing, or by the display of the word "kosher" in English or Hebrew letters, or by the display of any sign or mark in simulation of such word, or by display of any insignia, six-pointed star, or any mark which might reasonably be calculated to deceive or lead a reasonable person to believe that a representa- Falsely representing food as kosher.

tion is being made that the food exposed for sale or sold is kosher, or prepared in accordance with orthodox Hebrew religious requirements, or any person who, with intent to defraud, sells or exposes for sale any meat or meat preparation and falsely represents the same to be kosher, whether such meat or meat preparations be raw or prepared for human consumption, or as having been prepared under and of a product or products sanctioned by the orthodox Hebrew religious requirements; or falsely represents any food product or the contents of any package or container to be so constituted and prepared, by having or permitting to be inscribed thereon the word kosher in any language; or sells or exposes for sale in the same place of business both kosher and nonkosher meat or meat preparations, either raw or prepared, for human consumption, who fails to indicate on his window signs and all display advertising, in block letters at least four inches in height, "Kosher and nonkosher meat sold here;" or who exposes for sale in any show window or place of business both kosher and nonkosher meat or meat preparations, either raw or prepared, for human consumption, who fails to display over each kind of meat or meat preparations so exposed a sign in block letters at least four inches in height, reading "kosher meat" or "nonkosher meat," as the case may be, is guilty of a misdemeanor punishable by a fine of not more than five hundred dollars, or by imprisonment of not less than twenty days or not more than six months, at the discretion of the court.

Kosher and nonkosher meat indicated.

Penalty.

Repealer.

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

Approved March 15, 1928.

CHAPTER 45.

An Act to amend an act entitled "Supplement to the Charter of Hackettstown," approved April eighth, one thousand eight hundred and seventy-five.

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

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

Section 10 amended.

10. That the fourth section of the charter of the town of Hackettstown, be so far modified and changed, that at the next annual town election of said town, the citizens thereof qualified to vote, shall elect by ballot the following officers, all of shall be residents of said town, to wit: One mayor, and six common councilmen, that the mayor shall hold office for two years, and the common councilmen shall hold office as follows, two common councilmen to be elected and hold office for three years, two common councilmen to be elected and hold office for two years, and two common councilmen to be elected and hold office for one year, and annually thereafter there shall be elected two common councilmen, who shall hold office for three years, and biannually thereafter there shall be elected one mayor who shall hold office for two years; and that the mayor shall be a member of common council and preside over the same, but who shall not be entitled to a vote on any question, except in a case of a tie.

Town officers.

Terms.

Mayor to preside; votes on tie.

2. This act shall take effect immediately.

Approved March 15, 1928.

CHAPTER 46.

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:*

Quail protected.

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 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.

Penalty.

Enforcement of act.

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 supplementary thereto.

3. This act shall take effect immediately.

Approved March 15, 1928.

CHAPTER 47.

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

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

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

1. It shall be unlawful for any person to hunt for, pursue, shoot at, take, kill, wound, or attempt to take, kill or wound, any wild deer in this State except from the seventeenth day of December to the twenty-first day of December, inclusive, or to kill in any one year more than one deer. Season for deer. It shall be unlawful at all times hereafter for any person to hunt for, shoot at, take, kill or wound, or attempt to take, kill or wound, any doe or deer except a deer having horns at least three inches long; *provided,* that the owner or lessee of any land under cultivation, or the authorized agents of such owner or lessee, may kill deer at any time that said deer may be found upon said land under cultivation of any such owner or lessee. Size of horns. Proviso. The carcass of any deer killed while trespassing as aforesaid shall become the property of the Fish and Game Commission, and may be removed and disposed of in such manner as the said commission shall direct. Disposition of carcass. For the purpose of this act, land under cultivation shall be construed to mean pasture fields seeded with cultivated grass or land on which planted crops are growing. Cultivated land. Any person violating any of the provisions of this section shall be liable to a penalty of one hundred dollars for each offense. Penalty.

1-a. Any person who shall kill a deer in this State at any time under any provision of this act who shall fail to report the same within forty-eight hours to the Board of Fish and Game Commissioners, at Trenton, or the fish and game warden of the county in which such deer was killed, shall be liable to a penalty of one hundred dollars. Report deer killed. Penalty.

Section 2 amended.

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

Possession of wild deer.

2. It shall be unlawful to have in possession in this State any wild deer except from the seventeenth day of December to the twenty-first day of December, inclusive,

Penalty.

under a penalty of one hundred dollars for each deer

Possession of deer with horns.

or part of a deer so had in possession. It shall be unlawful to have in possession at any time any doe or any deer, except a deer with horns at least three inches

Penalty.

long, under a penalty of one hundred dollars for each doe or deer or part of a doe or deer so had in possession.

Evidence of possession.

The having in possession of any wild deer during the time and periods prohibited in this act, or the having in possession at any time of any doe or deer not having horns at least three inches long, shall be prima facie evidence in all courts and places of the fact that such

Proviso.

wild doe or deer is in possession unlawfully; *provided*, that this act shall not apply to deer killed on game preserves, the owners or lessees of which are licensed by the Board of Fish and Game Commissioners, or to deer coming from another State, which is properly tagged, showing where the same was killed.

Approved March 15, 1928.

CHAPTER 48.

An Act to amend an act entitled "An act regulating the offering for sale, and sale of certain commodities heretofore commonly sold by dry measure or by basket, barrel or container of any kind, providing penalties for the violation thereof and for the method of recovering such penalties."

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 so as to read as follows:

Commodities sold by weight instead of dry measures.

1. From and after the taking effect of this act, all commodities heretofore commonly offered for sale, or sold by dry measure or by basket, barrel or container of any kind, except as hereinafter provided, shall be offered for sale or sold upon the basis of avoirdupois net weight, or by numerical count only, and it shall thereafter be unlawful for anyone to use or employ any dry capacity measure, basket, barrel or container of any kind as a means of determining the amounts or quantities of any such commodities offered for sale, or sold; *provided, however,* that the provisions of this act shall not be construed to apply to fruits and vegetables offered for sale or sold in closed or covered original standard containers, nor to vegetables which by common custom are offered for sale, or sold by the bunch; nor shall the provisions of this act be construed to apply to fresh berries and to other small fruits which are customarily offered for sale, and sold by the box, basket or other receptacle, except, however, when such fresh berries or such other small fruits are offered for sale, or sold in bulk, in which case the provisions of this act shall apply to the extent that such fresh berries and such other small fruits shall be offered for sale, and sold by avoirdupois net weight only; *provided, further, however,* that all fresh berries and such other small fruits when offered for sale or sold shall be so offered for sale or sold in boxes, baskets, or receptacles of uniform size to hold one quart or one pint dry measure only, which said boxes, baskets or other receptacles shall be uniformly and evenly filled throughout.

Proviso.

Proviso.

Enforcement of act.

2. The State superintendent of weights and measures, his duly authorized assistants and all county and municipal superintendents of weights and measures are hereby charged with the enforcement of the provisions of this act.

Penalty for violation.

3. Any person, firm, copartnership, corporation or association violating any of the provisions of this act shall, for the first offense, be liable to a penalty of not less than twenty-five dollars nor more than fifty dollars, and for the second offense 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 pen-

alty of not less than one hundred dollars nor more than two hundred dollars. An action for the recovery of a penalty for the violation of any of the provisions of this act shall be in the nature of an action in debt and the same may be instituted and the penalty recovered either in the District Court of any city or judicial district or in the small cause court of any county or before the police magistrate or the recorder of any city, town, township, borough or village. Jurisdiction is hereby conferred upon the District Court, and the small cause court and on the police court and recorder's court of any city, town, township, borough or village of this State to hear and determine actions instituted under this act, it being the intent hereof to confer jurisdiction upon the said small cause court, the police court, and the recorder's court in jurisdiction where a District Court exists, notwithstanding any laws of this State providing that no justice of the peace or small cause court shall have jurisdiction over any case or proceeding cognizable before a District Court where the defendant or defendants reside within any city or judicial district where a District Court is established and notwithstanding any law of the State prohibiting any justice of the peace resident within the limits of any city or judicial district where a District Court is established from exercising any civil jurisdiction.

Recovery of penalty.

Jurisdiction.

Official proceedings.

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

Disposition of penalties.

"Commodities" defined.

5. The term "commodities" as used in this act shall be construed to mean articles of food, other than liquids, which are capable of being measured by dry capacity

measure and which have been at any time prior to the passage of this act sold by dry capacity measure in this State.

"Dry measure" defined.

The term "dry capacity measure" within the meaning of this act shall be construed to be the bushel, half-bushel, peck, half-peck, quarter-peck, quart, pint, half-pint, and similar measures.

"Original standard container" defined.

The term "original standard container" as used in this act shall be construed to mean and include only barrels, boxes, baskets, hampers or similar containers, the dimensions or capacity of which is established by law of this State or by act of Congress, the contents of which have not been removed or repacked, and upon which is plainly and conspicuously marked the net quantity of contents thereof in terms of weight, measure or numerical count.

Repealer.

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

Approved March 15, 1928.

CHAPTER 49.

An Act to authorize and empower the Board of Conservation and Development of this State to inquire into and to report methods and probable cost of controlling floods and the drainage of wet lands in the valley of the Passaic river and the rivers and streams tributary thereto.

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

Conditions in Passaic valley ascertained.

1. The Board of Conservation and Development of this State is hereby authorized and directed to make investigations, collect data and information relative to conditions existing in the valley of the Passaic river and its tributaries with respect to floods and the drainage of wet

Surveys, etc.

lands. Said boards shall have the power to make surveys of all kinds, hold public hearings, employ such legal and technical aid and assistance for any part of the said work that it may deem necessary and make whatever investigation, either within or without the State, that it may deem advisable.

Report.

2. Not later than the fifteenth day of December in the year one thousand nine hundred and twenty-eight, said board shall make and file its report with the Governor of this State. Said report shall include the findings, plans and recommendations of said board for the control and alleviations of floods as aforesaid, the drainage of wet lands in said valleys from a sanitary standpoint and shall contain an estimate of the cost of the improvements that may be suggested.

Appropriation.

3. To carry out the provisions of this act the sum of thirty thousand dollars is hereby appropriated when included in any annual or supplemental appropriation bill.

4. This act shall take effect immediately.

Approved March 15, 1928.

CHAPTER 50.

An Act to authorize steam railroad companies to acquire, own and operate for hire auto busses and auto trucks.

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

Steam railroads authorized to operate motor vehicles.

1. Any steam railroad company operating under an act entitled "An act concerning railroads" (Revision of 1903), shall be and hereby is authorized and empowered to acquire, own and operate auto busses and auto trucks for the transportation of passengers, freight, mail and other property. Every such company before operating any auto bus under the authority conferred by this act shall obtain, as required by law, the consent of the authorities of the municipality in or through which it intends to operate such auto bus, and shall obtain the ap-

proval of such consent by the Board of Public Utility Commissioners, and shall comply with all lawful regulations governing the operation of auto busses which apply to other owners and operators thereof. Every such company shall be required to pay the same franchise taxes upon gross receipts from the operation of auto busses as other owners and operators of auto busses, but shall be exempt from the payment of any tax or taxes which, by reason of the ownership or operation of any auto bus or auto truck, would otherwise be assessable under the provisions of the act of March twenty-seventh, one thousand eight hundred and eighty-eight, Chapter two hundred and eight, page two hundred and sixty-nine, entitled "An act to revise and amend an act for the taxation of railroad and canal property" and its amendments and supplements.

Franchise taxes.

Exemption.

2. This act shall take effect immediately.

Approved March 15, 1928.

CHAPTER 51.

A Supplement to an act entitled "An act creating a department to be known as the Board of Commerce and Navigation, and vesting therein all the powers and duties now devolved, by law, upon the Board of Riparian Commissioners, the Department of Inland Waterways, the Inspector of Power Vessels, and the New Jersey Harbor Commission," approved April eighth, one thousand nine hundred and fifteen.

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

1. In addition to the powers conferred upon the Board of Commerce and Navigation, by the provisions of the act to which this act is a supplement, the Board of Commerce and Navigation is authorized and empowered, and shall undertake a survey of Fortescue creek, in the

Survey of Fortescue creek.

county of Cumberland, for the purpose of deepening and widening the channel and thereafter constructing a harbor thereon.

Appropriation.

2. For the purpose of carrying into effect the provisions of this act there is hereby appropriated the sum of one thousand dollars, when included in the annual appropriation bill, to be expended by the Board of Commerce and Navigation for the aforesaid purposes during the next fiscal year.

3. This act shall take effect immediately.

Approved March 15, 1928.

CHAPTER 52.

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 and eleven.

Preamble.

WHEREAS, Street transportation in this State requires the operation of street cars and/or busses; and when both are lawfully operated by the same company, efficiency and economy and the interests of the public will be best promoted through a complete co-ordination and unification of the two utilities so that the same may be considered in all respects as one and operated as such under the regulation of the Board of Public Utility Commissioners; therefore,

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

As to operation of auto busses by street railways.

1. Whenever, upon application of any street railway or traction company, the Board of Public Utility Commissioners has approved or hereafter shall approve the suspension of railway service upon any of the lines or parts thereof of any such company and has approved or hereafter shall approve municipal consents or agreements

enabling such company to operate auto busses in substitution for such railway service, such company is hereby authorized to operate, subject to the jurisdiction of the Board of Public Utility Commissioners and under the same conditions as to revocation as apply to the operation of all other auto busses, such number of auto busses as may be necessary from time to time to furnish the public safe, adequate and proper service over such route as has been or may be approved by said board in substitution for such railway service; and such company is hereby authorized, upon obtaining the approval of the Board of Public Utility Commissioners for such resumption, to resume such railway service, and if the track or overhead structures necessary for such service have been removed, to reconstruct and restore the same, provided such company shall comply with any agreement heretofore or hereafter made with the municipal or other board or body having charge of any street in which such line or part thereof is located with respect to such removal or reconstruction.

Resumption of trolley service.

Restoration of tracks and overhead equipment.

2. Whenever, in order to serve the public convenience, any street railway or traction company is lawfully operating auto busses in conjunction with its street railway lines, and its auto busses and street railway lines are operated by such company as a co-ordinated system of street transportation, such company as to such system shall be deemed in all respects and for all purposes to be a single public utility furnishing a single service subject to the supervision and regulation, jurisdiction and control of the Board of Public Utility Commissioners; *provided,* that nothing in this section shall in any way change the method of taxation of companies operating street railways and auto busses now provided by law nor in any way change the terms or duration of any franchise or consent to operate or the necessity for municipal consent.

Trolley and bus lines as one system.

Proviso.

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

Repealer.

Approved March 19, 1928.

CHAPTER 53.

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 nineteen, one thousand nine hundred and three," which said supplement was approved April twenty-seventh, one thousand nine hundred and eleven, approved February eleventh, one thousand nine hundred and eighteen, 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 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:

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, no class, however, to contain more than fifteen children. In each school district in this State where there are five or more blind or ten or more deaf children who are not 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, no such class, however, to contain more than ten pupils. 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 orthopædic surgeon of recognized standing or of the director

Special classes.

Classes for blind or deaf.

Provision for crippled children.

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 district 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 schools. 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

Home-teaching.

Tuition and transportation.

Scholarships.

Proviso.

Proviso.

Proviso.

Classes at different institutions.

Funds.

Register of defectives.

Co-operative assistance.

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 orthopædic surgeons.

2. This act shall take effect immediately.

Approved March 19, 1928.

CHAPTER 54.

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 February eleventh, one thousand nine hundred and eighteen.

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

Section 1 amended.

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:

Apportionment for teachers of crippled children.

1. Whenever a board of education of any school district in this State shall establish a special class or classes for the accommodation and instruction of crippled children, the county superintendent of schools of the county in which such school district is situate shall, in his annual apportionment of school moneys, apportion to such school district the sum of five hundred dollars for each teacher employed in such class or classes. Whenever a home teacher for such physically handicapped pupils is furnished as provided by law, the county superintendent of schools shall apportion in the same manner for such teacher an amount to be approved by the Commissioner of Education.

As to home teachers.

Whenever the amount estimated by the board of education as the excess cost above that of educating pupils of normal needs, arising out of the provisions of statutes relating to the cost of educating physically crippled pupils, less the amounts provided for in sections 269, 271 and 272 of the School Laws of 1925 as recorded in chapter 31 of the Public Laws of 1918, the amendments, supplements or revisions thereof, shall have been approved by the Commissioner of Education, the district shall be entitled to reimbursement for one-half of such excess cost out of any State moneys appropriated for such purpose to the Commissioner of Education or the Rehabilitation Commission. Such reimbursement shall be paid by the State Treasurer on the warrant of the State Comptroller to the custodian of school moneys of the school district. The Commissioner of Education shall order State school moneys withheld from any district failing to comply with the requirements of this act and the minimum standard requirements issued from time to time by the Commissioner of Education.

If shortage.

District reimbursed.

2. This act shall take effect immediately.

Approved March 19, 1928.

CHAPTER 55.

An Act to amend the title and body of an act entitled "An act to enable counties which have no county home and hospital for the care, treatment and cure of crippled children to assist in maintaining homes and hospitals for that purpose, located in such county," approved March eleventh, one thousand nine hundred and twenty-two, and known as Chapter 159, Laws of 1922.

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

1. The title of an act entitled "An act to enable counties which have no county home and hospital for the care, treatment and cure of crippled children to assist in main-

Title amended.

taining homes and hospitals for that purpose, located in such county," be and the same is hereby amended so as to read as follows: "An act to enable counties which have no county home and hospital for the care, treatment and cure of crippled children to assist in maintaining homes and hospitals for that purpose in such county, and to defray the expense of diagnosis, treatment, care, and maintenance of crippled children in homes and hospitals for that purpose located in any county of this State.

New title.

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

Section 1 amended.

Care of cripples in certain counties.

1. It shall and may be lawful for the board of chosen freeholders of any county of this State which has no home and hospital located therein maintained by such county for the care, treatment, and cure of crippled children, to make an appropriation of a sum of money not exceeding thirty thousand dollars ($30,000.00) each year, in the same manner that appropriations for other county purposes are made, which sum so appropriated shall be included in the annual tax levy of such county, and collected in the same manner and at the same time as other county taxes, and shall be applied to the purpose of the diagnosis, treatment, necessary surgical appliances, and the supporting and maintaining of crippled children resident of such county who are under the age of twenty-one years, and also for the necessary traveling expenses incidental to the investigation of and the transporting of such patients in and to any home or hospital suitable for such treatment and supported either by public funds or private charity, and located in any county in this State; *provided, however,* that before expending any money for the purposes specified in this act, the board of chosen freeholders of any county shall adopt such rules, regulations, and requirements concerning the residence and merits of each patient's case as it may desire, and, through such officers as it shall designate for that purpose, disbursements under this act shall be made upon bills presented, verified, and approved in the manner required in the case of other county expenditures.

Appropriation.

Raised by taxation.

Use of funds.

Proviso.

3. This act shall take effect immediately.

Approved March 19, 1928.

CHAPTER 56.

A Supplement to an act entitled "An act to create a temporary commission to inquire into and report upon the number, distribution and condition of crippled children throughout the State, to recommend means more adequately to meet their needs and making an appropriation therefor," approved March twenty-sixth, one thousand nine hundred and twenty-six.

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

Duties of commission continued.

1. The said commission, created pursuant to the provisions of the act to which this act is a supplement, is hereby authorized and empowered to continue its inquiry and investigation with relation to the number, distribution and condition of crippled children throughout the State, and the existing facilities and legal provisions for promoting the care, treatment, education and general welfare of such children; and to recommend means more adequately to meet their needs.

Report.

2. The commission shall make a report of its proceedings, together with its recommendations to the Legislature at the legislative session of one thousand nine hundred and twenty-nine, and may accompany its report, with such proposed legislative measures to carry its recommendations into effect.

Appropriation.

3. The sum of five thousand dollars ($5,000.00) or so much thereof as may be needed is hereby appropriated for the actual and necessary expenses of the commission in carrying out the provisions of this act, payable out of the treasury of this State on a warrant of the Comptroller, on bills to be approved by the chairman of said commission.

4. This act shall take effect immediately.

Approved March 19, 1928.

CHAPTER 57.

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 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,' which amendment was itself approved April twentieth, nineteen hundred and twenty," which amendment was approved March thirty-first, nineteen hundred and twenty-six.

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

Section 251 amended.

1. Section two hundred and fifty-one of Article XXVII referred to in the act to which this act is an amendment be and the same is hereby amended to read as follows:

Retirement at 62 years.

251. (1) A member who has attained the age of sixty-two (62) may retire upon his request, or, upon the request of his employer, shall be retired from the service if a written statement duly attested is filed by him or by his employer with the board of trustees setting forth at what time subsequent to the execution and filing thereof he or his employer desires such retirement. The board of trustees shall retire said member at the time specified or at such other time within thirty days after the date so specified as the board of trustees may find advisable. Any present entrant who is not covered by the tenure of office law who prior to the first day of November, one thousand nine hundred and nineteen, shall become a member of the retirement system, and who shall be credited in his prior service certificate with thirty-five or more years of service, who shall lose his position before attaining the age of sixty-two (62) years, shall be retired on a total retirement allowance of one-half of his average salary; *provided, how-*

Proviso.

ever, that any present entrant, irrespective of his or her age, who so desires and who has had thirty-five years of service as a teacher to his or her credit, the last twenty-five years of which service shall have been performed in this State, shall be retired from active service and shall receive all the benefits of this act as now provided for members over the age of sixty-two (62) years as if said member were over the age of sixty-two (62) years; excepting that such retirement allowance (other than the additional pension provided by paragraph (d) subsection (3) of this section) shall not exceed one-seventieth the average of the salary of such member, for the last five years, for each year of service.

Retirement at 70 years.

(2) After the first day of January of the year nineteen hundred twenty-nine every county superintendent who is a member and who has attained or shall attain the age of seventy (70) years, and after the first day of January, of the year nineteen hundred and twenty-six, each and every other member who has attained or shall attain the age of seventy (70) years shall be retired by the board of trustees from service forthwith or at such time within a year thereafter as it shall deem advisable.

Allowance to present entrant.

(3) Upon superannuation retirement a present entrant shall receive a retirement allowance which shall consist of:

Annuity.

(a) An annuity which shall be the actuarial equivalent of his accumulated deductions at the time of his retirement.

Pension.

(b) A pension in addition to the annuity, of one one-hundred and fortieth (1/140th) of his average salary multiplied by the number of years of service he has rendered since he became a member.

Further pension.

(c) A further pension of one-seventieth (1/70th) of his average salary multiplied by the number of years of service certified on his prior service certificate.

Additional pension.

(d) And if such person shall have been a member of the Teachers' Retirement Fund prior to his becoming a member of the retirement system, a further additional pension which shall be the actuarial equivalent of the contributions without interest, which he paid to the Teachers' Retirement Fund prior to the first day of September, nineteen hundred and nineteen, which he has not otherwise received.

Allowance to new entrant.

(4) Upon superannuation retirement a new entrant shall receive a retirement allowance which shall consist of:

Annuity.

(a) An annuity which shall be the actuarial equivalent of his accumulated deductions at the time of his retirement, and

Pension.

(b) A pension, in addition to the annuity, of one one-hundred and fortieth (1/140th) of his average salary multiplied by the number of years of his total service.

Minimum allowance.

(5) The total retirement allowance granted to a person with twenty or more years of service who has attained the age of sixty-two (62) shall in no case be less than four hundred dollars per annum.

DISABILITY RETIREMENT.

Retirement for disability.

(6) Retirement for disability of a teacher who is a member shall be made by the board of trustees upon the application of his employer or upon his own application or that of a person acting in his behalf, on a disability allowance if he is under the age of sixty-two (62) year;

Proviso.

provided, the board of trustees, after a medical examination of said member, made at the place of his residence within the State or other place mutually agreed upon, by a physician or physicians designated by said board, shall determine upon the basis of a report submitted by said physician or physicians that the said member is physically or mentally incapacitated for the performance of

Proviso.

duty and that said member ought to be retired; *and further provided,* that the said member has rendered ten years of service as a teacher in New Jersey, and if he is a new entrant, has also been a member of the retirement system for ten years.

Right of appeal.

Should the applicant for a disability retirement be dissatisfied with the decision of the board of trustees, appeal may be made to the State Board of Education and the decision of the latter shall be final and binding upon all parties.

Retirement allowance for disability.

(7) On retirement for disability, a teacher who is a member shall receive a retirement allowance which shall consist of:

(a) An annuity which shall be the actuarial equivalent of his accumulated deductions at the time of his retirement. Annuity.

(b) A pension which together with his annuity provided under the paragraph immediately preceding shall be sufficient to produce a retirement allowance of one-seventieth of his average salary multiplied by the number of years of his total service, but not less than three hundred dollars per annum or thirty per centum of said average salary, with the exception that in no case shall the allowance exceed nine-tenths of the rate of retirement allowance to which he might have been entitled had retirement been deferred until the age of sixty-two (62). Pension.

(c) And if such person shall have been a member of the Teachers' Retirement Fund prior to his becoming a member of the retirement system, a further additional pension, which shall be the actuarial equivalent of the contributions without interest, which he paid to the Teachers' Pension Fund prior to the first day of September, nineteen hundred and nineteen, which he has not otherwise received. Further pension.

(8) Once each year during the first five years following the retirement of the teacher on a disability allowance and once in every three-year period thereafter, the board of trustees may, and upon his application shall, require any disability beneficiary who is under the age of sixty-two (62) years to undergo medical examination by a physician or physicians designated by the board of trustees, said examination to be made at the place of residence of said beneficiary or other place mutually agreed upon. Should such physician or physicians thereupon report and certify to the board of trustees that such disability beneficiary is not totally incapacitated either physically or mentally for the performance of duty and that such disability beneficiary is engaged or is able to engage in a gainful occupation and should the board of trustees concur in such report, then the amount of his retirement allowance shall be reduced to an amount which, when added to the amount then earned by him, shall not exceed the amount of his average salary. Should his earning capacity be later changed then the amount of his retirement allowance may be further altered; *provided,* Medical examination of teacher retired for disability. If found able to work. Change of allowance. Proviso.

that the new retirement allowance shall not exceed the amount of the retirement allowance originally granted or an amount which when added to the amount earned by the beneficiary, exceeds the amount of his average salary.

Refusal to work.

Should a disability beneficiary who is under the age of sixty-two (62) years refuse to engage in a gainful occupation when qualified so to do and further refuses a position in the public schools offered to him, the board of trustees may reduce his retirement allowance to half its former rate.

Refusal to be examined.

(9) Should any disability beneficiary, under the age of sixty-two (62) years, refuse to submit to a medical examination as provided in the subsection immediately preceding, his retirement allowance may be discontinued his withdrawal of such refusal, and should such refusal continue for one year, all his rights in and to such retirement allowance may be forfeited.

On restoration to service.

(10) Should any disability beneficiary be restored to active service at a salary equal to that formerly received, his retirement allowance shall cease, and he shall again become a member of the retirement system, and his annuity reserve shall be transferred from the annuity reserve fund to the annuity savings fund, and credited to his individual account as a part of his accumulated deduction in the latter fund, and he shall contribute to the said fund thereafter in the same manner and at the same rate as he paid upon his disability. Upon his restoration to active service his pension reserve in the pension reserve fund shall be transferred to the pension accumulation fund, his prior service certificate on the basis of which his service was computed at the time of his retirement shall be renewed and shall again be in full force and effect, and in addition, upon his subsequent retirement, he shall be credited with all his service as a member subsequent to the period covered by his prior service certificate, anything to the contrary in this act notwithstanding.

WITHDRAWAL AND DEATH BENEFITS.

Paid accumulated deductions.

(11) A contributor who withdraws from the service or ceases to be a teacher for any cause other than death or retirement shall be paid on demand the accumulated

deductions standing to the credit of his individual account in the annuity saving fund.

Withholding deductions.

(12) The board of trustees may, in its discretion, withhold for not more than one year after a member last rendered school service all or part of his accumulated deductions, if, before he last became a member, he withdrew from the annuity savings fund all or part of his accumulated deductions and failed to redeposit such withdrawn amount to the credit of his individual account in such fund.

Dying before retirement.

(13) Should a contributor die before retirement, his accumulated deduction shall be paid to his estate or to such person having an insurable interest in his life as he shall have nominated by written designation duly executed and filed with the board of trustees.

OPTIONAL BENEFITS.

Exercise option at retirement.

(14) At the time of his retirement, any contributor 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 that time of his annuity, his pension or his retirement allowance in a lesser annuity, or a less pension, or a less retirement allowance, payable throughout life with the provision that:

Option 1.

Option 1. If he dies before he has received in payments the present value of his annuity, his pension or his retirement allowance as it was at the time of his retirement, the balance shall be paid to his legal representatives or to such person having an insurable interest in his life as he shall nominate by written designation, duly acknowledged and filed with the board of trustees.

Option 2.

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.

Option 3. Upon his death, one-half of 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 4.

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 to his annuity, his pension or his retirement allowance and shall be approved by the board of trustees.

BENEFITS OF TEACHERS NOW RETIRED.

Payments from pension fund.

(15) All pensions payable prior to the month of September, nineteen hundred and nineteen, by the State under the provisions of Chapter 268, P. L. 1914, shall, beginning with said month, be paid from the pension fund created by this article and all such pensions as are below four hundred dollars shall be increased to and be paid at the rate of four hundred dollars.

If retirement fund fails.

(16) Should the Teachers'Retirement Fund by reason of insolvency or liquidation cease to pay in full the annuities granted theretofore paid by said fund, there shall be paid out of the pension fund created by this article to persons who shall have been annuitants of said Teachers' Retirement Fund from a date prior to the first day of September, nineteen hundred and nineteen, such part or all of said annuities as the said Teachers' Retirement

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Fund shall have ceased to pay; *provided,* that neither all nor any part of the amount of any reduction in the annuity therefore payable by the said Teachers' Retirement Fund shall be paid out of the said pension fund, unless there is in effect a corresponding and proportionate reduction by the said Teachers' Retirement Fund in the annuity of, and payment thereof, to each and every

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person retired by the retirement fund; *provided, further,* that the board of trustees shall be the sole judge as to whether the amount of any allowance which would thereby become payable out of the pension fund corresponds to the amount of reduction by the Teachers' Retirement Fund in the allowance of the same person due to the insolvency or liquidation of said fund.

2. This act shall take effect immediately.

Approved March 19, 1928.

CHAPTER 58.

An Act to amend "An act to amend a supplement to an act entitled as amended 'An act to secure to mechanics and others payment for their labor and materials in erecting any building, and in making certain improvements to land' (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight," which amendment was approved March twenty-eighth, one thousand nine hundred and twenty-seven.

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

Bond in favor of lien claimant.

1. Whenever a lien claim shall be filed against any land and buildings, or either of them, under the provisions of an act to which this is a supplement, the owner or owners thereof, or any person or corporation having an interest therein, may file with the clerk of the county where such land and buildings, or either of them, are situate a bond in favor of such lien claimant or claimants executed by such owner, person or corporation, with some surety company duly authorized to transact business in the State of New Jersey as surety thereon, in double the amount claimed by said lien claimant or claimants in said lien claim, and conditioned for the payment of any judgment and costs that may be recovered by said lien claimant or claimants under said lien claim against said land and buildings, or either of them, which bond before filing shall be approved by the judge of the Circuit Court or Court of Common Pleas in the county where the same is to be filed, and when so approved and filed, the land and buildings described in said lien claim shall thereupon be released and discharged from such lien claim, and it shall be the duty of the clerk of the court in which such bond is filed to mark upon the record of said lien claim "released by bond" referring to the time and place of filing of such bond.

Amount of bond.

Approval of bond.

Release.

Record by clerk of court.

Repealer.

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

Approved March 19, 1928.

CHAPTER 59.

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 17 amended.

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

Penalty for not returning fines collected.

17. Any person who, having collected any fine for any violation of this act, shall fail within thirty days to return said fine, as provided by this act, to the Commissioner of Motor Vehicles 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 court, upon any subsequent conviction.

Section 36 amended.

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

All moneys to accrue to State for repairs of roads.

36. Moneys received in accordance with the provisions of this act, whether from fines, penalties, registration fees, license fees, or otherwise, shall be accounted for and forwarded to the Commissioner of Motor Vehicles, and by him paid over to the Treasurer of the State of New Jersey, to be used by the State Highway Commission as fund for the repair of such improved roads through the State as said State Highway Commission shall designate, regard being had to the repair of the most important improved roads, and the distribution of the benefits of this act throughout the several counties of this State; *provided, however,* that there shall first be deducted from the moneys as aforesaid received, the amount appropriated by the Legislature in any annual or supplemental bill for the maintenance of said Department of Motor Vehicles, which said sum so deducted shall become a part of the general State fund; *provided, further, however,* that any and all fines, penalties and forfeitures imposed and collected by any municipality for violations of any of the provisions of this act shall be by the magistrate forwarded to the proper financial officer of the county wherein the same were collected to be used by said county for road repairs in said counties; *and provided, further, however,* that this last proviso shall not apply to any fines, penalties, or forfeitures imposed and collected as the result of any complaint instituted by the Commissioner of Motor Vehicles or a member of his staff or a member of the Department of State Police.

Proviso.

Proviso.

Proviso.

3. This act shall take effect immediately.

Approved March 19, 1928.

CHAPTER 60.

An Act authorizing the board of education of any municipality in this State to dispose of lands and schoolhouses when not needed for school purposes.

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

Transfer of school property not needed to municipality.

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

Procedure.

2. No transfer or conveyance of school land or property as hereinbefore provided shall be made until the board of education shall have adopted a resolution declaring the property to be no longer desirable or necessary or required for school purposes and authorizing the conveyance thereof, for public purposes, by deed executed in the name and under the seal of the board of education, by the president and secretary thereof, and until the board, body or commission to whom such conveyance is to be made shall have adopted a resolution approving the conveyance of such land or property for such public purposes.

Exchange of lands.

3. The board of education of any school district in this State, by a majority vote of the full board, may exchange or dispose of any lands owned by it when not needed or required for school purposes. When any lands are exchanged, the lands conveyed to the board shall be located in the school district, and shall equal in value lands conveyed by the board in such exchange.

4. This act shall take effect immediately.

Approved March 19, 1928.

CHAPTER 61.

An Act to amend an act entitled "An act concerning mortgages on chattels" (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. Section four of the act to which this act is an amendment be and the same is hereby amended to read as follows:

Section 4 amended.

4. Every mortgage or conveyance intended to operate as a mortgage of goods and chattels hereafter made, which shall not be accompanied by an immediate delivery, and followed by an actual and continued change of possession of the things mortgaged, shall be absolutely void as against the creditors of the mortgagor, and as against subsequent purchasers and mortgagees in good faith, unless the mortgage, having annexed thereto an affidavit or affirmation made and subscribed by the holder of said mortgage, his agent, or attorney, stating the consideration of said mortgage and as nearly as possible the amount due and to grow due thereon, be recorded as directed in the succeeding section of this act; *provided,* nothing contained in this act shall be taken, construed or held to apply to any mortgage of personal property included in a mortgage of franchises and real estate heretofore or hereafter made by any railroad company, or any other corporation defined by any statute of this State as a public utility, and which hath been or shall be recorded or registered as a mortgage of real estate in every county in which such railroad or any part of it or any of the real estate so mortgaged is or shall be located, and it shall not be necessary to record as a chattel mortgage any such mortgage as is in this proviso described.

Mortgage void unless affidavit of mortgagee recorded.

Proviso.

2. This act shall take effect immediately.

Approved March 19, 1928.

CHAPTER 62.

An Act creating a commission for the erection of an additional interstate bridge over the Delaware river between the city of Philadelphia, in the State of Pennsylvania, and a point in the State of New Jersey, making an appropriation therefor, and to repeal acts inconsistent herewith.

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

Delaware river bridge commission No. 2.

1. There is hereby created a Delaware river bridge commission to be known as the New Jersey Commission No. 2, which shall be composed of eight members, who shall hold their said offices for terms of five years: J. Townsend Stites, Charles J. Maxwell, of the county of Camden; Alfred R. Kohler, Frank L. Suplee, of the county of Gloucester; Howard Hitchner, of the county of Salem; Ralph T. Stevens, of the county of Cape May; I. Norwood Griscom, of the county of Atlantic, and John R. Radcliff, of the county of Cumberland, are hereby appointed members of said commission.

Authorized action.

2. The New Jersey Commission No. 2 is hereby authorized to act jointly and in agreement with the commission known as the Pennsylvania Commission No. 2, or with such other board, commission or body as may be duly constituted by the Commonwealth of Pennsylvania, as a joint commission, and to proceed by

Surveys, etc.

full and complete borings, surveys, engineering studies, investigations, bearings, and all other matters incidental and pertaining thereto, to determine the proper location, type of construction, and cost of construction, operation, and maintenance of an additional bridge, with the necessary approaches thereto, across the Delaware river, connecting the city of Philadelphia, Pennsylvania, at a

Location.

point between Snyder avenue and the mouth of the Schuylkill river with a corresponding point in the State of New Jersey between Big Timber creek on the north,

and Mantua creek on the south, in the county of Gloucester, New Jersey. The exact location of said proposed bridge shall be fixed by the joint commission.

Report.

3. The New Jersey Commission No. 2 shall fully report its findings pursuant to section two of this act at the first legislative session after the completion thereof.

Appropriation.

4. The sum of fifty thousand dollars heretofore appropriated to the Interstate Bridge and Tunnel Commission created by virtue of chapter two of the Laws of one thousand nine hundred and twenty-six, and appropriated under Item J-6, chapter three hundred and eighteen, Laws of one thousand nine hundred and twenty-seven, is hereby transferred to and shall be vested in the commission created by this act.

Act repealed.

5. An act entitled "A supplement to an act entitled 'An act to provide for the appointment of an Interstate Bridge and Tunnel Commission, and to define its powers and duties,' " approved February fourteenth, one thousand nine hundred and eighteen, which said supplement was approved March second, one thousand nine hundred and twenty-six, be and the same is hereby repealed.

6. This act shall take effect immediately.

Approved March 19, 1928.

CHAPTER 63.

An Act concerning aircraft; prescribing the qualifications of operators thereof, and providing penalties for violations.

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

"Aircraft" defined.

1. The word "aircraft" as used in this act means any contrivance now or hereafter invented for avigation of or flight in the air, except a parachute or other contrivance designed for use, and carried primarily for safety equipment.

"Avigation" defined.

2. "Avigation," as used in this act means the steering, directing or managing of an aircraft in or through the air; and such term is here used as a substitute for "aerial navigation."

"Operating aircraft."

3. "Operating aircraft" means performing the services of aircraft pilot.

Operators must be licensed.

4. The public safety requiring, and the advantages of uniform regulation making it desirable, in the interest of aeronautical progress, that a person engaging within this State in operating aircraft, in any form of avigation for which a license to operate aircraft issued by the United States Government would then be required if such avigation were interstate, shall have the qualifications necessary for obtaining and holding such a license, and it shall be unlawful for any person to engage in operating aircraft within this State, in any such form of avigation, unless he have such a license.

Certificate carried by operator.

5. A certificate of the license, herein required, shall be kept in the personal possession of the licensee when he is operating aircraft within this State, and must be presented for inspection upon demand of any passenger, any police officer of this State, or any official, manager, or person in charge of any airport or landing field in this State upon which he shall land.

Avigating without authority unlawful.

6. The public safety requiring, and the advantages of uniform legislation making it desirable, in the interest of aeronautical progress, that aircraft to be avigated within this State shall conform with respect to design, construction and air worthiness to standards then prescribed by the United States Government with respect to avigation of aircraft subject to its jurisdiction, it shall be unlawful for any person to avigate an aircraft within this State unless he is registered pursuant to the rules and regulations of the United States Government then in force, if the circumstances of such avigation are of a character that such registration would be required in the case of interstate avigation.

Penalty.

7. Any person who violates any of the provisions of this act shall be deemed guilty of a misdemeanor.

8. This act shall take effect immediately.

Approved March 19, 1928.

CHAPTER 64.

An Act to authorize the financing of the projects of the South Jersey Port Commission; to authorize a contract or contracts for said purpose between the said commission and a county or municipality, or several of them; to authorize the issuance of bonds of the said commission; and to authorize payments by counties and municipalities to the commission, to be raised by taxation and otherwise.

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

South Jersey port commission may contract with county or municipalities.

1. The South Jersey Port Commission (hereafter sometimes referred to as the Port Commission, being the commission organized and existing under an act of the Legislature of the State of New Jersey entitled "An act to create the South Jersey Port District and to provide for the appointment of the South Jersey Port Commission, and to define its powers, duties and jurisdiction and making an appropriation for its expenses," approved April first, one thousand nine hundred and twenty-six, constituting chapter three hundred and thirty-six of the Laws of nineteen hundred and twenty-six, and the acts amendatory thereof and supplementary thereto) is hereby authorized to enter into a contract or contracts and from time to time amend and supplement such contracts with a county or municipality or several of them within the South Jersey Port District, and any such contract may contain any or all of the following terms and provisions, namely:

Terms.

Undertake projects.

(a) An agreement by the Port Commission to undertake any project or projects which it may be authorized to undertake.

Financing.

(b) An agreement by the county or municipality to appropriate and pay to the Port Commission such sums in such years and at such date or dates in each year as may be agreed for the purpose of financing the said project or projects. Without intending to restrict the

broadest construction of the words "financing such project or projects" such words shall include the payment of the cost of construction and reconstruction of any improvement, the acquisition of property, the cost of maintenance, operation and repairs, and the payment of interest and principal of debt incurred for any of said purposes.

Repayments.

(c) An agreement by the Port Commission upon such terms and conditions as may be stated to repay to the county or municipality the amounts paid in pursuance of said contracts or any part thereof, with interest thereon at not exceeding four per centum per annum. The said agreement shall be subject to the obligations of the commission to (1) pay or provide for the payment of its indebtedness and the setting apart of moneys therefor according to the terms upon which said indebtedness may be incurred, and (a) pay or provide for the payment of all amounts needed for operation, repairs, maintenance, replacements, reserves for said purposes and for improvements and extensions required for the highest efficiency of said project or projects.

Amount of yearly payments.

2. No county or municipality shall agree to pay in any one year under any such contract or contracts an amount which shall exceed ten cents on each one hundred dollars of assessed valuation of property subject to taxation in such county or municipality at the date of such contract. This section shall be construed as a limitation on the right to contract and not on the power to levy taxes.

Authorization by commission.

3. Before any such contract shall be effective to bind the Port Commission it shall be authorized or ratified by a resolution of the Port Commission.

Authorization by freeholders.

4. Before any such contract shall be effective to bind a county it shall be authorized or ratified by a resolution of the board of chosen freeholders, which resolution shall set forth the contract in full.

Authorization by municipality.

5. Before any such contract shall be effective to bind a municipality it shall be authorized or ratified by an ordinance of the municipality, which ordinance shall set forth the contract in full. Such ordinance shall be deemed an ordinance authorizing an improvement and it shall take effect at the same time and subject to a protest or protests and ratification at an election as is provided by law for such ordinances.

Issuance of bonds.

6. The Port Commission shall have power to issue bonds from time to time in anticipation of the payments to it under any contract hereby authorized and in anticipation of the income to be derived from the project or projects described in such contract. Interest on any bonds payable in not exceeding four years from their date may be paid out of the moneys received upon the sale of said bonds. Said bonds may be sold at public or private sale, shall bear such rate or rates of interest, not exceeding six per centum per annum, payable semi-annually, and shall be in such form and shall be executed in such manner and shall contain such covenants, terms, conditions and recitals as the Port Commission shall by resolution provide.

Interest.

Rate.

Covenants.

Provision for principal and interest.

7. The Port Commission shall have power to allocate and pledge the payments provided to be made in any such contract and the income from any such project or projects as it may deem advisable to the payment of principal and interest of said bonds and to the creation of a sinking or other fund or funds for the payment thereof or as security for the payment thereof, and shall have power to make covenants for the better protection of the bonds, all as may be provided in resolutions of the Port Commission, and such resolutions shall be deemed a contract with the holders of said bonds.

Sinking fund.

Enforcement of payments.

8. To the extent that the payments to be made by a county or municipality are allocated or pledged as provided in the preceding section, such payments shall be deemed for the benefit of the holders of the bonds and the bondholders as well as the Port Commission shall have the right to enforce the same by appropriate action in any court of competent jurisdiction.

Amount required stated in budget.

Taxation.

Municipal bond issue.

9. Any county or municipality which is a party to a contract shall insert the amount of the payments required thereby in its annual budget and unless moneys are available from other sources, shall raise by tax in each year an amount sufficient to make said payments. Any such county or municipality shall have power to borrow on notes or bonds the amount necessary to make such payments in anticipation of the collection of taxes and revenues.

Commission may borrow to prevent default.

10. In order to prevent a default in the payment of principal or interest of the bonds, the Port Commission

is authorized to borrow the money necessary on notes or bonds, maturing in not exceeding one year from their date, bearing interest at not exceeding six per centum per annum, and to renew said notes or bonds including interest thereon from time to time.

Contract to supersede municipal obligation.

11. Any contract which shall provide for the construction of an improvement for which a tax has been voted, under the provisions of an act entitled "An act to create the South Jersey Port District and to provide for the appointment of the South Jersey Port Commission, and to define its powers, duties and jurisdiction and making an appropriation for its expenses," approved April first, one thousand nine hundred and twenty-six, constituting chapter three hundred and thirty-six of the Laws of nineteen hundred and twenty-six, as amended, shall be deemed to supersede the obligation of the municipality or county to levy such tax, unless the contract herein authorized shall otherwise expressly provide.

Obligation not deemed municipal indebtedness.

12. The obligation of any county or municipality under a contract made in pursuance of this act shall not be deemed an indebtedness of such county or municipality and shall not be included in any annual or supplemental debt statements required by law to be filed.

Operation of port facilities, tolls, rentals.

13. The Port Commission shall have power to operate port facilities owned, leased, or otherwise acquired by it, to charge tolls and rentals for the use thereof, to make contracts for the use or operation thereof, to lease or sell lands and buildings and port facilities, all on such terms and conditions as it shall prescribe.

Powers conferred as additional.

14. The powers contained in this act shall be deemed additional and supplemental powers and this act shall not be considered as limiting the powers conferred upon the Port Commission in any other act.

Constitutionality.

15. If any term or provision of this act shall be declared unconstitutional or ineffective, in whole or in part by a court of competent jurisdiction, then to the extent that it is not unconstitutional or ineffective such term or provision shall be enforced and effectuated and such determination shall not be deemed to invalidate the remaining items or provisions thereof.

16. This act shall take effect immediately.

Approved March 19, 1928.

CHAPTER 65.

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, 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:*

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

1. Causes for decrees of nullity. Decrees of nullity of marriage may be rendered in all cases when: Causes for decrees of nullity.

Other wife or husband living. Either of the parties has another wife or husband living at the time of a second or other marriage; Husband or wife living.

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.

Husband under age. At the suit of the husband when he was under the age of eighteen at the time of the marriage, unless such marriage be confirmed by him after arriving at such age;

Legitimacy.

Effect of decree on legitimacy of issue. The decree of nullity of marriage shall not render illegitimate the issue of any marriage so dissolved, except where the marriage is dissolved because either of the parties had another wife or husband living at the time of a second or other marriage. Such marriage shall be deemed void from the beginning, and the issue thereof shall be illegitimate.

2. This act shall take effect immediately.

Approved March 19, 1928.

CHAPTER 66.

An Act to incorporate the borough of North Cape May in the county of Cape May.

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

Corporate name.

1. The inhabitants of that portion of the township of Lower, in the county of Cape May, hereinafter set forth are hereby constituted and declared to be a body corporate, in fact and in law by the name of the "Borough of North Cape May," and as such shall be governed by the general laws of New Jersey relating to boroughs.

Boundaries of borough of North Cape May.

2. The boundaries of the said borough shall be as follows: Beginning at a point in the center line of Main Bayside road (Bay Shore boulevard) where the southerly line of land conveyed by Isaac P. Mathews and wife, Wm. T. Bate and wife to Samuel Townsend, by deed dated March 31, 1891, and recorded in Cape May county clerk's office in Deed Book No. 95, page 528, intersects same and extends, thence (1) north eighty-six degrees west binding said southerly line of Samuel Townsend land four hundred ninety-five feet to the

southwesterly corner of said Townsend's land, thence (2) north sixteen degrees east binding the westerly line of said Townsend's land twelve hundred twenty-one feet to the center line of Town Bank road, thence (3) north fifty-six degrees west along said center line of Town Bank road six hundred forty-seven and forty-six hundredths feet, thence (4) south thirty-three degrees thirty minutes west to the southerly line of Town Bank road, thence (5) north fifty-seven degrees thirty minutes west along said southerly line of Town Bank road nine hundred forty-two and forty-eight hundredths feet to the northeast corner of lands now or formerly of Jeremiah S. Johnson, thence (6) south thirty-three degrees thirty minutes west five hundred eighty-nine and eighty-eight hundredths feet to a corner in line of lands now or formerly of Herbert L. Cockley, thence (7) north seventy-five degrees west binding lands now or formerly Nathan Sheppard nine hundred forty-eight and seventy-five hundredths feet more or less to the southwesterly corner of Sheppard's land, thence (8) north eighteen degrees east three hundred thirteen and five-tenths feet, thence (9) north nine degrees thirty minutes west three hundred twenty-one and seventy-five hundredths feet more or less to the southerly line of land now or formerly Newton W. Barber and corner of Nathan Sheppard, thence (10) north seventy-six degrees thirty minutes west along the southerly line now or formerly Newton W. Barber twenty-one hundred and seventy-eight hundredths feet more or less to low water mark of the easterly shore of Delaware bay (said point being six hundred seventy feet more or less southwardly of the point of intersection of the extended center line of Town Bank road with the aforesaid low water mark, thence (11) southerly along the line of low water mark to the northerly side of New England creek, thence (12) eastwardly along the line of New England creek to the westerly side of Bay Shore road, thence (13) northerly along the westerly side of Bay Shore road to the place of beginning.

3. This act to take effect immediately.

Approved March 19, 1928.

CHAPTER 67.

An Act to amend an act entitled "An act to amend an act entitled 'An act to amend an act entitled "An act for the better protection of garage keepers and automobile repairmen," approved April fourteen, one thousand nine hundred and fifteen,' which amendment was approved March thirteenth, one thousand nine hundred and twenty-two," 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, as amended, be and the same is hereby amended to read as follows:

Seizure of car to enforce lien.

2. Any person or corporation acquiring a lien under the provision of section one of this act shall not lose such lien by reason of allowing the motor vehicle, or part or parts of the motor vehicle, to be removed from the control of the person or corporation having such a lien, and in case a motor vehicle, or part or parts, are so removed the person or corporation having the said lien may, without further process of law, but after demand of payment of claim either personally or by registered mail if owner's address is known, seize the motor vehicle, or part or parts thereof, wherever the same is or are found within the State of New Jersey; *provided, however,* that such seizure can be made without the use of force and in a peaceable manner. The owner or the person entitled to the immediate possession of motor vehicle, or part or parts thereof, so detained as in this act provided, on learning that said motor vehicle or parts are being so detained may immediately demand from the garage owner or keeper, or the person in charge thereof, a statement showing the true amount claimed to be due for the storing, maintaining, keeping or repairing of such motor vehicle, or for furnishing gasoline, accessories or other supplies therefor, and if upon receiving such statement he considers amount thereof excessive he

Proviso.

Demand on garage keeper.

Statement of amount claimed.

may offer what he considers to be reasonably due and demand possession of said motor vehicle or parts thereof so detained. Should possession of said vehicle or parts thereof be refused him he may obtain possession thereof by depositing the amount claimed by said statement with the clerk of any court of competent jurisdiction in the county where the motor vehicle or parts may be situated, together with the sum of ten dollars to cover the costs of court in actions commenced in district or small cause courts, and fifty dollars in all other courts. Whereupon, a writ of replevin shall immediately issue out of and under the seal of said court commanding the sheriff, or any constable or sergeant-at-arms, to take the possession of said motor vehicle or parts thereof and deliver the same, without delay, to the owner or his legal representative claiming the same. In lieu of depositing the amount claimed, in cash, a bond in double the amount claimed, and double the amount required to be deposited as costs as hereinbefore provided, with at least one sufficient surety, and approved in the manner similar bonds are now approved in the court from which the writ of replevin is to issue, may be filed with the clerk of said court. The said bond shall be written in favor of the sheriff, constable or sergeant-at-arms, to whom the writ is directed. The garage owner or keeper shall within thirty days after the issue of the writ of replevin as aforesaid, file his state of demand or complaint with the said clerk, showing the amount claimed by him. The court shall thereupon, at the request of either party, fix a date for the trial of said claim and give judgment according to the facts. The judgment, if any, is to be satisfied out of deposit made, or action may be brought on bond filed. If no action is brought by said garage owner or keeper within thirty days, as aforesaid, or judgment should go for the defendant, the court may order the return of the money or the discharge of the bond and may also fix and determine the amount of damages suffered by said owner of the said owner of the said motor vehicle for the seizure and detention of said motor vehicle and render a judgment for such amount against the said garage owner or keeper. If a judgment is obtained and satisfied, the balance of the cash deposit, if

Regaining car by deposit.

Writ of replevin.

Bond may be given.

In whose favor.

Statement of demand.

Trial.

Judgment.

If action not brought.

Entry of appearance.

any, shall be ordered returned to the depositor. The filing of bond or depositing of cash as aforesaid by the owner or his lawful representative shall be considered as the entry of a written appearance on his part in the action which the garage owner or keeper may bring within thirty days and not later, as aforesaid.

Approved March 19, 1928.

CHAPTER 68.

An Act to amend an act entitled "An act to reorganize the boards of chosen freeholders of the several counties of this State, reducing the membership thereof, fixing the salaries and providing for the election and terms of office of the members, and also for the appointment and terms of office of officers appointed by such boards" (Revision of 1912), approved April first, one thousand nine hundred and twelve.

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

Section 4 amended.

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

Vacancies.

4. Any vacancy hereafter occurring in any of the boards of chosen freeholders constituted or elected under the provisions of this act, shall be filled by the remaining members of such board for the remainder of the year in which such vacancy occurred, or until a successor can be elected and qualified, and at the first annual election held after such vacancy occurred, some fit person shall be elected to fill such office for the unexpired term only.

Laws applicable.

All laws, public, general, special or private now in force relating to boards of chosen freeholders shall apply to the boards of chosen freeholders as the same shall be constituted or elected under the provisions of this act, so far as the same shall not be inconsistent with the provisions

of this act, and the boards of chosen freeholders constituted or elected under the provisions of this act shall be vested with all the powers, authority, rights and privileges and shall have imposed upon them all the duties which are now vested in or imposed upon the boards of chosen freeholders now existing; and all laws, parts of laws, statutes and parts of statutes now in force or in anywise applicable to the existing boards of chosen freeholders, public or private, general or special, be and the same hereby are in all respects continued in full force and made applicable to the boards of chosen freeholders constituted or elected under the provisions of this act, except so far as the same may conflict with or be inconsistent with the meaning of this act. Powers, etc.

Approved March 19, 1928.

CHAPTER 69.

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 to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three," which amendment was approved May seventh, one thousand nine hundred and seven,' which amendment was approved March sixteenth, one thousand nine hundred and nine," approved March twenty-second, one thousand nine hundred and twenty-seven.

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

1. Section ninety-one of the act of which this act is amendatory be and the same is hereby amended to read as follows: Section 91 amended.

91. Every board of education organized under the provisions of this article shall, by the majority vote of Clerk of school district.

all the members of such board, appoint a district clerk which said clerk may or may not be a member of said board and shall fix his compensation and term of employment; *provided, however,* that after any district clerk heretofore or hereafter elected has served as such for a period of fourteen or more consecutive years he shall hold office during good behavior and efficiency. Time served as district clerk prior to this act taking effect shall be counted in computing such period, and where a school district has been divided time served as district clerk of any of the divisions of said district shall be counted in computing such period. No district clerk shall be dismissed or subjected to a reduction of salary in said school district except for inefficiency, bad behavior or other just cause, and then only after a written charge of the cause or causes shall have been preferred against him or her, signed by the person or persons making the same, and filed with the State Commissioner of Education who shall examine into the charge or charges and if he find them to be substantiated and that such district clerk should be dismissed, the said commissioner shall notify the said clerk of his removal as such, whereupon the said clerk shall cease to act as such district clerk and shall deliver all records or other papers held by him as such clerk to the president of his district board of education. He shall, before entering upon the duties of his office, execute and deliver to said board a bond in a sum to be fixed by said board, with surety or sureties to be approved by said board, conditioned for the faithful performance of the duties of his office. Said board may accept the bond or undertaking of a trust company, or surety or indemnity company, and may pay the annual premium or fee therefor as a current expense of said board. He shall record in a suitable book all proceedings of the board of education, of the annual school meetings and of special school meetings. He shall pay out by orders on the custodian of the school moneys of the school district, and in the manner prescribed by law, all school moneys of the district. He shall keep a correct and detailed account of all the expenditures of school moneys in the district, and shall report to the board at each regular meeting the amount for which warrants

Proviso, permanent tenure.

Previous service to count.

Dismissal.

Charges preferred.

Bond.

Premium.

Sundry duties of district clerk.

shall have been drawn since the date of his last report, the accounts against which said warrants shall have been drawn, and the balance to the credit of each account. At each annual school meeting he shall present his record books and his accounts for public inspection and shall make a statement of the financial condition of the district. He shall post notices of the annual and of any special meeting of the legal voters, and shall insert in said notices the object or objects for which said meeting shall be called; shall notify all members of the board of education of all regular and special meetings of the board, and during the month of July in each year he shall present to the board of education a detailed report of the financial transactions of the board during the preceding school year, and file a copy thereof with the county superintendent of schools. The warrant or order for the balance of salary due a district clerk at the close of the school year shall not be delivered to him until written notice has been received from the county superintendent that such district clerk has filed with him such annual report.

Last of salary paid on filing annual report.

Approved March 19, 1928.

CHAPTER 70.

An Act providing for and authorizing the construction and equipment of an armory in the city of Plainfield in this State.

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

1. The State Military Board is hereby constituted a commission to acquire on behalf of and in the name of the State, a suitable site in the city of Plainfield, in the county of Union, and thereafter to cause an armory to be constructed and erected thereon for military purposes.

Armory in Plainfield.

Appropriation.

2. For the purpose of carrying into effect the provisions of this act there is hereby appropriated the sum of one hundred and fifty thousand dollars, or so much thereof as may be necessary for the said construction, erection and equipment of said armory, when included in any annual or other appropriation bill.

3. This act shall take effect immediately.

Approved March 20, 1928.

CHAPTER 71.

A Supplement to an act entitled "An act to provide for the purification of the waters of the Passaic river within the Passaic valley sewerage district, prohibiting the discharge of sewage or other polluting matter into any 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 from 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 Commission for the intercepting and disposal of such sewage and other polluting matter, and to provide the necessary funds therefor," approved March eighteenth, nineteen hundred and seven.

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

Municipalities may contract with other municipalities for sewer usage.

1. One or more of the municipalities which are parties to the contract with the Passaic Valley Sewerage Commissioners or to contracts supplementary thereto authorized by the act to which this is a supplement are hereby authorized and empowered to enter into a contract or contracts with any municipality, person, firm or

corporation, or any two or more, whether within or without the Passaic valley sewerage district, for the use of any reserve or unused sewer capacity owned by any such municipality or municipalities in the intercepting sewer or sewers, plant and works constructed and operated by said Passaic Valley Sewerage Commissioners, for the disposal of sewage or other polluting matter originating in the territory tributary to the Passaic river between the Great falls and Newark bay, either by a continuous or an intermittent flow to the extent and for so long only as such flow shall not interfere with the capacity of such sewer or sewers, plant or works belonging to such municipality or municipalities, upon such annual rental or compensation for such use as may be agreed upon and the payment of the annual cost of maintenance, repair and operation upon the same basis as the municipalities parties to the said contract with the Passaic Valley Sewerage Commissioners or contracts supplementary thereto authorized by the act to which this is a supplement. A copy of any such contract shall be filed with the Passaic Valley Sewerage Commissioners and approved by them before becoming operative. Any such contract as hereby authorized shall terminate and all rights thereunder shall cease upon one year's written notice given by either of the parties thereto or by the Passaic Valley Sewerage Commissioners.

Source.

Rental.

Contract.

Termination.

2. The Passaic Valley Sewerage Commissioners shall prepare annually a statement showing the maximum sewage flows and sewer capacity requirements for each municipality participating in the use of said sewer, sewers, plant and works and determine the difference between the capacity allotments and the sewer capacity requirements for each municipality for the ensuing year which shall be known as "reserve sewer capacity."

Statement of sewer capacity.

3. This act shall take effect immediately.

Approved March 21, 1928.

CHAPTER 72.

An Act to further amend 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, 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 12 amended.

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

Classes of classified service.

12. The offices, positions and employments in the classified service of the State, and of the municipalities thereof that may adopt the provisions of this act, shall be arranged by the Civil Service Commission in four classes, to be designated as the exempt class, the competitive class, the noncompetitive class, and the labor class, which classification may be changed from time to time as the commission may deem proper.

Credits for service in army or navy.

Whenever any person shall be an applicant in a competitive examination for entrance into the public service held by the Civil Service Commission, and such person shall be an honorably discharged soldier, sailor, marine, nurse, or army field clerk of the United States, having been in the military or naval service of the United States in any war in which this country has been engaged prior to the World War, or in the Boxer uprising, the Philippine insurrection or the Mexican expedition, or in any Indian wars or uprisings, or in the World War prior to November eleventh, one thousand nine hundred and eighteen, that is to say, the date of the armistice, and when such applicant shall receive in such examination the minimum rating required under the rules of the Civil Service Commission in each subject or part of same, and a general average of at least seventy per centum, such

Credits added to rating.

applicant shall receive, for fifteen or more months, of military or naval service, service credits of not less than two and one-half points and not more than ten points, which shall be added to his or her general average. The exact amount of credit as between the minimum and maximum hereby established to be given in any particular examination shall be determined by the Civil Service Commission, which shall take into consideration the probable value of such military or naval training in tending to fit applicants for the positions in question. Such persons as come under the within provisions, who have served less than fifteen months in the military or naval service of the United States in any war in which this country has been engaged, shall receive credits as above set forth, proportionate to their length of service; *provided, however,* that any person coming under the within provisions, who was wounded or injured in the line of duty, shall receive the maximum credit determined upon for the examination in which he or she is an applicant, regardless of his or her length of service.

Determining credits.

As to length of service.

Proviso.

2. This act shall take effect immediately.

Approved March 21, 1928.

CHAPTER 73.

An Act to authorize the participation of the New Jersey National Guard and Naval Militia in the celebration of the tenth anniversary of the signing of the World War armistice, to be held in the city of Hoboken, the port of embarkation of the United States, and making appropriation therefor.

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

1. On the date fixed by the mayor of the city of Hoboken for the celebration of the tenth anniversary of the

Armistice day celebration in Hoboken.

signing of the World War armistice to be held in the city of Hoboken, such units of the National Guard and Naval Militia of this State as shall be designated by the Governor shall proceed to the city of Hoboken to assist and participate in such celebration.

Appropriation.

2. The sum of three thousand dollars is hereby appropriated for such purpose when included in any annual or supplemental appropriation bill.

Repealer.

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

Approved March 26, 1928.

CHAPTER 74.

A Supplement to an act entitled "An act to provide for the election of constables by the governing bodies of the various municipalities of the State and to define their powers and duties," 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.*

Certain constables to give bond to municipality.

1. Every person elected to the office of constable by the governing body of any municipality of this State shall give bond to the inhabitants of said municipality in such sum as the governing body of said municipality may deem sufficient, with good freehold or other security, to be approved by the governing body of said municipality, the said bond to remain in force during the term of office for which the person was elected.

Repealer.

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

Approved March 26, 1928.

CHAPTER 75.

An Act to amend an act entitled "An act concerning savings banks," approved May second, one thousand nine hundred and six, as heretofore amended and supplemented.

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

Section 15 amended.

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

Board of Managers.

15. The business of every savings bank shall be managed and directed by a board of managers of not less than nine (nor more than fifteen,) who shall elect from their number a president, and a vice-president, and shall elect or appoint from their own number, or otherwise, such other officers and agents as they may see fit; the persons named in the certificate of organization, shall be the first managers; all vacancies in such board, by death, resignation or otherwise, shall be filled by the board of managers, on approval by the Commissioner of Banking and Insurance, with persons duly qualified by this act, as soon as practicable, at a regular meeting after such vacancies shall occur; and if such managers shall fail to fill such vacancy within six months then said commissioner shall fill such vacancy, subject to the other provisions of this act; in case all the managers of a savings bank shall abandon the conduct of its business said commissioner shall as soon as practicable appoint other persons in their places as managers.

Officers.

Vacancies.

Section 17 amended.

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

Increase or decrease of board of managers.

17. Any savings bank may, from time to time, by resolution of its board of managers, increase the number of its managers to any number, or reduce the same to any number not less than nine, who shall be residents of the State of New Jersey.

Section 1 amended.

3. Section one of an act entitled "A supplement to an act entitled 'An act concerning savings banks,' approved May second, one thousand nine hundred and six," approved April thirteenth, one thousand nine hundred and fifteen, be and hereby is amended so as to read as follows:

Board of managers—number.

1. Every savings bank whether chartered or incorporated under a general or a special act of the Legislature of the State of New Jersey, organized and existing prior to the second of May, one thousand nine hundred and six, and having on said date a board of managers consisting of more than fifteen, may continue to be managed and directed by a board of managers of not less than nine who shall be residents of the State of New Jersey. *Provided, however,* that every such savings bank may, by resolution of its board of managers, reduce the number of managers to any number not less than nine, or may by a similar resolution increase the number of managers.

Proviso.

4. This act shall take effect immediately.

Approved March 26, 1928.

CHAPTER 76.

An Act to provide for accounting of moneys received as pension, bounty or other allowance from the United States by guardians of minor children of deceased persons and incompetent exservice men, formerly in the military or naval service of the United States and to impose upon the surrogates and Orphans' Court of the several counties certain duties in connection therewith.

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

Accounting for pensions by guardians.

1. In addition to any other duties imposed upon him or her by law, it shall be the duty of a guardian for

the children of the person who served in the military or naval service of the United States, once every three years, at the time and in the manner hereinafter provided, to render to the Orphans' Court, from whom he or she received his or her appointment as guardian, a true account of his or her administration of all moneys received by him or her as such guardian, as pension, bounty or other allowance from the United States. Such accounting to in no way affect the annual accounting of such guardians to the United States Veterans' Bureau or as otherwise required by law.

Time for filing accounts.

2. Where said account is to be rendered to the Orphans' Court of the counties of Hudson, Somerset or Sussex, the same shall be filed on or before the fifth day of January in each year. Where said account is to be rendered to the Orphans' Court of the counties of Essex or Warren, the same shall be filed on or before the fifth day of February of each year. Where said account is to be rendered to the Orphans' Court of the counties of Bergen, Morris or Passaic, the same shall be filed on or before the fifth day of March in each year. Where said account is to be rendered to the Orphans' Court of the counties of Union, Hunterdon or Middlesex, the same shall be filed on or before the fifth day of April in each year. Where said account is to be rendered to the Orphans' Court of the counties of Mercer, Burlington, Monmouth or Gloucester, the same shall be filed on or before the fifth day of May in each year. Where said account is to be rendered to the Orphans' Court of the counties of Camden, Atlantic or Salem, the same shall be filed on or before the fifth day of June in each year. Where said account is to be rendered to the Orphans' Court of the counties of Cape May, Cumberland or Ocean, the same shall be filed on or before the fifth day of July in each year.

Guardian cited in case of failure to render accounting.

3. In case of the failure of any guardian as aforesaid to make and render such accounting within the time above limited, any person interested in the said moneys or property in the hands of any such guardian, the sureties on the bond of any such guardian, the United States Veterans' Bureau, the United States Pension Department, or any person as the next friend of the

minor children of the deceased veteran interested, may cite such guardian to render said account at the ensuing term of the court; and, if said guardian fails to render said account according to such citation, or within such time as the court may otherwise provide therefor, it shall be the duty of the Orphans' Court to remove such guardian from office; and the cost of such citation and proceedings shall be paid by such guardian out of his or her own private estate, unless the court, for good cause shown, shall order otherwise.

Citations issued.

4. Upon the filing of an account of a guardian rendered as aforesaid with respect to the moneys received by him or her from any pension, bounty or other allowance from the United States, the surrogate shall issue citations to all persons concerned, including the sureties of such guardian, the United States Veterans' Bureau, United States Pension Department to appear at the said Orphans' Court, which citation shall be served at least ten days before the sitting of the court; and such guardian, or any person on his behalf, may serve such citation on the parties aforesaid, by delivering a copy thereof to them, or by leaving a copy at their usual place of abode, with some person of the age of fourteen years or upward, and making and filing with the surrogate, an affidavit, setting forth the time, place and manner of such service, whereupon the same shall have the force and effect of a service by the proper officer.

Guardian's account audited.

5. The account of every such guardian, after the same has been audited and stated by the surrogate and reported to the Orphans' Court, and citations served on the parties in interest as aforesaid, shall be examined by the court, and being found to be properly and fairly stated, shall be entered of record.

Surrogate to notify veterans' bureau.

6. The surrogate of a county with whom any account as aforesaid is filed shall mail, within five days from the date of filing of said account, a true copy thereof to the regional manager of the United States Veterans' Bureau, located in the city of Newark in this State. The United States Veterans' Bureau or the United States Pension Department shall be deemed a part in interest in any such accounting and shall be

competent to except to any such account, or any part thereof.

Practice pursued.

7. Excepting as otherwise herein provided, the practice and procedure prevailing in the Orphans' Court with respect to accountings of guardians of infants, shall be the practice and procedure prevailing with respect to accountings rendered under this act.

No charge by surrogate.

8. Excepting as otherwise herein provided no cost or fees shall be charged or taxed by the surrogates of the respective counties for accounts rendered and other proceeding had under this act.

9. This act shall take effect immediately.

Approved March 26, 1928.

CHAPTER 77.

An Act to amend an act entitled "An act to improve the condition of tenement houses in this State and to establish a State Board of Tenement House Supervision," approved March twenty-fifth, one thousand nine hundred and four, as amended by act approved April fifteenth, one thousand nine hundred and nineteen, and to amend certain sections of said act which were amended by chapter two hundred and thirteen, Public Laws of New Jersey, one thousand nine hundred and twenty-four, at page four hundred and sixty-seven, approved March twelfth, one thousand nine hundred and twenty-four, and an act to amend certain sections of said act approved March twenty-first, one thousand nine hundred and twenty-five, and an act to amend certain sections of said act approved March twenty-nine, one thousand nine hundred and twenty-six, and an act to amend certain sections of said act approved April first, one thousand nine hundred and twenty-seven.

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

ARTICLE IV.

Section 1.

Section 182 amended.

1. Paragraph one hundred and eighty-two of the act to which this act is an amendment be and the same hereby is amended to read as follows:

Specifications of construction or alteration furnished board for approval.

182. Before the alteration or construction of a tenement house, or the alteration or conversion of a building for use as a tenement house, is commenced, and before the construction or alteration of any building or structure on the same lot with a tenement house, the

owner, or his agent or architect, shall submit to the State Board of Tenement House Supervision a detailed statement in writing, verified by the affidavit of the person making the same, of the specifications of such tenement house or building, upon a blank or form to be furnished by the said board, and also a full and complete copy of the plans of such work; such statement shall give in full the name and residence by street and number of the owner or owners of such tenement house or building; if such construction, alteration or conversion is proposed to be made by any other person than the owner of the land in fee, such statement shall contain the full name and residence by street and number, not only of the owner of the land, but of every person interested in such tenement house, either as owner, lessee, mortgagee, or in any representative capacity; said affidavit shall allege that said specifications and plans are true and contain a correct description of such tenement house, building lot and proposed work; the statements and affidavits herein provided for may be made by the owner, or the person who proposes to make the construction, alteration or conversion, or by his agent or architect; no person, however, shall be recognized as the agent of the owner unless he shall file with the said board a written instrument, signed by such owner, designating him as such agent; any false swearing, in a material point, in any such affidavit, shall be deemed perjury; such specifications, plans and statement shall be filed with the said board and shall be deemed public records, and no such specifications, plans or statements shall be removed from the custody of said board; the said board shall cause all such plans and specifications to be examined; if such plans and specifications conform to the provisions of this act, they shall be approved by the said board, and a written certificate to that effect shall be issued to the person submitting the same; and if the said board shall not approve such plans and specifications, the board shall, at the request of the person submitting the same, give him or them the reasons for such refusal, in writing; the board may, from time to time, approve changes in any plans and specifications previously approved by it; *provided,* the plans and speci-

What statement to show.

Plans a public record.

Permit.

Proviso.

fications, when so changed, shall be in conformity with the provisions of this act, and may require, when it shall deem it to be necessary, a new set of plans to be filed; the construction, alteration or conversion of such tenement house, building or structure, or any part thereof, shall not be commenced until the filing of such specifications, plans and statements and the approval thereof as above provided; the construction, alteration or conversion of such house, building or structure shall be in accordance with such approved specifications and plans; any permit or approval which may be issued by the said board, but under which no work has been done, above the foundation walls, within one year from the time of the issuance of such permit or approval, shall expire by limitation; said board shall have power to revoke or cancel any permit or approval in case of any failure or neglect to comply with any of the provisions of this act, or in case any false statement or representation is made in any specifications, plans or statements submitted or filed for such permit or approval. Upon the approval of any plan for the construction of a new tenement house or for any alteration to an existing tenement house, or the conversion of a nontenement house into a tenement house, the owner of any such house or his architect or other lawful agent shall pay to the Board of Tenement House Supervision a fee which shall be as follows for each new building where the cost is:

As to revocation of permit.

Fees.

Table of fees for new building.

Up to	$15,000,		Fee $5.00
From	15,001.00 to	$30,000.00,	Fee 10.00
From	30,001.00 to	75,000.00,	Fee 15.00
From	75,001.00 to	125,000.00,	Fee 20.00
From	125,001.00 to	200,000.00,	Fee 25.00
From	200,001.00 to	500,000.00,	Fee 35.00
From	500,001.00 to	1,000,000.00,	Fee 50.00
Over	1,000,000.00,		Fee 60.00

Table of fees for alterations.

and a fee which shall be as follows for each alteration where the cost is:

Up to	$1,500.00,		Fee $2.00
From	1,501.00 to	$3,000.00,	Fee 3.00
From	3,001.00 to	10,000.00,	Fee 4.00
From	10,001.00 to	15,000.00,	Fee 5.00

From 15,001.00 to 30,000.00, ... Fee 10.00
Over 30,000.00 the fee shall be as provided for new buildings.

For each special inspection made where a report is furnished for the purpose of transferring title, securing mortgage loans, et cetera, a fee of three dollars shall be charged. Where this board has served an order directing the removal of violations against any tenement house and plans for such removal are submitted for approval, no fee shall be charged. All fees collected by the Board of Tenement House Supervision in accordance with the provisions of this act shall be paid by the board to the Treasurer of the State of New Jersey who shall issue a proper receipt therefor. Fee for special inspection.

2. This act shall take effect July first, one thousand nine hundred and twenty-eight. Act effective.

Approved March 26, 1928.

CHAPTER 78.

An Act to amend an act entitled "An act to improve the condition of tenement houses in this State and to establish a State Board of Tenement House Supervision," approved March twenty-fifth, one thousand nine hundred and four, as amended by act approved April fifteenth, one thousand nine hundred and nineteen, and to amend certain sections of said act which were amended by Chapter two hundred and thirteen, Public Laws of New Jersey, one thousand nine hundred and twenty-four, at page four hundred and sixty-seven, approved March twelfth, one thousand nine hundred and twenty-four, and an act to amend certain sections of said act approved March twenty-first, one thousand nine hundred and twenty-five, and an act to amend certain sections of said act approved March twenty-nine, one thousand nine hundred and twenty-six, and an act to amend certain sections of said act approved April first, one thousand nine hundred and twenty-seven.

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

ARTICLE II.

Section 1.

Section 34 amended.

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

Fireproof stairway open outside fireproof stairs and balcony.

34. A fireproof stairway is a stairway which is constructed of iron, steel, concrete or other fireproof material approved by the Board. Every fireproof tenement house hereafter erected shall be provided with an open outside fireproof stairs and balcony which shall be directly accessible through a door from the public hall

on each floor. In lieu of an open outside fireproof stairs there may be substituted outside enclosed fireproof stairs which shall be enclosed in masonry walls at least eight inches thick. There shall be no opening in any wall separating them from the building. Access shall be provided to the stairway from the main hall of every floor of the building by means of an outside balcony or vestibule of steel, iron or masonry. Every such balcony or vestibule shall have an unobstructed width of at least thirty-six inches and shall be provided with a fireproof floor and a railing of incombustible material not less than three feet high. Access to such balconies from the building and to the stairway from the balconies shall be by means of fireproof doors. The level of the balcony floor shall be not more than seven inches below the level of the door or sill of the building. The doors shall be not less than thirty-six inches wide and shall swing outward on to the balcony from the hall and inward from the balcony to the stairway and shall be provided with latches with visible fastenings requiring no key to open them in leaving the building. The landings shall be of such width that the doors in opening into the stairway shall not reduce the free passageway of the landings to a width less than the width of the stairs. Such stairways shall be provided with a window to the outer air furnishing adequate light and also provided with electric light. All stairs shall be provided with access to the street as set forth in paragraph thirty-eight or fifty-five of this act. If said house is to be arranged for more than eighty-four apartments above the entrance floor two such stairs shall be required. Every nonfireproof tenement house hereafter erected three stories or more in height, unless provided with outside fireproof stairways directly accessible through a door or window of at least one room, other than a bathroom or water-closet compartment in each apartment, shall have fire escapes located and constructed as hereafter described; *provided, however,* the provisions of this act relating to outside fire escapes shall not apply to any house not more than three stories in height, except as provided elsewhere in this paragraph, which shall be provided with two independent stairways, which shall

Substituted stairway.

Details of construction.

In nonfireproof tenement.

Proviso.

Independent stairs.

not be adjacent to each other, leading from the top floor of the said house to the first floor thereof, to both of which stairways all of the persons occupying the second and third floors shall have access without entering any apartment other than the one occupied by such tenants, one of which said stairways may be an outside stairway, if said stairway is, in the opinion of said board, substantially constructed. If an additional stairway is constructed, egress to the street must be provided as directed by the board. Every nonfireproof tenement house hereafter erected two stories in height shall be provided with two stairways as required by this paragraph for three-story tenement houses which are not arranged for more than two families on a floor. Every nonfireproof tenement house hereafter erected three stories in height which is arranged to be occupied by more than four families on any floor above the first floor shall be provided with fire escapes as required by this act or in lieu thereof there shall be provided an additional stairway which shall be directly accessible by a doorway from at least one room in each apartment other than a bathroom or water-closet compartment.

Section 38 amended.

2. Paragraph thirty-eight of the act to which this act is an amendment be and the same hereby is amended to read as follows:

Opening to fire escape.

38. All fire escapes hereafter erected on any tenement house shall be directly accessible through a door or window of at least one room, other than a bathroom or water-closet compartment, in each apartment at each story above the ground floor; fire escapes may project into the public highway or not more than four feet into a court not less than one hundred and fifty (150) square feet in area. Where fire escapes are placed in a court or in a yard, either of which is enclosed on all sides there shall be an unobstructed fireproof passageway extending in a straight and direct line to the street. If, however, one side of the building is provided with an outer court extending from street to yard, the fireproof passageway from the enclosed court may extend to the yard. Such passageway shall be not less than three feet wide and seven feet high and be constructed with unpierced sidewalls and roof of brick, stone or concrete;

Unobstructed passage.

Details of passageway.

such passageway may have a metal door, hung so as to open outwardly, constructed of grill work. Such door shall have no lock but may have a hook placed on its inner face. On a corner lot if access to the street is through a door or gate in any fence, such door or gate must open outward and may be fastened with a hook or movable bolt but must not be locked with a key lock.

Section 53 amended.

3. Paragraph fifty-three of the act to which this act is an amendment be and the same hereby is amended to read as follows:

When additional stairway.

53. Every nonfireproof tenement house hereafter erected containing over twenty-six apartments or suites of rooms above the entrance story, shall have an additional flight of stairs for every additional twenty-six apartments or fraction thereof; if said house contains not more than thirty-six apartments above the entrance story in lieu of an additional stairway, the stairs, stair halls, and entrance halls throughout the entire building may each be at least one-half wider than is specified in paragraph fifty-two of this act. Where more than two flights of stairs are required by this paragraph an outside open or enclosed stairway as required by paragraph thirty-four of this act may be deemed an additional stairway.

Section 54 amended.

4. Paragraph fifty-four of the act to which this act is an amendment be and the same hereby is amended to read as follows:

Additional stairways and entrance width.

54. Every fireproof tenement house hereafter erected containing over thirty-six apartments or suites of rooms above the entrance story, shall also have an additional flight of stairs for every additional thirty-six apartments or fraction thereof; but if said house contains not more than forty-eight apartments above the entrance story, in lieu of an additional stairway the stairs, stair halls and entrance halls throughout the entire building may each be at least one-half wider than is specified in paragraph fifty-two of this act; and if said house contains not more than eighty-four apartments above the entrance story in lieu of three stairways, there may be but two stairways; *provided*, that one of such stairways and the stair halls and the entrance halls connected therewith are at least one-half wider than is specified in paragraph

Proviso.

fifty-two of this act. Where more than two flights of stairs are required by this paragraph an outside open or enclosed stairway as required by paragraph thirty-four of this act may be deemed an additional stairway.

Section 56 amended.

5. Paragraph fifty-six of the act to which this act is an amendment be and the same hereby is amended to read as follows:

Stairs from cellar.

56. In all nonfireproof tenement houses hereafter erected which are occupied or arranged to be occupied by more than two families on any floor, stairs leading from the entrance floor to the cellar may be constructed inside the building if they are enclosed in the cellar with an eight-inch (8″) fireproof wall with a self-closing fireproof door hung in a fireproof frame, set three feet (3′) from the lowest step; the enclosing partitions on the first floor shall be plastered on both sides over metal lath or approved plasterboard and have a self-closing fireproof door hung in a fireproof frame at the top; and that portion of the cellar or other lowest story, into which said stairs lead must be entirely shut off by fireproof walls from those portions of the cellar in which heating appliances, boilers or machinery are located; all openings in such walls shall be provided with self-closing fireproof doors. If such stairs are placed under the stairs leading to the upper stories, then the flight of stairs under which they are placed shall be fireproof. In nonfireproof tenement houses hereafter erected which are not occupied or arranged to be occupied by more than two families on any floor, stairs leading from the entrance floor to the cellar may be placed inside the building if they are enclosed with fireproof walls in the cellar, with a self-closing fireproof door hung in a fireproof frame three feet (3′) from the lowest step and a self-closing fireproof door hung in a fireproof frame at the top of the stairs and the enclosing partition on the first floor must be plastered on both sides over metal lath or approved plaster board, except that in tenement houses arranged to be occupied by not more than three families in all, the fireproof door and enclosure at the top may be omitted; *provided,* the stairs to cellar are not located under the main stairway. If new stairs are constructed from the entrance floor to

Proviso.

the cellar in a now existing tenement house, such stairs shall be enclosed as directed by the board.

Section 59 amended.

6. Paragraph fifty-nine of the act to which this act is an amendment be and the same hereby is amended to read as follows:

No closet under first story stairs.

59. In nonfireproof tenement houses hereafter erected no closet of any kind shall be constructed under any staircase leading from the first story, exclusive of the cellar, to the upper stories, but such space shall be left entirely open and kept clear and free from incumbrances, except that in tenement houses arranged to be occupied by not more than three families in all, a closet may be placed under the first flight of stairs; *provided,* it is not less than five feet (5′) in height and does not open to any entrance, public, or stair hall; *and further provided,* it is entirely enclosed on top and sides with approved plasterboard or metal lath and plastered three-eighths of an inch (⅜″) thick.

Proviso.

Proviso.

Section 61 amended.

7. Paragraph sixty-one of the act to which this act is an amendment be and the same hereby is amended to read as follows:

Stud partitions.

61. Every nonfireproof tenement house hereafter erected may have stud partitions above the cellar or basement; *provided,* said stud partitions enclosing public halls, all stair halls, and the entrance hall shall be lathed on both sides with metal laths or approved plasterboard and plastered at least three-eighths of an inch thick with plaster of good material. The ceilings of these halls must be lathed and plastered in a similar manner. In every tenement house hereafter erected which is arranged for more than twelve apartments above the entrance story the entrance hall, public hall and stair halls shall be enclosed in fireproof walls at least eight inches thick except for the two upper stories where they may be six inches thick if they are nonbearing walls. If these walls are carried from floor to floor on fireproof floor construction, or steel beams, they may be of such thickness as the board may direct. In every tenement house hereafter erected containing over thirty-six apartments, or suites of rooms, above the entrance story the floors of the entrance hall, stair halls and public halls shall be constructed of iron or steel beams and fireproof

Proviso.

filling or of re-enforced concrete. No wooden flooring or sleepers shall be permitted. All doors and door frames opening from these halls to the apartment shall be fireproof or the doors and frames may be of hardwood at least two inches thick. The entire ceiling of the cellar or other lowest story if such lowest story is used for cellar purposes, must be plastered at least three-eighths of an inch thick, with plaster of good material over metal lath or approved plasterboard; except, that where such tenement house is not over three stories in height and is not arranged to be occupied by more than seven families in all, the ceiling of the cellar may be lathed with approved fireproof wall board and the joints well pointed. When any part of the entrance floor or of the basement is used as a store or workshop or for the storage of combustible materials, then the entire ceiling of the floor so used must be plastered at least three-eighths of an inch thick with plaster of good material, over metal lath or approved plasterboard. If any store ceiling is to be covered with a metal ceiling, the ceiling must be lathed with approved plasterboard and the joints between boards filled solidly with plaster in lieu of plastering. The soffits of all flights of stairs, except those which are fireproof and except the stairs leading to the cellar, must be plastered at least three-eighths of an inch thick with plaster of good material, over metal lath or approved plasterboard.

In case combustibles are stored.

Use of plasterboard.

Section 64 amended.

8. Paragraph sixty-four of the act to which this act is an amendment be and the same hereby is amended to read as follows:

As to studdings.

64. In all nonfireproof tenement houses hereafter erected, fore and aft stud partitions which rest directly over each other shall run through the wooden floor beams and rest upon the plate of the partition below, and shall have the space between the studding filled in solid to the full depth of the floor beams and to a point three inches above the said beams with approved incombustible materials. In all nonfireproof tenement houses hereafter erected, the partitions separating apartments shall be of masonry or may be of studs filled between and for the full height with fireproof material, or they may be plastered on both sides three-eighths of an

inch (⅜″) thick over approved plasterboard or metal lath. In frame tenement houses hereafter erected the studs forming the outside walls shall rest upon the sill or plate, as the case may be, and the space between said studs shall be filled to the full depth of the floor beams and to a point three inches above the same with approved incombustible materials; where steel I-beams are used in place of wood plates, the wood studs need not be carried through to plate but the fireproof filling shall be carried from the top of the I-beam to underside of floor and the space between floor beams filled solidly. In all fireproof tenement houses hereafter erected, all partitions shall rest directly upon the fireproof floor construction and extend to the fireproof beam filling above.

Use of I-beams.

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

Section 70 amended.

70. In every tenement house hereafter erected, which is arranged to be occupied by more than twenty-six families, the ceiling of the section of the cellar above the boiler or other heating apparatus shall be constructed of re-enforced concrete or its equal.

As to ceilings.

ARTICLE III.

Section 1.

10. Paragraph ninety-two of the act to which this act is an amendment be and the same hereby is amended to read as follows:

Section 92 amended.

92. Except upon a corner lot, the depth of the yard behind every tenement house hereafter erected fifty feet in height shall not be less than sixteen feet in every part; said yard shall be increased in depth one foot for every additional twelve feet of height of the building or fraction thereof above fifty feet; and may be decreased in depth one foot for every twelve feet of height of the building less than fifty feet but it shall never be less than fourteen feet in depth in any part, except that where the lot is less than one hundred feet (100′) in depth and the tenement house to be erected is not over five stories in height, the yard may be reduced one foot

Size of yard.

(1′) in depth for each five feet (5′) that such lot is less than one hundred feet (100′) in depth but it shall never be less than ten feet (10′) in any part. For each one foot that such rear yard is required by this act to exceed a depth of ten feet, there may be substituted one foot of unoccupied space across the whole width of the front of the lot between the street line and the street wall of the building if the board so directs.

Section 104 amended.

11. Paragraph one hundred and four of the act to which this act is an amendment be and the same hereby is amended to read as follows:

Inner court.

104. In every tenement house hereafter erected, not exceeding three stories in height, the size of an inner court situated on the lot line shall be as prescribed by the dimensions given in paragraph one hundred and three of this act; *provided*, that when such tenement house is not occupied or arranged to be occupied by more than eight families in all or by more than two families on any floor and in which each apartment extends through from the street to the yard, the width of such court may be decreased, but its width shall not be less than four feet in any part and its other dimensions shall not be less than ten feet in any part measuring from the lot line to the opposite wall. In every tenement house hereafter erected not more than two stories in height, the size of an inner court on the lot line shall be not less than four feet by ten feet (4′x10′) in any part.

Proviso.

Section 113 amended.

12. Paragraph one hundred and thirteen of the act to which this act is an amendment be and the same hereby is amended to read as follows:

Space between tenement and separate building.

113. When any building is hereafter placed on the same lot with a tenement house there shall be always maintained between the said buildings an open, unoccupied space extending upward from the ground and extending across the entire width of the lot; where either building is fifty feet or more in height, such open space shall be at least twenty-four feet from wall to wall; and for every twelve feet of increase or fraction thereof in the height of such building above fifty feet, such open space shall be increased one foot in depth throughout its entire width, and for every twelve feet of decrease in the height of such building below fifty feet the depth of

such open space may be decreased one foot; and no building of any kind shall be hereafter placed upon the same lot as a tenement house so as to decrease the minimum size of courts or yards as prescribed by this act; and if any tenement house is hereafter erected upon any lot upon which there is already another building, it shall comply with all of the provisions of this act, and in addition the space between the said buildings and the said tenement house shall be of such size and arranged in such manner as is prescribed in this paragraph, the height of the highest building on the lot to regulate the dimensions; and the use to which such other building is put shall not be detrimental to the health or safety of the occupants of said tenement house and shall be subject to the written approval of the board; except that when such building is not more than twelve feet in height and is not to be used as a dwelling, the distance between the two building shall not be less than the yard space required for the tenement house; *and further, provided,* that a private garage, other than frame, one story in height, may be placed five feet from the rear line of the tenement house if the open unoccupied yard space is equal in square feet to that required for a tenement house of that height.

Erection of tenement on lot already occupied.

Proviso.

13. Paragraph one hundred and sixteen of the act to which this act is an amendment be and the same hereby is amended to read as follows:

Section 116 amended.

116. In every tenement house hereafter erected, the total window area in a water-closet compartment or bathroom shall not be less than three square feet and no such window shall be less than one foot in width, measuring between stop beads; in every tenement house hereafter erected, all rooms except water-closet compartments and bathrooms shall be of the following minimum sizes: In each apartment there shall be at least one room containing not less than one hundred and twenty square feet of floor area; each other room shall contain not less than ninety square feet of floor area, except a pullman corner or a breakfast room with built-in fixtures may be fifty-five square feet in area; and except a kitchen which shall contain not less than seventy square feet of floor area or kitchenette which shall not be more than

Window area in closets and bathroom.

Area of rooms.

Kitchenette.

fifty-five square feet in area. A kitchenette may be separate from the adjoining room by doors. Every kitchenette shall have a window, at least one-tenth the area of the kitchenette opening to the street or to a yard or court of the size prescribed in this act. In fire-proof tenement houses hereafter erected, which are equipped with passenger elevators, kitchenettes may be ventilated by means of a smooth masonry or metal duct, which shall be provided with same approved system of mechanical exhaust ventilation of sufficient capacity to provide not less than four changes of air per hour. The exhaust duct shall discharge into the outside air and in such a manner as not to create objectionable odors or nuisance on the premises or adjacent premises, and if gas outlets are provided or cooking appliances other than electricity are installed, additional ventilation must be provided by a grill of sufficient size between the kitchenette and the adjoining room. Each room shall be in every part, not less than nine feet high from the finished floor to the finished ceiling; except that an attic room need be nine feet in but half of its area. In tenement houses hereafter erected which do not occupy more than eighty-five per centum of a corner lot of sixty per centum of an inside lot, and which the minimum dimension of any court is not less than fifty per centum greater than the minimum dimension of any similarly situated court, required by the provisions of this act, for tenement houses hereafter erected of equal height, each room shall be not less than eight feet and six inches from the finished floor to the finished ceiling; in such tenement houses, the minimum floor area of any room, other than the rooms excepted in this paragraph shall be not less than one hundred square feet; *and provided, further,* that in tenement houses hereafter erected which do not occupy more than seventy-five per centum of a corner lot or fifty per centum of an inside lot, and in which the minimum dimension of any court is not less than twice the minimum dimension of any similarly situated court required by the provisions of this act for tenement houses hereafter erected of equal height, in which the rooms are required by this act to measure nine feet from the finished floor to the finished ceiling, each room shall

Ventilation in kitchenettes.

Height of room.

Proviso.

be not less than eight feet high from the finished floor to the finished ceiling; *provided, further,* that no room in a cellar or basement shall be less than nine feet high from the finished floor to the finished ceiling. Proviso.

14. Paragraph one hundred and eighteen of the act to which this act is an amendment be and the same hereby is amended to read as follows: Section 118 amended.

118. In every tenement house hereafter erected which is occupied or arranged to be occupied by more than two families, on any floor, or which exceeds four stories in height, every public hall shall have at least one window opening directly upon the street, or upon a yard or court; either such window shall be at the end of said hall, with the plane of the window at right angles to the axis of the said hall, or there shall be at least one window opening directly upon the street, or upon a yard or court in every twenty feet in length or fraction thereof of said hall; but this provision for the window in every twenty feet of hallway shall not apply to that portion of the entrance hall between the entrance and the first flight of stairs; *provided,* that the entrance door contains not less than five square feet of glazed surface; in every public hall in such tenement house recesses or returns, the length of which does not exceed twice their width, will be permitted without an additional window, but wherever the length of such recess or return exceeds twice its width, the above provisions in reference to one window in every twenty feet of hallway shall be applied; any part of a hallway which is shut off from any other part of said hall by a door or doors shall be deemed a separate hall, within the meaning of this paragraph; in every tenement house, hereafter erected where the public hall is not provided with a window opening directly to the outer air as above provided, there shall be a stair-well not less than twelve inches wide in the clear, extending from the entrance floor to the roof, and all doors leading from such public halls shall be provided with translucent panels of wire glass having an area of not less than five square feet for each door and also with fixed transoms of translucent wire glass over such door. In every tenement house hereafter erected not more than two stories in height a skylight of the size provided in paragraph Hall windows. Proviso. Stair-well. Skylights.

one hundred and twenty-four of this act may be accepted in lieu of a window if, in the opinion of the board, it adequately lights all parts of the hall. In fireproof tenement houses hereafter erected which are equipped with passenger elevators, in lieu of the window requirements as provided for in this section, electric light may be substituted in all public halls and any elevator vestibule. Such electric light shall burn continuously and shall adequately light all portions of these halls and shall be maintained to the satisfaction of the board. In addition to the regular electric supply an approved auxiliary lighting system shall be installed which shall adequately light these halls during any interruption of the regular service.

Lighting.

Auxiliary lighting system.

Section 126 amended.

15. Paragraph one hundred and twenty-six of the act to which this act is an amendment be and the same hereby is amended to read as follows:

Lights in hallways.

126. In every tenement house now existing or hereafter erected a proper light shall be kept burning by the owner, in the public hallways, near the stairs, upon the entrance floor; and in every tenement house, over two stories high, such a light shall also be kept burning upon the second floor above the entrance floor of such house every night throughout the entire year, and upon all other floors of such tenement houses from sunset each day until ten o'clock each evening; where the public halls and stairs are not provided with windows opening directly to the street or yard or court, or where the windows do not properly light all parts of said halls, and such halls and stairs are, in the opinion of the board, not sufficiently lighted, the owner of such house shall keep a proper light burning in the hallway near the stairs upon each floor as may be necessary from sunrise to sunset, and all such lights shall be so arranged as to effectually guard against fire.

Section 131 amended.

16. Paragraph one hundred and thirty-one of the act to which this act is an amendment be and the same hereby is amended to read as follows:

Conditions for living rooms in cellar or basement.

131. In tenement houses hereafter erected no room in the cellar or in the basement shall be constructed, altered, converted or occupied for living purposes unless all of the following conditions are complied with:

I. Such room shall be at least eight feet and six inches high in every part, from the floor to the ceiling; *provided,* that in buildings already erected and not now used as tenement houses, but hereafter altered or converted to such use, such room shall not be less than eight feet in every part, from the floor to the ceiling: Size. Proviso.

II. The ceiling of such room shall be at least five feet above the surface of the street. If the rooms front on the yard or on a court the ceiling of such rooms shall be at least four feet six inches (4'6") above the court or yard level. Ceiling.

III. There shall be, appurtenant to such room, the use of a separate water-closet; Water-closet.

IV. Such room shall have a window or windows opening upon the street or upon a yard or court; the total area of windows in such room shall be at least one-eighth of the superficial area of the room, and one-half of the sash shall be made to open full width; and the top of each window shall be within six inches of the ceiling. Windows.

17. This act shall take effect immediately.

Approved March 26, 1928.

CHAPTER 79.

An Act to amend an act entitled "An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture and provide open and closed seasons for such capture and possession" (Revision of 1903), approved April fourteenth, one thousand nine hundred and three.

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

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

Pursuing web-footed wild fowl.

7. It shall be unlawful for any person to pursue any goose, duck, brant or any kinds of game birds whatsoever, or to shoot, or to shoot at, or kill, or wound the same from any boat or vessel propelled by any means other than by oars or paddles, or from any boat, vessel or other structure anchored or staked upon the waters of any of the bays, sounds, coves, ponds, rivers, creeks or streams of the State at a greater distance than one hundred feet from ice, march or meadow, bar or bank, or naturally heaped seaweed not covered with water; under a penalty of twenty dollars for each offense. It shall also be unlawful for any person while in an airplane, hydroplane or other device propelled in any manner through the air to pursue, shoot, shoot at, kill or injure any of the above-mentioned game birds under a penalty of one hundred dollars for each offense.

Penalty.

Pursuing by aircraft.

Penalty.

2. This act shall take effect immediately.

Approved March 26, 1928.

CHAPTER 80.

An Act to supplement an act entitled "A supplement to an act entitled 'An act concerning idiots and lunatics' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," which supplement was approved March twenty-fifth, one thousand eight hundred and eighty-five.

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

Section 3 added.

1. The act to which this is a supplement is hereby supplemented by adding thereto the following:

In case incompetent found of sound mind.

3. In all cases of idiocy and lunacy of persons who have been or may be in the military, naval or marine service of the United States, their widows, children, mothers and fathers, wherein the Prerogative Court or the Orphans' Court has heard and determined the question of idiocy and lunacy, and has appointed a guardian, as set forth in sections one and two of this

act, the Prerogative Court or the Orphans' Court may subsequently, on due notice, declare such persons to be of sound mind, on proof of a finding and determination to that effect by the medical authorities of the army, navy or marine service, or by the medical authorities of the Veterans' Bureau created by act of Congress of the United States, or of any federal bureau, division or department, to which may hereafter be committed by Congress, the medical examination and care of veterans who have been discharged from such service, or of such other facts as shall satisfy the court of the fact of such competency, and such court may thereupon discharge the guardian without further proceedings, subject to the settlement of his account as such. Guardian discharged.

2. This act shall take effect immediately.

Approved March 26, 1928.

CHAPTER 81.

An Act to amend an act entitled "A further supplement to an act entitled 'An act to authorize the counties of this State to construct, improve and complete the whole or any part of any State highway within any such county now or hereafter laid out by the State Highway Commission, and to issue and sell the bonds or other obligations of the county, to provide funds for such purposes,' approved March fourth, one thousand nine hundred and eighteen," which said supplement was approved March twenty-eighth, 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.

Amount set aside from motor vehicle receipts for counties.

1. There shall be set aside by the Comptroller of the Treasury from the motor vehicle receipts derived from license fees for the year one thousand nine hundred and twenty-eight, a sum sufficient to pay the amounts due the several counties for interest and engineering costs, incurred pursuant to chapter one hundred and eighty of the Laws of one thousand nine hundred and twenty-two, and chapter two hundred and eighteen of the Laws of one thousand nine hundred and twenty-five. The county treasurer of the county shall file with the State Highway Commission on or before the first day of June in the year one thousand nine hundred and twenty-eight, a detailed statement of the amounts claimed by the several counties as being due them for said items. The State Highway Commission shall certify to the Comptroller of the Treasury on or before December first, one thousand nine hundred and twenty-eight, the amount so due any county, under the provisions of the acts herein referred to, and the Comptroller shall on or before the twentieth day of December, one thousand nine hundred and twenty-eight, or as soon thereafter as funds are available, pay the said amounts to the several counties so claiming and entitled thereto.

Amount claimed.

Amount due certified.

When paid.

2. This act shall take effect immediately.

Approved March 26, 1928.

CHAPTER 82.

A Supplement to an act entitled "An act creating a department to be known as the Board of Commerce and Navigation, vesting therein all the powers and duties now devolved, by law, upon the Board of Riparian Commissioners, the Department of Inland Waterways, the inspectors of power vessels, and the New Jersey Harbor Commission," approved April eighth, one thousand nine hundred and fifteen.

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

Provision for opening Manasquan inlet.

1. In addition to the powers conferred by the provisions of the act to which this act is a supplement, the said Board of Commerce and Navigation are hereby authorized and empowered to provide for the opening of the Manasquan inlet, and to do all things necessary in connection therewith for effectuating this act.

Appropriation.

2. There is hereby appropriated and directed to be paid out of the treasury of the State of New Jersey a sum or sums not to exceed in the aggregate the sum of $150,000 when included partly or wholly in the annual appropriation bill.

County and municipal contributions.

3. Such appropriation, however, shall not be available until such time as the counties of Monmouth and Ocean shall have each contributed the sum of $25,000 and the boroughs of Brielle and Manasquan in the county of Monmouth and the boroughs of Point Pleasant and Point Pleasant Beach, in the county of Ocean shall have each made available for the aforesaid purpose the sum of $25,000 each.

When available.

4. Whenever the counties of Monmouth and Ocean, the boroughs of Brielle and Manasquan, Point Pleasant and Point Pleasant Beach shall have signified to the Board of Commerce and Navigation that said moneys are available, the sum hereby appropriated shall be

available when included wholly or partly in the annual appropriation bill.

5. This act shall take effect immediately.

Approved March 26, 1928.

CHAPTER 83.

An Act relating to public pounds in municipalities of this State.

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

Impounding dogs, etc., by municipalities without pound.

1. Wherever in any municipality of this State there shall not be established under the authority of said municipality a public pound for the keeping of stray dogs, cats or other domestic pets, and there shall exist in the county wherein such municipality is situated, a pound maintained by any humane society or other similar association, not organized for pecuniary profit, which shall have continuously maintained said pound for at least one year, such municipality shall enter into negotiations with such society or association for collecting, keeping for redemption and destroying all such strays found within the municipal limits.

As to advertising.

2. Any provision of any act requiring advertisement for bids before the letting of any contract involving the expenditure of money shall not be applicable to the making of any such contract with such society or association.

Contract.

3. Such contract may be for one or more years, not exceeding five, as the governing body of the municipality shall determine.

Repealer.

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

Approved March 26, 1928.

CHAPTER 84.

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 1129 amended.

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

Widen or straighten road.

Building lines.

1129. Any municipality may widen or straighten any county road or any portion thereof within the corporate limits of such municipality; and shall have power and authority to establish, by ordinance, building lines on any such county road or portion thereof in such municipality in accordance with an act entitled "An act respecting the establishment of building lines in municipalities in this State," approved March twenty-ninth, nineteen hundred and seventeen, and the amendments and supplements thereto, after the establishment of which lines the ordinance shall have the same effect insofar as relates to such county road as though said road were a municipal road under the control of said municipality; *provided, however,* that no such change shall be made in said road nor shall any such building line be established without the consent of the board of chosen freeholders.

Proviso.

Repealer.

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.

Approved March 26, 1928.

CHAPTER 85.

An Act to amend an act entitled "An act providing for the regulating, planting, care and control of trees and shrubbery upon the public highways in the counties of the State," approved February twenty-eighth, 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 the act of which this act is amendatory be and the same is hereby amended to read as follows:

Shade tree commission in counties.

1. In any county of this State it shall be lawful for the board of chosen freeholders by resolution to establish a board of shade tree commissioners to consist of not more than five residents of such county, which commission shall be appointed by the board of chosen freeholders, and shall be known as the "Shade Tree Commission of County." Of the commissioners first appointed, in the event that the commission is to consist of five members, one shall serve for the period of one year, one for the period of two years, one for the period of three years, one for the period of four years, and one for the period of five years, and thereafter one such commissioner shall be appointed annually for the term of five years. In the event that it is desired that the commission shall consist of less than five members the appointments shall be so arranged as to have the term of one commissioner expire each year. In the event of a vacancy, the board of chosen freeholders shall appoint a new commissioner for the unexpired term.

Terms.

Smaller commission.

Vacancy.

2. This act shall take effect immediately.

Approved March 26, 1928.

CHAPTER 86.

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

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

Section 2 amended.

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

Burial of soldiers.

2. Any interment provided for by the provisions of this act shall not be made in any cemetery or plot used exclusively for the burial of pauper dead; the graves of any such deceased veterans may be marked by a headstone containing the name of the deceased and, if possible, the organization to which he belonged or in which he served; such headstone shall cost not more than fifty dollars, and shall be of such design and materials as shall be approved by the Governor, Adjutant-General and Quartermaster-General of the State.

Headstones

Cost.

Repealer.

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

3. This act shall taket effect immediately.

Approved March 26, 1928.

CHAPTER 87.

An Act providing for the assumption by any township of improvement certificates issued by a sewerage district in such township, and providing for the administration and control by the township committee of the sewerage system in any such district.

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

Township committee may assume certain indebtedness created by sewerage districts.

1. Whenever, in reliance upon and attempting to comply with the provisions of an act entitled "An act for the creation of sewerage districts in townships of this State, and to provide for the maintenance thereof, and the election of sewerage commissioners for such districts," approved April twenty-first, one thousand nine hundred and nine, and the acts amendatory thereof and supplemental thereto, or any other act or acts, any township committee has set off and designated by number from the territory of such township a sewerage district, and a majority of the legal voters of such district have, at an election called and held in said district, voted in favor of the construction within such district of a sewer or sewers, or system of sewerage, with the appurtenances, and improvement certificates have been issued on behalf of such district in payment of the whole or a part of the cost of constructing in such district such sewer or sewers, or system of sewerage, with the appurtenances, and such sewer or sewers, or system of sewerage, with the appurtenances, so constructed, is of a value not less than the amount of such improvement certificates so issued, said township committee may, in its discretion, assume and pay the indebtedness evidenced by such certificates in the manner hereinafter set forth.

Determining indebtedness.

2. Whenever the sewerage commissioners for such district shall adopt a resolution describing the improvement certificates therefore issued on behalf of said district and requesting the township committee of the

township of which such district is a part to assume the payment of the indebtedness evidenced by said certificates, pursuant to the provisions of this act, and said township committee in its discretion shall first determine that the indebtedness evidenced by said certificates was incurred for the construction of a sewer or sewers, or system of sewerage, with the appurtenances, in said district, and that said sewer or sewers, or system of sewerage, with the appurtenances, is of a value not less than the amount of such improvement certificates, and is so constructed that it may be made a part of an existing or proposed system of sewerage constructed by said township, said township committee, in its discretion, by resolution may assume on behalf of said township the indebtedness evidenced by said certificates.

Source of payment.

3. In the event that any township committee of any township shall assume the payment of any such certificates pursuant to the provisions of this act, said certificates shall thereafter be deemed to be obligations of said township, and said township committee may in its discretion pay said certificates out of the proceeds of any bonds or temporary bonds or notes of said township which may be issued by or on behalf of said township for the acquisition or construction or reconstruction or enlargement or extension of a sewer system in said township.

Collection of assessments.

4. In the event that any township committee of any township shall assume the payment of any such certificates, pursuant to the provisions of this act, any assessments for benefits theretofore levied and confirmed shall be collected by the collector of said township in the manner prescribed in said act approved April twenty-first, one thousand nine hundred and nine, and the acts amendatory thereof and supplemental thereto, and shall be applied solely to the payment of said certificates or of the bonds or temporary bonds or notes, the proceeds of which were used to pay said certificates.

Use of proceeds

Control and care of assumed sewerage system.

5. In the event that any township committee of any township shall assume the payment of any such certificates, pursuant to the provisions of this act, the term of office of said sewerage commissioners shall thereupon expire and said sewer or sewers, or system of

sewerage, with the appurtenances, shall become the property of said township and shall be administered and controlled by the township committee of said township and shall be deemed to be a part of the system of sewerage of said township.

6. This act shall take effect immediately.

Approved March 26, 1928.

CHAPTER 88.

An Act to validate the creation of sewerage districts under an act entitled "An act for the creation of sewerage districts in townships of this State, and to provide for the maintenance thereof, and the election of sewerage commissioners for such districts," approved April twenty-first, one thousand nine hundred and nine, and the acts amendatory thereof and supplemental thereto, and the election of sewerage commissioners for such sewerage districts and the acts and proceedings of such commissioners, including the making of contracts and issuance of improvement certificates on behalf of such districts.

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

Validating action of commissioners of sewerage districts.

1. Whenever, in reliance upon and attempting to comply with the provisions of an act entitled "An act for the creation of sewerage districts in townships of this State, and to provide for the maintenance thereof, and the election of sewerage commissioners for such districts," approved April twenty-first, one thousand nine hundred and nine, and the act amendatory thereof entitled "An act to amend an act entitled 'An act for the creation of sewerage districts in townships of this State, and to provide for the maintenance thereof, and the election of sewerage commissioners for such districts,'

approved April twenty-first, one thousand nine hundred and nine," approved April sixth, one thousand nine hundred and fifteen, or either of said acts, and the acts amendatory thereof and supplemental thereto, any township committee has set off and designated by number from the territory of such township a sewerage district for the purpose of submitting the question whether or not there shall be constructed within such district a sewer or sewers, or a system of sewerage, with the appurtenances, and the legal voters of such district have at said election or at a subsequent election elected sewerage commissioners who have in good faith assumed the performance of the duties imposed upon such officers by said acts, and such sewerage commissioners have, prior to the levy of any taxes or special assessments for benefits pursuant to said acts, met and heard, after publishing and posting notice in the manner prescribed by said acts, all complaints with respect to the creation of said district, and have thereafter altered and changed the boundaries of said district so as to exclude therefrom all property which may receive no substantial benefit from the sewer or sewers, or system of sewerage, with the appurtenances proposed to be constructed therein, said election and any resolutions adopted thereat, and the election of said sewerage commissioners and all acts done and proceedings taken by said commissioners, pursuant to said act, and said acts amendatory thereof and supplemental thereto, are hereby validated and legalized, notwithstanding any defect, omission or irregularity in the manner of submitting such proposition, including the proceedings for the calling of such election and the ballot used at said election, and the canvass and the filing of the result thereof, and notwithstanding that any or all of said act approved April twenty-first, one thousand nine hundred and nine, or the acts amendatory thereof or supplemental thereto, may be invalid or may not have been applicable in terms to such sewerage district; *provided, however,* that a majority of the legal votes cast at said election were in favor of the construction within such district

Proviso.

of a sewer or sewers, or system of sewerage, with the appurtenances.

Contracts Validated.

2. Any contract or contracts entered into on behalf of such district for the construction of such sewer or sewers, or system of sewerage, with the appurtenances, and any improvement certificates issued on behalf of such district to pay the cost of constructing such sewer or sewers, or system of sewerage, with the appurtenances, heretofore issued, are hereby legalized and validated, notwithstanding any defect, omission or irregularity in considering and adopting the maps, plans and specifications therefor, or of any extension or modification thereof, or the letting of such contract or contracts or the issuance of such improvement certificates; *provided, however,* that it shall appear to the satisfaction of the sewerage commissioners of such district, and such sewerage commissioners shall determine by resolution, that such improvement certificates were issued in payment of the whole or a part of the cost of constructing in such district such sewer or sewers, or system of sewerage, with the appurtenances, and that the construction of such sewer or sewers or system of sewerage, with the appurtenances, has benefited the district to an amount, and such sewer or sewers, or system of sewerage, with the appurtenances, are of a value not less than the amount of such improvement certificates.

Proviso.

3. This act shall take effect immediately.

Approved March 26, 1928.

CHAPTER 89.

An Act to amend an act approved March twenty-second, one thousand nine hundred and sixteen, which, as amended by an act approved March twenty-second, one thousand nine hundred and twenty-six, is 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."

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

Section 12 Amended.

1. Section twelve of an act approved March twenty-second, one thousand nine hundred and sixteen, which, as amended by an act approved March twenty-second, one thousand nine hundred and twenty-six, is 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," is hereby amended to read as follows:

Financial condition of municipality prepared.

12. (1) The chief financial officer of each municipality shall make and file during the month of January of each year, in the office of the clerk of the municipality other than a county, and in the case of a county in the office of the clerk of the board of chosen freeholders, and in the office of the Commissioner of Municipal Accounts, a statement of the debt condition of the municipality as of the thirty-first day of December of the preceding year, estimating the amount of any item which may be indefinite or unascertainable. Such statement shall be known as the Annual Debt Statement. Immediately upon the passage of this act the financial officer of each municipality shall file as above directed the annual debt

Annual debt statement.

statement as of the thirty-first day of December, one thousand nine hundred and sixteen. Whenever required by this act or when required by the governing body the chief financial officer of any municipality shall make and file as above directed any further debt statement or any supplemental debt statement as hereinafter provided, and all such debt statements shall be under oath and shall be a public record open to public inspection. The annual debt statement shall set forth:

What to show:

Gross indebtedness;

A. The gross indebtedness of the municipality, inclusive of notes or bonds authorized but not issued, and obligations of the municipality held uncanceled in any sinking fund, exclusive of indebtedness incurred for current expenses of the current fiscal year and inclusive of notes or bonds or certificates of the municipality issued for school purposes other than for the current expenses of schools, but not including indebtednes of a school district constituting a separate corporation.

Itemized;

Such gross indebtedness shall be itemized as follows:

Bonded debt;

(a) The bonded debt, including bonds authorized but not issued, stating separately: bonds payable or to be payable in whole or in part out of special assessments on property specially benefited; and bonds authorized or issued for each of the following purposes, in so far as separately authorized or issued for such purposes, namely, docks, water supply, electric light or power, gas, markets and any other purpose, from the carrying out of which the municipality derives revenue from rental or service; and bonds authorized or issued for school purposes. In the case of bonds issued for school purposes the net bonded indebtedness only shall be stated after deducting sinking funds and funds in hand applicable thereto.

Other liabilities;

(b) Evidences of indebtedness other than bonds, including temporary notes or bonds issued under section thirteen, including such as have been authorized but not issued.

Deductions;

B. The Deductions.

Itemized;

Such deductions shall be itemized as follows:

From special assessments;

(a) The amount of special assessments levied and uncollected, applicable to the payment of any part of

the gross indebtedness not deducted under some other item hereof.

Improvements; (b) The amount, as estimated by resolution of the governing body, of special assessments to be levied for any improvement, which will be applicable to any part of the gross indebtedness not deducted under some other item hereof.

Incurred for various purposes; (c) Indebtedness to an amount not exceeding three per centum of the average of the assessed valuation as stated in subdivision D thereof, incurred or authorized for any of the following purposes but not for the support or maintenance thereof, separately stated in so far as separately issued for such purposes, namely, for docks, electric light or power, gas, markets and any other purpose from the carrying out of which the municipality derives revenue from rentals or services rendered, the payment of the principal and interest of which indebtedness was adequately provided for from such revenue after deducting operating expenses during the previous fiscal year.

Water supply; (d) Indebtedness incurred or authorized for the supply of water.

School purposes; (e) The net indebtedness incurred or authorized for school purposes to an amount not exceeding six per centum of the average assessed valuation as stated in subdivision D hereof.

Cash and sinking fund; (f) Funds in hand and sinking funds or such parts thereof as are held for the payment of any part of the gross indebtedness, other than that which is included in these deductions or which is otherwise deducted. Under this item shall be included the proceeds on hand of any bonds or notes held to pay any part of the gross indebtedness, and the estimated proceeds of bonds or notes which have been authorized if such estimated proceeds will be held for that purpose.

Current taxes; (g) Amount, if any, included in the current taxes levied for the payment of any part of the gross indebtedness other than that which is included in these deductions.

Arrears of taxes; (h) Amount of unpaid taxes not more than three years in arrears.

Improvements along ocean;

(i) Indebtedness incurred or authorized for the construction or reconstruction of dikes, bulkheads, jetties or other devices, erected along the ocean or inlet fronts, and intended to prevent the encroachment of the sea, including the improvements to restore property damaged by the sea, or for the construction and equipment of boardwalks, pavilions, piers, bathing houses, or other devices, or buildings or structures of any other character, along the ocean front, and the acquisition of lands in connection therewith.

Amounts owed municipality.

(j) Amounts owing by the State, by other municipalities, or by other persons or corporations, on account of that part of an improvement for which indebtedness has been incurred or authorized, and not deducted under any other item.

Net debt.

C. The net debt of the municipality or county, as the case may be, as determined by deducting the deductions stated in subdivision B from the gross debt stated in subdivision A.

Average preceding valuations.

D. The three next preceding assessed valuations of the taxable real property (including improvements) of the municipality and the averages thereof.

Percentage of debt to valuation.

E. The percentage that the net debt as computed under subdivision C bears to the average of the assessed valuation computed under subdivision D.

Supplemental debt statement.

(2) Prior to the passage of any ordinance or resolution authorizing notes or bonds under this act, the chief financial officer shall make and file a supplemental debt statement unless such notes or bonds are exclusively for the following purposes, namely, for funding (including the funding of interest accruing during the construction period) or for refunding; or for the supply of water; or for the construction or reconstruction of dikes, bulkheads, jetties or other devices erected along the ocean or inlet front and intended to prevent the encroachment of the sea, including improvements to restore property damaged by the sea, for the construction and equipment of boardwalks, pavilions, piers, bathing houses or other devices, or buildings or structures of any other character, along the ocean front, and the acquisition of lands in connection therewith. Such

supplemental debt statement shall be computed as provided for the annual debt statement, and shall set forth: What to show:

A. The net debt of the municipality as stated in subdivision C of the annual debt statement last filed; the amount by which such net debt has been increased or decreased; the net debt at the time of the statement. Former statement;

B. The amounts and purposes separately itemized of the bonds or notes about to be authorized, together with the deduction which may be made on account of each such item. Itemization;

C. The net debt of the municipality after the indebtedness to be authorized has been incurred. Net debt;

D. The threee next preceding assessed valuations of taxable real property (including improvements) of the municipality and the average thereof. Preceding assessed valuations;

E. The percentage that the net debt as computed under subdivision C bears to the average of the assessed valuations computed under subdivision D. Comparison;

(3) In the case of a municipality other than a county, if it appears that the percentage of the net debt as stated by subdivision E of any supplemental debt statement exceeds seven per centum, the supplemental debt statement shall include the following subdivisions, namely: In certain cases in municipalities;

F. The total amount of all bonds and notes required to be stated as part of gross indebtedness issued and authorized since December thirty-first, one thousand nine hundred and sixteen (whether paid or outstanding, except bonds and notes issued in anticipation of the receipt of tax revenues, and except bonds or notes issued to refund or fund indebtedness contracted before December thirty-first, one thousand nine hundred and sixteen), and the bonds or notes to be authorized. Bonds and notes part of gross indebtedness;

G. The total deductions (as provided to be made in the financial statement) which may be made on account of the bonds and notes, stated in subdivision F. Total deductions;

H. The difference between the amounts stated in subdivision F and G (hereinafter called the net increased debt). Net increased indebtedness;

I. The average assessed valuation of taxable real property (including improvements) of the municipality Average assessed valuation of real estate;

for the years one thousand nine hundred and fourteen, one thousand nine hundred and fifteen and one thousand nine hundred and sixteen.

Percentage.

J. The percentage that the net increased debt stated in subdivision H bears to the average assessed valuation, stated in subdivision I.

If net debt exceeds 7%

(4) No ordinance or resolution, prior to the passage of which a supplemental debt statement must be filed, shall be passed if it appears from such supplemental debt statement that the percentage of the net debt of a municipality other than a county, as stated in subdivision E, exceeds seven per centum, or in the case of a county if the percentage of the net debt, as stated by subdivision E, exceeds four per centum; *provided,* that in the case of a municipality other than a county, notwithstanding the net debt as stated in subdivision E of any supplemental debt statement exceeds seven per centum, such ordinance or resolution may, nevertheless be passed if the percentage of the net increased debt as stated in subdivision J of any supplemental debt statement does not exceed two per centum.

Proviso.

2. This act shall take effect immediately.

Approved March 26, 1928.

CHAPTER 90.

An Act to enable municipalities of this State to create and establish water districts, to construct, operate and maintain water systems within the districts, and to provide for the payment of the cost thereof.

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

Water districts in municipalities.

1. It shall hereafter be lawful for the governing body of any municipality of this State to provide by ordinance for the creation and establishment within designated boundaries of a water district or districts, and to pro-

vide for the construction, operation and maintenance of water systems, which may include water works and pumping stations in such district or districts.

Notice given of proposed districting.

2. Public notice of the intended creation and establishment of such proposed water district or districts, and the construction of such water systems, shall be given to the owners whose lands and real estate may be affected thereby. Such notice shall state the place where and the time when such governing body will consider said ordinance, and shall briefly describe the proposed boundaries and the improvements intended to be made in such district or districts. Such notice shall be published once in a newspaper circulating in the municipality at least fifteen days, and be mailed to the known owners of all lands and real estate affected, at their last known post office address, at least ten days before the date so fixed.

When majority objects.

3. No water district or districts shall be created or established, or water systems constructed, in any municipality of this State, where objections thereto in writing are filed with the clerk of such municipality, before the final reading of the ordinance, by the owners of fifty-one per centum in value of the lands and real estate in the district proposed to be assessed for benefits.

Determining majority.

The question as to whether the necessary fifty-one per centum have joined in such objections, shall be determined by the governing body by the last preceding valuation for the purpose of taxation; *provided, however,* that if the governing body shall determine and declare that such water district or districts and water systems are a public necessity, then such governing body may create and establish such district or districts and construct such water systems, notwithstanding such objections. The owners of fifty-one per centum of the lands and real estate in the district or districts proposed to be assessed for benefits, whose signatures appear upon the objections filed with the governing body, may, however, within ten days after the passing of such ordinance, file with the clerk of such municipality a written protest against the adoption of such ordinance, which ordinance shall then remain inoperative until rati-

Proviso.

Protest filed.

Ratifying ordinance.

fied by a majority of the legal voters residing in the district or districts, voting on the proposition at the next general election, or at a special election to be held for that purpose.

Ordinance and map filed with county clerk.

4. Whenever a water district or districts have been established, a copy of the ordinance creating and establishing the boundaries of the district or districts, together with a map showing the location thereof, shall be filed in the office of the clerk of the county in which the municipality is situated.

Provision for expenses.

5. The cost of any and all of the work contemplated under the provisions of this act shall be paid for by notes or bonds under the provisions of an act entitled "An act to regulate and authorize the issuance of bonds and other obligations and incurring of indebtedness by county, city, borough, village, town, township or any municipality governed by an improvement commission," approved March twenty-second, one thousand nine hundred and sixteen, and amendments thereof and supplements thereto.

Cost assessed against property benefited.

6. The cost of the creation and establishment of such water district or districts and the construction of such water systems, shall be assessed against the lands and real estate benefited thereby, and such assessments shall bear interest and penalties from the same time and at the same rate as assessments for local improvements in the district or districts where the same is imposed, and from the date of confirmation shall be a first and paramount lien upon the respective lands and real estate assessed to the same extent, and shall be enforced and collected in the same manner, as assessments for local improvements.

Assessments a lien.

Validity.

No assessment shall be invalid by reason of failure to receive notice or any other informality.

Expense of Operation.

7. The expense of the operation and maintenance of such water systems, water works and pumping stations, shall be met by a levy against all the lands and real estate within the water district or districts.

Repealer.

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

9. This act shall take effect immediately.

Approved March 26, 1928.

CHAPTER 91.

An Act to amend an act entitled "A supplement to an act entitled 'An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use' (Revision of 1900), which supplement was approved April eighth, one thousand nine hundred and three."

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

Section 1 amended.

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

Acquiring property lying in different counties for public use.

1. Whenever any land or other property taken for public use shall lie or be in two or more counties the commissioners appointed shall be residents of the county in which the greater part in value of the land or other property is situate and their report and all petitions orders and other papers required to be filed shall be filed in the clerk's office of such county and a certified copy thereof shall be filed and recorded in the clerk's office of the other county or counties; in case of appeal the trial shall be held in the county wherein the greater part in value of the land or other property lies or is.

Repealer.

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

Approved March 26, 1928.

CHAPTER 92.

An Act to amend an act entitled "An act to amend an an 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 waterworks now or hereafter supplying water therein, and in other municipalities, if any, in which water is supplied by the same waterworks, 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,' approved March twenty-third, one thousand and nine hundred and twenty-three," constituting chapter one hundred and ninety-five of the Pamphlet Laws of one thousand nine hundred and twenty-three, in reference to the issuance of bonds or/and for by municipalities for the purposes authorized by said act, which amended act is known as Chapter two hundred and eighty-three of the Laws of one thousand nine hundred and twenty-six, 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 1 amended.

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

Section 4 amended.

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

Bond issue.

4. Any such waterworks may be acquired subject to the lien of any mortgage or mortgages thereon; and for the purpose of raising the money to pay the compensation agreed upon or fixed by condemnation proceedings for the waterworks so acquired or to be acquired, and to pay the cost, or part of the cost, of enlarging, extending and improving the same, the municipalities which

are to own the said waterworks or the enlargements, extensions and improvements to the same are hereby authorized to issue bonds jointly in the names of all such municipalities, in the same manner and pursuant to the same provisions of law that apply to the issuance of other municipal bonds, and each such municipality shall adopt such ordinances and resolutions and cause such bonds to be sold, executed and delivered as if such bonds were its own separate obligations; or each municipality may issue and sell its own bonds separately for its proportion of said cost, as hereinafter provided. The proceeds of sale of said bonds shall be received by the treasurers of said municipalities and immediately be transferred to the said commission or any succeeding commission then in office. The power to issue said bonds and their validity shall not be dependent on or affected by the validity or regularity of the proceedings to establish the commission or to acquire the waterworks or to make the enlargements, extensions or improvements thereof. The bonds so issued, if jointly and severally issued, shall be the joint and several obligations of the municipalities in whose names they are issued, but the municipalities shall be liable as among themselves for the payment of the principal and interest thereon in the proportion that the assessed value for taxation of all the real estate in each of the municipalities for the year preceding the time when such waterworks shall be acquired bears to the total assessed value for said year of all the real estate in all of the municipalities joining in the issuance of said bonds; and the amount of said bonds, or any portion thereof, shall not be taken into account in ascertaining the amount of indebtedness that any of the municipalities may now, or at any time hereafter, be authorized to incur by any law of this State; but if the said municipalities shall decide to issue separate bonds, the bonds so issued shall be the obligations of such municipalities respectively, and the amount thereof shall be fixed in the same proportion as hereinbefore provided in the case of joint and several bonds.

Joint issue.

Proceeds.

Validity of bonds.

Joint obligation.

Proportional liability.

May be separate issues.

2. This act shall take effect immediately.

Approved March 26, 1928.

CHAPTER 93.

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, and concerning the investments of the capital and surplus of insurance companies," as provided by section sixteen of said act, approved April third, one thousand nine hundred and two.

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

Authorized investment for insurance companies.

1. In addition to the securities in which may be invested the capital and surplus of any insurance company of this State engaged in the business of insuring titles to real estate as provided by section sixteen of the act to which this is a supplement, any such insurance company of this State may invest its capital and/or surplus in shares or parts of mortgages and any mortgage participation certificates which shall entitle the holder to a proportionate share in a mortgage or number of mortgages or extensions or renewals thereof, which shall be a first lien upon improved real estate in this State, provided the amount of such mortgages shall not at the time of the making of such loan exceed sixty per centum of the estimated worth of the real estate covered by such respective mortgages at a rate of interest not less than three per centum nor greater than six per centum per annum; *provided,* that any share or part of such mortgages so held shall not be subordinated to any other mortgages and shall not be subordinated to any prior interest therein; *and provided, further,* that mortgages in parts of which any of such capital and/or surplus may be invested, together with any guaranties of payment, insurance policies, and other instruments and evidences of title relating thereto shall be held for the benefit of such insurance company and of any other persons or corporations interested in such mortgages by a trust company, bank or title guarantee corporation or-

Mortgage a first lien.

Worth.

Proviso.

Proviso.

ganized under the laws of this State, or jointly by such a corporation and an individual who is a citizen and bona fide resident of this State, that a certificate setting forth that such corporation, or such corporation and such individual jointly as the case may be, holds such instruments for the benefit of such insurance company and of any other corporation or persons who may be interested in such mortgage among whom the corporation or the individual jointly holding such instruments may be included, be executed by such corporation and delivered to each person or corporation who becomes interested in such mortgage. Every corporation or corporation and individual jointly, issuing any such certificates, shall keep a record in proper books of account of all certificates issued by such corporation or corporation and individual jointly.

Record of issues kept.

2. Any investments heretofore made by any such title insurance company of this State in such certificates shall be considered as legal assets forming part of the capital and surplus of any such title insurance company.

Former investments legal.

3. This act shall take effect immediately.

Approved March 26, 1928.

CHAPTER 94.

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:*

1. Any person or persons who shall, for pecuniary gain, solicit any person to begin an action at law against any person or corporation for damages for negligence, or to retain or employ or contract with any lawyer to manage or prosecute any such action or actions, or to

Soliciting to bring action deemed disorderly.

solicit any person to consent that any lawyer shall commence an action at law for damages for negligence for such person, or for any person represented by him, shall be deemed and adjudged to be a disorderly person, pursuant to the provisions of the act to which this is a supplement, and shall be punished pursuant to the provisions of the act to which the within act is a supplement.

Conviction not to stay execution.

2. An appeal from a conviction under this act shall not act as a stay of the execution of the judgment or the sentence of the magistrate imposed under the act to which this act is a supplement, unless the magistrate, or a Supreme Court justice, shall certify that there is reasonable ground to believe that the conviction is erroneous, in which case and in no other shall an appeal act as a stay of the execution of the sentence aforesaid.

Exception.

3. This act shall take effect immediately.

Approved March 27, 1928.

CHAPTER 95.

An Act to amend an act entitled "An act concerning disorderly persons." (Revision of 1898, Compiled Statutes 1910, Volume 2, page 1926).

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 disorderly persons" (Revision of 1898) be and the same is hereby amended to read as follows:

Disorderly persons defined.

1. All paupers, who shall unlawfully return to the city or township from which they were legally removed, without a certificate from the city or township to which they belong, or who shall leave their places of legal settlement; and all persons who shall go about from door to door, or place themselves in streets, highways

or passages, to beg, crave charity or collect alms, or who shall wander abroad and lodge in taverns, inns, beer houses, outhouses, houses of entertainment, market houses, barns or other places, or in the open air, and not give a good account of themselves, or who shall wander abroad, and beg or solicit charity, under pretense of being or having been soldiers, marines or seafaring men, or of loss by fire or other casualty, or by war, or other pretense or thing; and all persons who shall leave or threaten to leave their families to be maintained by the city, township or county, or to become chargeable thereto, or who, not having sufficient property or means for their subsistence or support, shall live idle, or not engage in some honest employment, or not provide for themselves or families; and all persons who shall use, or pretend to use, or have any skill in physiognomy, palmistry, or like crafty science, or who shall pretend to tell destinies or fortunes; and all runaway servants or apprentices, and all vagrants or vagabonds, common drunkards, common thieves, burglars or pickpockets, common night-walkers, and common prostitutes, and persons who for pecuniary gain directly or indirectly solicit other persons to begin actions at law to recover damages for personal injuries or death, or who for pecuniary gain solicit any person or persons to retain lawyers to manage or prosecute causes of action for damages for negligence, shall be deemed and adjudged to be disorderly persons.

Soliciting for lawyers.

2. This act shall take effect immediately.

Approved March 27, 1928.

CHAPTER 96.

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 29 amended.

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

Penalty.

29. Penalty for not making.

Annual report.

Every such association heretofore or hereafter organized shall, within sixty days after the close of each fiscal year of said association, file in the Department of Banking and Insurance, on blanks to be provided by the Commissioner of Banking and Insurance, a report

Financial condition.

of its transactions, affairs and financial condition at the close of business of its fiscal year, which report shall be verified by the oaths of such officers and other persons as the Commissioner of Banking and Insurance may designate; and the said commissioner may call for

Further reports.

additional reports whenever he shall deem it expedient, not oftener than once in every three months; in case of the failure of any such association to file its annual report within the time herein specified, or any additional report within such reasonable period as the commissioner shall fix, the officers whose duty it shall be to file such reports shall each be liable individually to a

Liable to penalty.

penalty of fifty dollars, to be recovered by said commissioner, in the name of the State, in any court of competent jurisdiction, and when collected to be paid into the State treasury and applied to the expenses of the Department of Banking and Insurance; but the com-

Filing date extended.

missioner may, for sufficient cause shown, extend the time for filing any reports not to exceed ten days.

Section 62 amended.

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

62. Annual report of commissioner.

Commissioner's annual report to Legislature.

The Commissioner of Banking and Insurance shall make annual report to the Legislature, which shall embrace a statement of all proceedings taken under this act, a summary of the annual reports filed by every such association, and such other information as in his judgment may be useful.

3. This act shall take effect immediately.

Approved March 27, 1928.

CHAPTER 97.

An Act to amend an act entitled "An act to establish a law department in the cities of the first class in this State," approved April fifth, one thousand nine hundred and twenty.

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

Section 1 amended.

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

Law department established: how composed.

1. In each city of the first class in this State there shall be established a law department which shall consist of a city or corporation counsel, appointed by the governing body of such city, a private secretary, appointed by the city or corporation counsel, and as many assistant city or corporation counsels, and legal assistants, clerks and other employees as the city or corporation counsel, with the consent of the governing body, shall appoint. Such assistant city or corporation counsels and private secretary shall be removable at the pleasure of the city or corporation counsel, but the legal assistants, clerks and other employees shall be deemed to be within purview of an act entitled "An act regulating the employment, tenure and discharge of certain officers and employees of this State and of the various

Tenure.

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 the acts supplementary thereto and amendatory thereof, and shall not be removed except as in said act provided.

2. This act shall take effect immediately.

Approved March 27, 1928.

CHAPTER 98.

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, nineteen hundred and two.

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

Examination before authority given.

7. Before granting authority to any such company to issue policies or make contracts of insurance, the Commissioner of Banking and Insurance shall be satisfied, by such examination and evidence as he sees fit to make and require, that the whole amount of the capital stock set forth in the certificate of incorporation and the required minimum surplus of such company, if a stock company, has been actually paid in cash, and is possessed by said company in money, or in such stocks, bonds, or bonds and mortgages as are authorized by section sixteen hereof; or, if a mutual company, that it has received and is in possession of the cash premiums, and bona fide engagements for insurance to the extent and of the value hereinbefore required.

In case of mutual companies.

2. This act shall not apply to insurance companies incorporated by certificates filed in the Department of Banking and Insurance prior to the passage of this act. Exception to act.

3. This act shall take effect immediately.

Approved March 27, 1928.

CHAPTER 99.

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

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

1. Section three of Article V 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, Art. V, amended.

MEMBERSHIP AND ORGANIZATION.

3. The members of the county committees of political parties shall be elected annually at the primary for the general election in the manner provided in this act for the selection of party candidates to be voted for at the general election by voters of a municipality. The county committee shall consist of one male and one female member from each unit of representation in the county, the male receiving the highest number of votes among the male candidates and the female receiving the highest number of votes among the female candidates shall be declared elected. The county committee shall determine by its by-laws the units into which the county shall be divided for the purpose of representation in the county committee. The members of the County party committees. How composed. When to take office.

county committee of each of the political parties hereafter elected shall take office on the first Monday following their election, on which day the terms of all members of such committees heretofore elected shall terminate. The annual meeting of each county committee shall be held on the first Monday following the primary election, at an hour and place to be designated in a notice in writing to be mailed by the chairman of the outgoing county committee to each member-elect, at which annual meeting the members of such committee shall elect some suitable person as chairman, to hold office for one year, or until his successor is elected. Such chairman shall preside at all meetings of the committee, and shall perform all duties required of him by law and the constitution and by-laws of such committee. Said committee shall have power to adopt a constitution and by-laws for their proper government. A member of a county committee of any political party may resign his said office to the committee of which he is a member, and upon an acceptance thereof by the committee a vacancy shall exist. Vacancies in the office of a member of the county committee of any political party, caused by death, resignation, failure to elect, or otherwise, shall be filled for the unexpired term by the municipal committee of the municipality wherein the vacancy occurs, if there is such committee, and if not then by the remaining members of the county committee of such political party representing the territory in the county in which such vacancy shall occur. The chairman of the county committee of the several political parties shall before the first day of May certify to the clerk of each municipality in the county the unit of representation in such municipality, together with the enumeration of the election district or districts embraced within such unit; *provided, however,* that in a presidential year the said certification by the chairman of the county committee to the clerk of the municipality shall be made before the first day of April in said year.

Organization.

Chairman.

By-laws.

Vacancies.

Representation certified to clerks.

Proviso.

2. This act shall take effect immediately.

Approved March 27, 1928.

CHAPTER 100.

An Act authorizing the commission appointed pursuant to an act entitled "An act authorizing the acquisition and maintaining by the State of New Jersey, in conjunction with the State of Pennsylvania, of toll bridges across the Delaware river, and providing for free travel across the same," approved April first, one thousand nine hundred and twelve, to appoint policemen and define their powers; and to make rules and regulations for the prevention of disorder, the preservation of the public safety, and the regulation of traffic; and providing penalties.

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

Policing.

1. The commission appointed pursuant to the provisions of the act entitled "An act authorizing the acquisition and maintaining by the State of New Jersey, in conjunction with the State of Pennsylvania, of toll bridges across the Delaware river, and providing for free travel across the same," approved April first, one thousand nine hundred and twelve, in addition to the powers now conferred by law, shall have power to appoint such number of policemen as may be found necessary to protect the public safety and preserve order upon any such bridge so acquired or constructed. Every such policeman shall take an oath or affirmation faithfully to perform the duties of his office, which shall be administered by an officer of the State of New Jersey having power to administer oaths. The policemen so appointed shall have power to make arrests for crimes, misdemeanors and offenses of any character, or for disorder, breach of the peace or for violations of any rules and regulations heretofore or hereafter adopted by the joint commission committed on any bridge so acquired or constructed or on the approaches thereto

Oath.

Extent of authority.

or other property under the control of the said commission.

Apprehension of offenders.

2. Upon the apprehension or arrest of any person by any such policemen the offender may be taken before the proper officer of the State of New Jersey and thereupon the officer before whom the offender is brought shall have power to hold such offender for appearance in court in accordance with the laws of the State of New Jersey, or in the cases of disorder, breach of the peace or violations of the rules and regulations of the joint commission to punish such offender in the manner hereinafter provided.

Rules and regulations.

3. The joint commission shall have power to adopt such rules and regulations as it may deem expedient for the proper government of any such bridge and for the preservation of good order, safe traffic and proper conduct thereon. Copies of such rules and regulations shall be posted conspicuously on each bridge under the jurisdiction of said commission.

Penalties.

4. Any person guilty of disorderly conduct or breach of the peace on said bridge, its approaches or the property under control of said joint commission or violating any of the rules and regulations adopted by the joint commission shall, upon conviction thereof for a first offense be sentenced to pay a fine of not less than ten dollars or more than twenty-five dollars, together with costs of prosecution, and in default of the payment of such fine and costs, then to imprisonment in the county jail of the county in New Jersey where the bridge approach is located; and upon conviction of any second and subsequent offense shall be sentenced to pay a fine of not less than twenty-five dollars or more than fifty dollars, together with costs, and in default of the payment of said fine and costs then to imprisonment as above provided for not less than thirty or more than sixty days. The fines when recovered to be paid into the State treasury of the State of New Jersey.

When effective.

5. This act shall not take effect until a similar, or substantially similar, statute shall become a law of the State of Pennsylvania.

Approved March 27, 1928.

CHAPTER 101.

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:*

Counties may acquire land for airport.

1. In addition to the powers conferred by the provisions of the act to which this act is a supplement, every county shall have power to acquire by gift, grant, purchase, condemnation, or in any other lawful manner, lands for airport purposes and to erect thereon and maintain buildings for the aforesaid purposes.

Lands may be leased to State.

2. It shall be lawful for any county acquiring and/or maintaining lands for airport purposes aforesaid to lease for such term of years as may be agreed upon, such lands or parts thereof to the State of New Jersey, or any agency thereof, with or without consideration, in order to enable the State or its aforesaid agency to operate and maintain an airport on said lands.

3. This act shall take effect immediately.

Approved March 27, 1928.

CHAPTER 102.

An Act to provide for the recording of maps, certificates, ordinances, proceedings or other documents for the vacation of alleys, streets, avenues, roads or highways in the offices of the register of deeds or county clerks of the various counties in the State in the book entitled "Vacations."

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

Certain documents recorded in book of "vacations."

1. Whenever by any act of the Legislature of the State of New Jersey, heretofore or hereafter enacted, such act provides for the recording in the office of

the register of deeds or county clerk of any county in this State, of any map, certificate, ordinance, proceeding or other document relating to the vacation of any alley, street, avenue, road or highway in any municipality or county in this State in any of the records of any such county clerk or register of deeds, the same shall be recorded in the book entitled "Vacations," in lieu of any other book of record designated in any of such acts.

Approved March 27, 1928.

CHAPTER 103.

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

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

Section 31-A amended.

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

Drawing for position on primary ballot.

Position on primary ballot.

31-A. The position which the candidates, and bracketed groups of names of candidates for the primary for the general election shall have upon the primary election ballots, in the case of candidates for nomination for members of the United States Senate; Governor; members of the House of Representatives; members of the State Senate; members of the General Assembly; choice for President; delegates and alternates at large to the national conventions of political parties; district delegates and alternates to conventions of political parties; candidates for party position; and county offices or party positions which are to be voted for by the voters of the entire county or a portion thereof

greater than a single municipality including a congressional district which is wholly within a single municipality, shall be determined by the county clerks in their respective counties; and the position on the primary ballots in the case of candidates for nomination for office or party position, wherein the candidates for office or party position to be filled, are to be voted for by the voters of a municipality only, or a subdivision thereof (excepting in the case of members of the House of Representatives) shall be determined by the municipal clerk in such municipalities, in the following manner: The county clerk, or his deputy, or the municipal clerk, or his deputy as the case may be, shall, at his office on the day following the last day for filing petitions for the primary election at three o'clock in the afternoon, draw from the box, as hereinafter described, each card separately without knowledge on his part as to which card he is drawing. Any legal voter of the couny or municipality as the case may be, shall have the privilege of witnessing said drawing. The person making the drawing shall make public announcement at the drawing of each name, the order in which same is drawn, and the office for which the drawing is made. When there is to be but one person nominated for the office, the names of the several candidates who have filed petitions for such office shall be written upon cards (one name on a card) of the same size, substance and thickness. The cards shall be deposited in a box with an aperture in the cover of sufficient size to admit a man's hand. The box shall be well shaken and turned over to thoroughly mix the cards, and the cards shall then be withdrawn one at a time. The first name drawn shall have first place, the second name drawn, second place, and so on; the order of the withdrawal of the cards from the box determining the order of arrangement in which the names shall appear upon the primary election ballot. Where there is more than one person to be nominated to an office where petitions have designated that certain candidates shall be bracketed, the position of such bracketed names on the ballot (each bracket to be treated as a single name), together with individuals who have filed petitions for nominations for such office,

Manner of drawing.

Announcements.

Bracketed names.

shall be determined as above described. Where there is more than one person to be nominated for an office and there are more candidates who have filed petitions than there are persons to be nominated, the order of the printing of such names upon the primary election ballots shall be determined as above described. The county clerk in certifying to the municipal clerk, the offices to be filled and the names of candidates to be printed upon the primary election ballots, shall certify same in the order as drawn in accordance with the above described procedure, and the municipal clerk shall print such names upon the ballots as so certified and in addition, shall print the names of such candidates as have filed petitions with him in the order as determined as a result of the drawing as above described.

Order.

As to printing names.

2. This act shall take effect immediately.

Approved March 27, 1928.

CHAPTER 104.

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

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

Sec. 2, Art. XXIV, amended.

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

Certifications by Secretary of State to proper clerks.

2. The Secretary of State shall, on or before the twentieth day of March in such year, certify to the county clerk and county board of elections of each county in this State the number of delegates and alternates at large to be chosen by each party as aforesaid, and the number of delegates and alternates to be chosen in each congressional district or other territorial subdivision of the State, composed in whole or in part of the county of

such county clerk. Any provisions of this act which pertain particularly to any election or to the general election or to primary election for the general election shall apply to the primary election for delegates and alternates to national conventions in so far as such provisions are not inconsistent with the special provisions of this act pertaining to the primary election for delegates and alternates to national conventions. Provisions of act apply to delegates to national conventions.

2. This act shall take effect immediately.

Approved March 27, 1928.

CHAPTER 105.

An Act to amend an act entitled "A supplement to an act entitled 'An act for the settlement and relief of the poor' (Revision of 1911), approved April twenty-first, one thousand nine hundred and eleven," approved March twenty-ninth, one thousand nine hundred and seventeen, approved March third, one thousand nine hundred and twenty-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 an amendment be and the same is amended to read as follows: Section 1 amended.

1. The board of chosen freeholders of any county in this State that has assumed the maintenance of the poor and is now maintaining children in a duly incorporated charitable institution in said county, are hereby empowered to make provision for children under the age of eighteen years, whose support they have assumed, by committing them to the care and control of such duly incorporated charitable institutions, and for such time as they may see fit; said commitment shall be in writing and signed by the trustees of the county poor-house, and shall be subject to the approval of the Care of children by freeholders. Commitment to charitable institutions.

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

Acceptance.

Record of commitment.

Monthly report.

Weekly allowance.

Payments.

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

Repealer.

Approved March 27, 1928.

CHAPTER 106.

An Act to provide for the creation of a board of assessors in cities of the fourth class in this State, and providing for the adoption thereof.

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

1. Immediately after the provisions of this act have been adopted by any fourth-class city of this State there

Board of assessors.

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

Terms.

Proviso.

Removal.

Vacancy.

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

Salary.

3. Said board of assessors shall have all the powers and perform all the duties devolving by law upon the assessors of taxes or boards for the assessment of taxes of such city at the time of the passage of this act; and the offices of such assessors and such boards existing in such cities shall be abolished upon the election and qualifying in office of a board of assessors by this act established.

Powers and duties.

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

Validity of assessments.

Reports.

assessments required to be made to any other board of the city, county or State shall be made by said board of assessors or a majority thereof.

When act effective.

5. This act shall not become operative in any fourth-class city until the same shall have been adopted by the common council or other governing body, by ordinance duly passed and approved by the mayor of said city, and shall, in case of such acceptance, go into effect immediately after said ordinance shall become operative, and the granting of the powers herein made to any such city shall then be deemed to have been accepted by such city, and such city shall be bound by the terms of this act; *provided, however,* that this act shall not apply to any city wherein, at the time of the passage of this act, there shall be in existence a board or body possessing powers similar to those conferred by this act, whose membership shall consist of three or more persons.

Proviso.

6. This act to take effect immediately.

Approved March 27, 1928.

CHAPTER 107.

An Act to provide for the abatement of the nuisance of drifting sand in cities of the fourth class of this State and to provide for the financing of such abatement.

Preamble.

WHEREAS, In recent years, there has been considerable development of lots, tracts or parcels of land in cities of the fourth class of this State; and

Preamble.

WHEREAS, In said cities of the fourth class of this State in order to bring the elevation of said lots, tracts or parcels of land to a certain prescribed grade, numerous of such lots, tracts and parcels of land have been filled with sand either by dredging or by hauling; and

Preamble.

WHEREAS, This sand has become a public nuisance through drifting, causing the streets in such cities to become impassable and also causing the drainage systems in such cities to become clogged and useless which has cost such cities large sums of money; and

Preamble. WHEREAS, This sand has become a nuisance to private property through drifting causing large property damage; and

Preamble. WHEREAS, This sand has become a menace to health of the individual in such city through drifting,

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

Declaring sand a nuisance. 1. The governing body of any city of the fourth class of this State shall have power by ordinance to make, enforce, amend and repeal ordinances declaring that sand is a nuisance on any lot, tract or parcel of land situate in any such city and to provide for the manner in which such nuisance shall be abated, at the cost or expense of the owner or owners of such lot, tract or parcel of land. Abatement.

Passage of ordinance relative thereto. 2. After introduction and passage at first reading of such ordinance, it shall be published twice, one publication shall be at least ten days prior to the time fixed for further consideration for final passage, and at least one week prior to the time fixed for further consideration for final passage of said ordinance, a copy of such ordinance, together with a notice of the introduction thereof and the time and place, when and where such ordinance will be further considered for final passage, and a notice that said owner or owners shall be given a hearing as to the existence of such nuisance and the necessity for abating the same shall be mailed to every person upon whose lands said ordinance declares there is such a nuisance, so far as the same may be ascertained, directed to his last known post office address. Failure to mail the notice herein provided for shall not invalidate any ordinance, proceeding or assessment. Notice to those concerned.

If owners neglect, city to abate nuisance. 3. If, after the passage of any such ordinance, the owner or owners of any lot, tract or parcel of land affected, shall neglect after notice given as herein provided, to abate such nuisance by said ordinance, directed and required, it shall be lawful for the governing body to cause such nuisance to be abated under the direction and supervision of an officer of such city or to award one or more contracts for abating such nuisance.

Notice of intended abatement. 4. Before proceeding to abate any such nuisance, it shall be the duty of the governing body of any such city

to cause notice of the contemplated abatement to be given to the owner or owners of 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 nuisance is to be abated and a notice that unless said nuisance shall be abated within thirty days after the service thereof, it is the intention of such city to abate such nuisance, or cause the same to be abated, pursuant to the authority of this act. Such notice may be served upon the owner or owners resident in such city 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 such city, such notice may be served upon him personally or mailed 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 abatement of such nuisance by such city, in a newspaper circulating in such city; there may be inserted in the 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. When lands are held in trust, service shall be made up on the trustee. When 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 such city, but failure to file the same shall not invalidate the proceedings if service has actually been made as herein provided.

Service of notice.

5. When any such nuisance is abated by any such city, a true and accurate account of the cost and expense thereof shall be kept and apportioned among the several properties on which such nuisance shall have been abated and apportioned among the several properties on which such

Cost apportioned among properties affected.

nuisance shall have been abated in proportion to the area of their respective lands, and a true statement of such cost, under oath or affirmation, shall be forthwith filed by the officer of such city in charge of abating such nuisance with the clerk of the governing body; the said governing body shall examine the same, and if the same is properly made, shall confirm the same and file such report with the officer of said city charged with the duty of collecting taxes. The said officer shall record the said assessment for abating a sand nuisance in the same book as other assessments.

Report confirmed.

6. Every such assessment shall bear interest and penalties from the same time and at the same rate as assessments for local improvements in such city where the same is imposed, and from the date of confirmation shall be a first and paramount lien upon the respective lands assessed, to the same extent as assessments for local improvements, and shall be collected and enforced in the same manner; and every officer charged with the enforcement and collection of assessments for local improvements is hereby charged with the same duties in regard to the collection and enforcement of assessment for abating such nuisance. No such assessment shall be invalid by reason of any error or omission in stating the name of the owner or owners of any lot, tract or parcel of land on which any such nuisance exists nor for any other informality where such nuisance has actually been abated on any lot, tract or parcel or land.

Assessment a first lien.

Enforcement.

Validity of assessments.

7. The governing body of any such city imposing any assessment for abating any such nuisance may provide for the payment of the same in installments, in the same manner as assessments for local improvements are payable in installments in said city, in which case such installments shall bear the same rate of interest and be collected and enforced in the same manner as are installments of assessments for local improvements.

Payments may be in installments.

8. In lieu of awarding separate contracts for the abatement of any such nuisance, such city may award a contract to the lowest responsible bidder for abating all such nuisances such city may desire abated within a period of one year or less. Such contracts shall be

General contract may be awarded.

awarded in the same manner and after the same advertisement as other contracts.

Bond issue.

9. In order to temporarily finance the carrying out of the purposes of this act, any city of the fourth class may issue temporary assessment notes or bonds which shall mature within six years after the same are issued and said temporary assessment notes or bonds shall be issued in all respects in conformity with an act of the Legislature of the State of New Jersey entitled "An act to authorize and regulate the issuance of bonds and other obligations and the incurring of the indebtedness by county, city, borough, village, town, township, or any municipality governed by an improvement commission," approved March twenty-second, one thousand nine hundred and sixteen, and amendments thereto and supplements thereof.

Authorization.

Approved March 27, 1928.

CHAPTER 108.

An Act to amend the title of an act entitled "An act to amend an act entitled 'A further supplement to an act entitled "An act regulating the age, employment, safety, health and work hours of persons, employees and operatives in factories, workshops, mills, and all places where the manufacture of goods of any kind is carried on, and to establish a department for the enforcement thereof," approved March twenty-fourth, one thousand nine hundred and four,' which further supplement was approved April twenty-fourth, one thousand nine hundred and eleven," approved March thirteenth, nineteen hundred and twenty-five.

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

Title amended.

1. The title of an act entitled "An act to amend an act entitled 'A further supplement to an act entitled "An

act regulating the age, employment, safety, health and work hours of persons, employees and operatives in factories, workshops, mills, and all places where the manufacture of goods of any kind is carried on, and to establish a department for the enforcement thereof," approved March twenty-fourth, one thousand nine hundred and four,' which further supplement was approved April twenty-fourth, one thousand nine hundred and eleven," which amendatory act was approved March thirteenth, nineteen hundred and twenty-five, be and the same hereby is amended to read as follows:

An act to amend and supplement an act entitled "An act regulating the age, employment, safety, health and work hours of persons, employees and operatives in newspaper plants, printeries, factories, workshops, mills, commercial laundries and all places where printing or the manufacture of goods of any kind is carried on, and in mines and quarries, and to establish a department for the enforcement thereof," approved March twenty-fourth, one thousand nine hundred and four. New title.

2. This act shall take effect immediately.

Approved March 27, 1928.

CHAPTER 109.

An Act to supplement an 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," which first named act was approved March twenty-third, one thousand nine hundred, and amended by acts approved March thirteenth, nineteen hundred and seventeen, March fourth, nineteen hundred and eighteen, and March thirtieth, nineteen hundred and twenty-seven.

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

Returns to State Board of Taxes relative to acquired rights.

1. Where any persons, copartnerships, associations or corporations, subject to taxation under the act of which this act is a supplement, have acquired during the year one thousand nine hundred and twenty-seven, or shall hereafter acquire the rights, property and franchises of using or occupying public streets, highways, roads or other public places in this State of other persons, copartnerships, associations or corporations then taxable under the act of which this act is supplementary and shall retain such right, property and franchises at the first day of the calendar year next, following the date of their acquisition, then and in such case, on or before February first of the year next, following the date of said acquisition, the persons, copartnerships, associations or corporations first named herein shall return to the State Board of Taxes and Assessment, in the manner and form required by the act of which this act is a supplement and in addition to the report of gross receipts to be filed under said act, a report showing the gross receipts, from January first of the year in which said property was acquired to the date of said acquisition, of the persons, copartnerships, associations or corporations whose rights, property and franchises, as aforesaid, they have acquired. The total of the gross receipts as shown in both of said reports to the State Board of Taxes and Assessment, or as otherwise ascertained by the said board, shall be used by said board in ascertaining, fixing and apportioning the franchise tax

What report to show.

Franchise tax based on gross receipts.

of such persons, copartnerships, associations or corporations under the act of which this act is a supplement. Any additional or supplemental statement of gross receipts for the year ending December thirty-first, one thousand nine hundred and twenty-seven, required to be returned to the State Board of Taxes and Assessment hereunder in order to enable said board to ascertain the franchise tax of any persons, copartnerships, associations or corporations for the year one thousand nine hundred and twenty-eight, shall be returned not later than twenty days from the date on which this act becomes effective.

Returning supplemental statement.

2. Upon the basis of the valuations fixed pursuant to the act of which this act is a supplement, the taxes imposed hereunder shall be fixed, assessed, apportioned and certified by the same public agencies and in the same manner as franchise taxes imposed under the act of which this act is supplementary are fixed, assessed, apportioned and certified. Within five days after the State Board of Taxes and Assessment shall have notified any tax collector, or like officer, of the apportionment of any franchise tax to his taxing district, said collector of taxes, or like officer, shall deliver or cause to be delivered to each person, copartnership, association or corporation taxable hereunder a statement, in writing, showing the amount of such franchise tax so ascertained and said tax shall become due and payable at the time and place when and where other taxes assessed in said taxing districts are due and payable and on and after December first following the assessment of any such franchise tax, the said tax shall become a first lien on the property and assets of any such person, copartnership, association or corporation and shall remain such until paid; and said tax shall be subject to the same discount, interest and penalty as other taxes and the same proceedings available for the collection of other taxes shall be available for the collection of said franchise tax.

Taxes fixed.

Taxing officer to make statement to those concerned.

Assessment a lien.

3. This act shall take effect immediately.

Approved March 27, 1928.

CHAPTR 110.

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 of which this act is amendatory be and the same 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.

Two braking systems.

Hand brake.

(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. Horn or signaling device.

(3) Lighting Devices. Every automobile shall carry, during the period from thirty minutes after sunset to thirty minutes before sunrise, and whenever fog renders it impossible to see a long distance, at least two lighted lamps showing white or yellow tinted lights, visible at least two hundred and fifty feet in the direction toward which said automobile is proceeding; and shall also exhibit a red light visible from the rear; the rays of such rear lamp shall shine upon the number plate carried on the rear of such vehicle in such a manner as to render the numerals thereof visible for at least fifty feet in the direction from which the motor vehicle is proceeding. No automobile shall be used upon the public highway of this State which is equipped with a lamp of more than twenty-one candle power, which, when lighted, is capable of projecting direct rays at a greater height than a parallel of three and one-half feet from the ground; *provided, however,* that any lamp which has attached thereto any device which cannot be operated from the driver's seat, and which when so attached, renders said lamp incapable, when lighted, of projecting direct rays at a greater height than a parallel of three and one-half feet from the road, shall be deemed to comply with this provision; *provided, further, however,* that any automobile may be equipped with a lamp capable of projecting direct rays at a greater height than a parallel of three and one-half feet from the ground, if such lamp, when lighted, is not capable of producing a dazzling light or glare; *and provided, further,* that the use of "spotlights" for driving purposes is prohibited, and that the use of such "spotlights" is hereby confined to reading of the intersecting highway signs and house

Lamps.

White light in front.

Red lamp in rear.

Candle power.

Proviso.

Proviso.

Proviso; spot-light.

Approved lighting devices.

numbers. In order that this section may be operative without hardship to owners and operators of motor vehicles, the Commissioner of Motor Vehicles is hereby especially authorized to pass upon any lighting device and upon the equipment of any car, and shall for this purpose examine all lighting devices submitted to him; and if, in his judgment, such lighting devices, when properly applied to a motor vehicle licensed under the authority of this act, shall conform to the provisions of the act, he shall issue a certificate to the manufacturer, owner, or user of such device, as the case may be, that the same is in compliance with this section.

Lights when standing.

Every automobile shall show at least one white or yellow-tinted light when standing, such white or yellow-tinted light to be on one side of the automobile nearest to the center of the road, and shall display at least one red light to the rear when standing.

Lamps on motor cycles

Every motor cycle shall carry during the period from thirty minutes after sunset to thirty minutes before sunrise, and whenever fog renders it impossible to see a long distance, at least one lighted lamp, showing a white or yellow light visible at least two hundred feet in the direction toward which the motor cycle is proceeding; and shall carry upon the rear of such motor cycle a red light, the rays of which shall shine upon the number plate which shall be fixed to the rear mudguard. Any motor cycle having more than two wheels or with side car attachment shall have two white lights to the front, as provided in this section.

Mufflers.

(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.

No muffler cut-outs.

Mirrors.

(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.

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

2. This act shall take effect immediately.

Approved March 29, 1928.

CHAPTER 111.

An Act to amend an act entitled "An act to amend an act entitled "An act to promote home life for dependent children, approved April ninth, one thousand nine hundred and thirteeen, approved March thirtieth, one thousand nine hundred and fifteen, approved March seventeenth, one thousand nine hundred and twenty-one," approved March twenty-second, one thousand nine hundred and twenty-six.

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. If upon the completion of the examination provided for under section four hereof the court shall find that said petitioner has been a resident of such county for a period of at least five years next preceding the filing of such application, or shall find that such petitioner has been a resident of such county for a continuous period of at least five years, and succeeding which she has been continuously a resident of the State Finding of court.

of New Jersey, and for a period of not more than five years next preceding such application a resident of some other county, and that unless relief is granted the mother will be unable properly to support and educate her children, and that they may become a public charge, it shall make an order committing said family to the care of the State Board of Children's Guardians, and directing that there shall be paid to the mother through the State Board of Children's Guardians out of the county funds for the support of the children under sixteen the following amounts, to wit, not exceeding sixteen dollars per month for one such child, not exceeding thirty dollars per month for two such children and not exceeding twelve dollars per month for each additional child under such age, the amount to be paid to be in the discretion of the court and to be based upon a family budget to be submitted to the court by the said State Board of Children's Guardians; *provided,* that any widow who is a mother of a child or children under the age of sixteen, and who now is or may hereafter receive relief pursuant to the provisions of this act, or the act to which this act is amendatory and who shall remain in or who shall remove to some other county other than the county in which she receives relief, such relief shall continue until she shall have resided for five years continuously in such other county, whereupon the relief first granted shall cease and said widow may apply for relief to any court of competent jurisdiction of the county in which she then resides.

Order of court.

Monthly payments.

Rates.

Proviso.

Relief ceases on removal from county.

2. This act shall take effect immediately.

Approved March 29, 1928.

CHAPTER 112.

An Act to repeal an act entitled "Supplement to an act entitled 'An act to authorize the counties of this State to construct, improve and complete the whole or any part of any State highway within such county now or hereafter laid out by the State Highway Commission, and to issue and sell the bonds or other obligations of the county to provide funds for such purposes,' approved March fourth, one thousand nine hundred and eighteen," approved March twenty-first, one thousand nine hundred and twenty-three.

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

1. The act entitled "Supplement to an act entitled 'An act to authorize the counties of this State to construct, improve and complete the whole or any part of any State highway within such county now or hereafter laid out by the State Highway Commission, and to issue and sell the bonds or other obligations of the county to provide funds for such purposes," approved March fourth, one thousand nine hundred and eighteen," approved March twenty-first, one thousand nine hundred and twenty-three, be and the same is hereby repealed. Act repealed.

Approved March 29, 1928.

CHAPTER 113.

An Act to amend an act entitled "An act to regulate the use of public roads, streets and highways by road building machinery, vehicles, engines and movable apparatus of unusual size or weight," approved March twenty-eighth, one thousand nine hundred and twenty-seven.

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

Section 1 amended.

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

Moving heavy vehicles.

1. Any person, firm, copartnership or corporation may move along or across any public road, street or highway, road building machinery, vehicles, traction engines, steam rollers or other apparatus or machinery of the kind, size or weight hereinafter described on trailers; *provided,* that the weight of the same shall be so distributed that there shall not be more than eight hundred pounds per inch of width of tire on any one wheel upon the surface of any such public road, street or highway, upon registering said trailers with the Commissioner of Motor Vehicles and paying to said commissioner for such registration a fee of one hundred and fifty dollars ($150.00), and obtaining a permit therefor from the county supervisor or supervisors of roads of the county or counties traversed by them, subject to the provisions of this act. Any board of chosen freeholders may, by resolution, adopt general rules and regulations with respect to the issuance of such permits, and may impose reasonable fees therefor.

Proviso—as to weight.

Registration fee.

County permits and fees.

2. This act shall take effect immediately.

Approved March 29, 1928.

CHAPTER 114.

An Act to amend an act entitled "An act to authorize fire commissioners of fire districts within the territory of incorporated camp meeting associations to acquire fire apparatus, fire appliance and lands and to erect buildings for fire purposes and to provide means for the payment thereof," approved March sixteenth, one thousand nine hundred and twenty-three.

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

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

1. In and for any fire districts which shall have been heretofore or shall hereafter be created within the territory of any incorporated camp meeting association, in accordance with the provisions of Chapter 222 of the Laws of 1905, it shall be lawful for the fire commissioners of said fire district to acquire motor fire engines, horse-drawn fire engines, steam fire engines, and any other apparatus and appliances for the extinguishment of fire; to acquire lands and to erect buildings for the housing of any fire apparatus and appliances for fire purposes in said district, at a cost not exceeding sixty thousand dollars ($60,000), said money having been first raised and accumulated as herein provided. Fire equipment. Housing apparatus. Expenditure.

2. This act shall take effect immediately.

Approved March 29, 1928.

CHAPTER 115.

An Act to prohibit the keeping of any living animal or animals, creature or creatures inhumanely confined for exhibition purposes at roadstands.

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

Animals on exhibition at road stands.

1. No person owning, operating, managing or conducting a stand or roadside market for the sale of merchandise, along any of the highways of the State of New Jersey, shall keep any living animal or animals, creature or creatures inhumanely confined on said premises as an exhibit or exhibits.

Penalty.

2. Any person violating any of the provisions of this act shall forfeit and pay such sum not to exceed one hundred dollars, together with costs, as the court shall determine, to be sued for in an action of debt with costs of suit, by any person or persons, in the name of the New Jersey Society for the Prevention of Cruelty to Animals, before any justice of the peace, recorder or police magistrate of the municipality wherein the defendant resides or where the offense or offenses were committed; where the offense or offenses were committed in a municipality having no justice of the peace, recorder or police magistrate, then such person or persons shall be tried before any justice of the peace, recorder or police magistrate within the county in the municipality where the offense or offenses were committed.

Enforcement.

3. This act shall take effect immediately.

Approved March 29, 1928.

CHAPTER 116.

An Act to prohibit the storage, offer for sale, or sale, of liquid fuels, lubricating oils, and similar products, to prohibit substitution, mixing or adulteration thereof, so as to deceive or tend to deceive the purchaser thereof as to the nature, quality and identity thereof, and fixing penalties.

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

Sale of liquid fuels.

1. It shall be unlawful for any person, firm, partnership, association, or corporation, their agents and servants, to store, sell, expose or offer for sale, or sell, in any manner whatsoever, or aid or assist in the same, any liquid fuels, lubricating oils, or other similar products, so as to deceive or tend to deceive the purchaser thereof as to the nature, quality, and identity of the same, by false representation, or by substitution, mixing or adulteration thereof, or by the use of false or fictitious names, or by the use of disguised, camouflaged or falsely labeled containers, tanks, pumps, or other distributing equipment, or by imitating the design, symbol, or trade name under which recognized brands of such products are generally marketed; *provided, however,* that this act shall not prevent any person, firm, partnership, association, or corporation, their agents and servants, to store, sell, expose or offer for sale, or sell, any such fuels, lubricating oils, or similar products under a trade name, symbol, sign, or distinguishing mark adopted and used by such person, firm, partnership, association or corporation in good faith, if such trade name, symbol, sign or distinguishing mark is not deceitfully similar to that already in general use by any manufacturer of such products.

No false representations.

Proviso.

Use of signs or trade names.

Penalty.

2. Any person, firm, copartnership, association or corporation, or any servant, agent or employee thereof, violating any of the provisions of this act, shall be guilty

of a misdemeanor and, upon conviction thereof, shall be sentenced to pay a fine of not less than two hundred dollars ($200.00), nor more than five hundred dollars ($500.00), for the first offense, and of not less than five hundred dollars ($500.00), nor more than two thousand dollars ($2,000.00) for each subsequent offense and, in the case of the second conviction, in addition to the fine above provided for, shall suffer imprisonment of not less than sixty (60) days, nor more than one (1) year, or both, or either, at the discretion of the court.

3. This act shall take effect immediately.

Approved March 29, 1928.

CHAPTER 117.

An Act to authorize the erection of a monument in Huddy park, in the village of Toms River, in the township of Dover, county of Ocean, in this State, to commemorate the heroic defense of the Toms River block house, its capture, the massacre of its defenders, and the burning of Toms River village, by the British and Tories during the War of the Revolution; to appoint a commission to erect and maintain said monument; and to appropriate moneys to pay for the construction and erection of said monument.

Preamble. WHEREAS, It has long been the policy of the State of New Jersey to commemorate acts of patriotism and valor by her sons, whether on this State's own fields of battle, or on the battlefields of other States, where her sons won distinction by their bravery and hardihood, and

Preamble. WHEREAS, This policy is particularly appropriate and has been followed most consistently by the State in marking sites of historic actions connected with the War for Independence, in that during the Revolution,

New Jersey territory was the principal fighting ground of the armies of Continental Congress and of Great Britain; and

Preamble. WHEREAS, The village of Toms River, in the township of Dover and county of Ocean (then Monmouth) was four times the object of attack by armed expeditions sent from New York city, to break up the patriot privateers, who interfered with the shipment of supplies to the British army in New York city by sea, and to destroy salt works, belonging to Continental Congress, upon which the armies of Washington depended for their salt supply; and

Preamble. WHEREAS, At the fourth expedition against Toms River, after a gallant defense against five times their own number, their powder and ball all spent, the patriot forces were compelled to surrender the Toms River block house, and were either massacred after surrender or taken prisoners, and the village put to the torch; and

Preamble. WHEREAS, This fight is said upon such authority as the late Adjutant-General William S. Stryker to have been the last considerable engagement in the War of Independence, coming after the surrender of Yorktown; and

Preamble. WHEREAS, The murder of Captain Joshua Huddy, commandant of the block house, while a prisoner of war, started reprisals and a controvery that involved the King of France, as well as the King of England, and the Commander-in-Chief of the Continental armies, and the granting of life to Lieutenant Charles Asgill, who had been selected by lot to expiate by his death the murder of Huddy, was one of the concessions that obtained for the United States commissioners the vast territory west of the Alleghany mountains as part of this nation, and other liberal conditions of peace in the Treaty of Paris, at the close of the Revolution; therefore,

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

Appropriation for monument at Toms River. 1. The sum of fifteen thousand dollars is hereby appropriated, when included in the annual or supplemen-

tal appropriation bill, for the purpose of constructing, procuring and erecting a monument to Captain Joshua Huddy, the Revolutionary martyr, to the garrison of Toms River block house, and to the men of Toms River village who on March 24, 1782, helped defend that post; and to the privateers and salt workers of Toms River during the Revolutionary War; said monument to be erected in Huddy park in the village of Toms River, in the township of Dover, county of Ocean, this State.

Commission to carry out act.

2. The Governor shall, upon the making of such appropriation, appoint a commission of five members, residents of Toms River, to select a design, contract for, finish and erect such monument upon grounds to be furnished by the township of Dover, in the county aforesaid, in Huddy park in the village of Toms River. Said commissioners shall receive no compensation for their services and the Governor shall fill all vacancies that may occur by expiration of term, death, resignation or otherwise.

Terms.

Said commission shall be appointed, one member for one year; one member for two years; one member for three years; one member for four years; one member for five years; and thereafter, at the expiration of any term of any member of said commission, the Governor shall appoint a successor for the term of five years.

Payment of bills.

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

Report.

4. After the monument shall have been completed and dedicated the commission shall make a report to the Governor of the State to be laid before the Legislature on the first day of the session thereof, following the completion; said commission shall further, in anticipation of the preparation of the annual budget, certify to the Governor each year such sums as may in their judgment be necessary for the maintenance of said monument during the coming fiscal year of the State.

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

Approved March 29, 1928.

CHAPTER 118.

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:*

Transfer of county prisoners.

1. 68. (a) Every person sentenced, under the laws of this State, to imprisonment, either in the county jail, county penitentiary or county workhouse of the county where the conviction was had, may upon the application of the board of chosen freeholders of such county and by the order of the judge for the time being of the Court of Quarter Sessions, or of the Court of Special Sessions, in the county where such conviction was had, be transferred from any one of such county penal institutions to any other thereof; *provided, however,* that neither such a transfer or retransfer shall in any way affect the term of the original sentence of the person so transferred.

Proviso.

Approved March 29, 1928.

CHAPTER 119.

An Act to provide for the taxation of real and personal property in this State for the purpose of paying the cost of constructing, reconstructing, development, extending and equipping State charitable, hospital, relief, training, correctional, reformatory and penal institutions and appurtenances thereto.

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

State tax of half mill.

1. There shall be, for a period of one year, beginning with the calendar year one thousand nine hundred and twenty-nine, levied, assessed and collected in each of the several counties of this State a tax of one-half a mill on each dollar of all the value of all the real and personal property in every municipality thereof upon which municipal taxes are or shall be levied, assessed and collected in the same manner and at the same time as other taxes upon real and personal property are now levied, assessed and collected. It shall be the duty of the treasurer or other officer having the custody of collected taxes to pay, on or before the fifteenth day of June, in said year, the semiannual tax so assessed, and on or before the fifteenth day of December in said year, the balance of the annual tax assessed, to the treasurer of the county, such tax collected in his taxing district, and the county treasurer shall pay the said tax, which he shall so receive from the several taxing districts, to the Treasurer of the State on or before the twenty-fifth day of June, and on or before the twenty-fifth day of December, the balance of said annual tax, and the State Treasurer shall keep and place the same in a separate and distinct fund to be known as the "State Institution Construction Fund."

Payment of tax collected.

State fund.

Custodians of fund.

2. The Governor, State Treasurer and the Comptroller of the Treasury, constituting the State House Commission are hereby made custodians of the said "State Institution Construction Fund," and are author-

ized to carry out the provisions of this act with respect to the apportionment therefrom of the sums requested by the State Board of Control of Institutions and Agencies as hereinafter provided.

Disposition of money raised.

3. The moneys raised by this tax shall be devoted exclusively for the acquisition of sites for and to the constructing, reconstructing, development, extending, and equipping of State charitable, hospital, relief, training, correctional, reformatory and penal institutions and appurtenances thereto in the way in which they are set forth in section six of this act, and the balance remaining in said "State Institution Construction Fund" shall thereafter be allotted by the State House Commission upon application made by the State Board of Control.

Application for money from fund.

4. Applications to the custodians of the "State Institution Construction Fund" shall be made by the said State Board of Control directly for allotments to carry out the purposes of this act, and the custodians hereby constituted may conduct such investigations as to them may seem proper, and the decision of said custodian shall be final. Applications may be made by the said State Board of Control to the custodians on or before the first day of July and the thirty-first day of December in said year for an allotment or allotments to be expended for any of the purposes enumerated in section six of this act, and within thirty days thereafter the said State House Commission acting as custodians of the aforesaid fund shall notify the said State Board of Control, in writing, stating their decision with respect to each and every item appearing in any such application. In the event that the decision is favorable to the request of the State Board of Control, in whole or in part, upon due notice thereof to the Comptroller of the Treasury by said custodians, it shall be the duty of the said Comptroller of the Treasury to transfer from the fund created under the provisions of this act, to the credit of said board to which the same was allotted, the sum or sums thus certified to him, which sum or sums so transferred and set up, shall be expended in the same manner as are other appropriations

Transfer from fund.

Proviso.

made for such purposes; *provided, however,* that the Comptroller of the Treasury, before transferring from the fund in this section mentioned, shall ascertain that said moneys so transferred are to be used as in section six of this act provided.

Preparatory Plans, contracts, etc.

5. It shall be lawful for the State Board of Control of Institutions and Agencies with the approval of the State House Commission, to prepare plans and specifications, to advertise for bids and enter into contracts for the constructing, reconstructing, development, extending and equipping State charitable, hospital, relief, training, correctional, reformatory and penal institutions and appurtenances thereto, as set forth in section six of this act, before the taxes levied and assessed hereunder shall have been collected; *provided, however,* that no payment shall be made for the constructing, reconstructing, development, extending and equipping State charitable, hospital, relief, training, correctional, reformatory and penal institutions and appurtenances thereto, as set forth in section six of this act, before the taxes levied and assessed hereunder shall have been collected and made available for such payments in accordance with the terms of this act, but the State board, with the approval of the State House Commission, may pay for the cost of preparing the plans and specifications, and of advertising and awarding contracts and of any other maps and plans of the institutions enumerated herein, and the custodians of the State Institution Construction Fund may authorize the Comptroller to withdraw temporarily from the State Institution Construction Fund, or from the emergency fund, sufficient moneys to pay any such necessary expenses before the tax levied hereunder in any particular year becomes available, which shall be replaced immediately when the tax which is levied and assessed hereunder for the particular year shall have been collected.

Proviso.

Advance costs paid.

Exclusive use of moneys raised.

6. The moneys raised by this act shall be devoted exclusively to the acquisition of sites for and the constructing, reconstructing, development, extending and equipping of State charitable, hospital, relief, training,

correctional, reformatory and penal institutions and appurtenances thereto, in the order of precedence set forth in this section.

GLEN GARDNER SANATORIUM FOR TUBERCULOUS DISEASES.

Water Supply,	$75,000.00	Glen Gardner sanatorium.
Reconstruction and Remodeling of Old Wards Into Infirmary Unit,	150,000.00	
Grading, Roads and Walks,	20,000.00	

NEW LISBON COLONY FOR FEEBLE-MINDED MALES.

Housing for Inmates,	$80,000.00	Feeble-minded males.

GREYSTONE PARK STATE HOSPITAL.

Continuation of Reconstruction of Main Building,	$135,000.00	Greystone Park hospital.
Continuation of Reconstruction of Dormitory Building,	55,000.00	
Roads, Walks and Grading,	25,000.00	
Sewage Disposal Plant, Including New Stone for Sewer Beds,	35,000.00	
Converting Gas Holder to Storage Purposes,	1,500.00	
Construction of Service Building,	35,000.00	
Industrial Building for Occupational Therapy,	75,000.00	

TRENTON STATE HOSPITAL.

Completion of Vroom Building,	$135,000.00	Trenton hospital
Four Houses for Assistant Physicians,	60,000.00	
Root Cellar,	15,000.00	
Garages,	12,500.00	
Reconstruction of Wards—East Side,	60,000.00	

RAHWAY REFORMATORY.

Reconstruction of Ventilating System, North Wing,	$10,500.00	Rahway reformatory.
Piggery,	7,500.00	
Garages,	1,950.00	

CLINTON REFORMATORY.

Clinton reformatory.	Administration Building and Housing for Employees,	$80,000.00

STATE HOME FOR BOYS, JAMESBURG.

Jamesburg school.	Reconditioning and Reconstruction of Power Plant,	$55,000.00
	Housing for Boys, Two Dormitories,	131,800.00
	Reconstruction of Present Hospital Building,	25,000.00
	Reconstruction of Watchman and Fire Signal System,	4,000.00
	Reconditioning and Reconstruction of Buildings,	60,000.00

STATE HOME FOR GIRLS.

Girls' home.	Housing for Girls, One Dormitory,	$65,000.00
	Grading and Roads,	15,000.00
	Laundry Equipment,	5,300.00
	Institutional Garages and Chauffeurs' Quarters,	20,000.00

VINELAND STATE INSTITUTION FOR FEEBLE-MINDED.

Feeble-minded at Vineland.	Administration Building and Staff Housing for Employees,	$75,000.00
	Addition and Expansion of Boiler Plant,	86,000.00
	Hospital and Tubercular Infirmary,	110,000.00
	Housing for Inmates at Colony,	100,000.00

STATE PRISON.

State prison.	Laundry Equipment,	$6,060.00
	Reconstruction of Arsenal Property, Including Wall,	75,000.00

LEESBURG PRISON FARM.

Leesburg farm.	New Dairy Unit,	$14,000.00
	Administration Building and Quarters for Staff,	25,000.00

NEW STATE HOSPITAL FOR THE INSANE.

New insane asylum.

Acquisition of Site, Housing for Patients, Employees, and Necessary Treatment Facilities with Service Connections: Steam, Electric, Sewage, Water, etc.,	$1,200,000.00

SKILLMAN VILLAGE FOR EPILEPTICS.

Epileptic village.

Continuation Repairs to Buildings, ...	$40,000.00
Reconstruction Young Stock Barns, ...	20,000.00

WOODBINE COLONY FOR FEEBLE-MINDED.

Woodbine colony.

Additional Housing for Inmates, ...	$85,000.00
New Power Plant, Conduits and Railroad Siding, ...	150,000.00
Garages, ...	1,500.00
Ventilating Units, ...	1,750.00

Technical corrections.

7. 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 facts 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.

Reasons given.

Transfer of items.

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 within the institutional group, for both of which said items are appropriated. Upon the approval of such application by the State House Commission, it shall notify the Comptroller thereof in writing, whereupon the Comptroller shall make such transfer as in this section directed.

8. This act shall take effect immediately.

Approved March 29, 1928.

CHAPTER 120.

An Act authorizing fraternal beneficiary associations to provide for insurances and annuities upon the lives of children.

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

Fraternal beneficiary associations may insure on children.

1. Any society operating as a fraternal beneficiary association and authorized to do business in this State, upon complying with the provisions of this act, may receive from the Commissioner of Banking and Insurance written authority to provide in its laws, in addition to other benefits provided for therein, for insurances, endowments and annuities upon the lives of children on the application of some adult person as the laws of such society may provide. Any such society may at its option organize and operate branches for such children and membership in local lodges and initiation therein shall not be required of such children nor shall they have any voice in the management of the society. The total death benefits, payable as above provided, shall in no case exceed the following amounts at ages at next birthday at time of death, respectively, as follows: One, twenty dollars; two, fifty dollars; three, seventy-five dollars; four, one hundred dollars; five, one hundred and thirty dollars; six, one hundred and sixty dollars; seven, two hundred dollars; eight, two hundred and fifty dollars; nine, three hundred and twenty dollars; ten, four hundred dollars; eleven, five hundred dollars; twelve, six hundred dollars; thirteen, seven hundred dollars; fourteen, eight hundred dollars; fifteen, nine hundred dollars.

Branch lodges.

Amount of death benefits.

Tables of mortality.

2. The contributions to be made upon such certificates shall be based upon the "Standard Industrial Mortality Table" or the "English Life Table Number Six" or such other mortality table as may be approved by the

Commissioner of Banking and Insurance, and a rate of interest not in excess of four per centum per annum. Rate.

3. Before granting authority to any society to issue contracts under this act the Commissioner of Banking and Insurance shall require a valuation report as of the preceding December thirty-first, certified by a competent actuary, such report to show that the society has total present admissible assets greater than the amount required to liquidate all its present liabilities and set up a reserve under its insurance certificates not less than the reserve by the National Fraternal Congress Table of Mortality and four per centum interest, and under its disability certificates a reserve according to a table of reliable experience; and he may first make an examination of the affairs of the society as hereinafter provided. Valuation report.

4. Any society isuing such benefit certificates on the lives of children shall maintain on all such certificates the reserve required by the standard of mortality and interest adopted by the society for computing contributions as provided in section two. Reserve to be maintained.

5. A valuation report as provided in section three hereof, which shall also include the reserve as required by section four hereof, shall be filed on or before the first day of June of each year and shall show the condition of the society at the last previous December thirty-first. Report filed.

6. The Commissioner of Banking and Insurance, or any person or persons he may appoint, shall have full powers of visitation and examination into the affairs of any society issuing children's certificates under this act. In the case of a foreign society he may in his discretion accept in lieu of such examination the examination of the insurance department of the State, territory, province or country where such society is organized. The full expense of any such examination shall be paid by the society examined upon statement furnished by the Commissioner of Banking and Insurance. Examination of affairs.

7. If it shall appear to the Commissioner of Banking and Insurance from the valuation report filed or examination made, that any society issuing children's cer- Right to revoke authority.

tificates under this act does not have sufficient admissible assets to liquidate all its then liabilities and set up the reserve required by this act, he shall have authority to revoke and cancel its authority to thereafter issue such children's certificates.

Repealer.

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

Approved March 29, 1928.

CHAPTER 121.

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 April eleventh, one thousand nine hundred and nineteen.

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 an amendment is hereby amended so as to read as follows:

Holder of title entitled to expenses.

44. The holder of such tax title, upon compliance with the provisions of the act of which this act is an amendment, shall be entitled, for his expenses, to such sums as he may have actually paid out for recording fees, fees for service of notices necessarily and actually served, and fees and expenses in ascertaining the person or persons interested in the premises so sold, but such fees and expenses shall not exceed in all the sum of twelve dollars, beside the fees actually paid for recording the certificate, and fees actually paid for necessary advertising in a newspaper under this act; *provided, however,* that where the taxes, interest and costs shall exceed the sum of two hundred dollars then,

Proviso.

in that event, the holder of such tax title shall be entitled to collect from the owner or other person having an interest in said lands an additional sum equal to two per centum of the amount so paid for such tax title.

2. This act shall take effect immediately.

Approved March 29, 1928.

CHAPTER 122.

An Act to amend an act entitled "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 April fifth, one thousand nine hundred and twenty."

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

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

Section 1 amended.

1. Whenever any tax on real property, together with the interest, penalties, charges and costs of advertising would amount to a sum less than ten dollars, then and in every such case it shall be discretionary with the collector or other officer as to the advertising and selling of any such real property for the enforcement of any tax lien; that such tax shall remain a lien on such property and may be included in any tax sale or other municipal lien sale affecting such property, notwithstanding anything in the act of which this act is a supplement to the contrary; *provided, however,* that where any such tax shall be due for a period of three years, the collector or other officer shall make sale of said property.

Sale of real estate for taxes under $10.

Tax a lien.

Proviso—sale of property.

2. This act shall take effect immediately.

Approved March 29, 1928.

CHAPTER 123.

An Act concerning the revision, alteration, adjustment, reduction, settlement, satisfaction and collection of unpaid taxes, assessments and accrued interest thereon in municipalities of this State.

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

Adjusting payment of taxes in arrears.

1. Whenever taxes or assessments, or both, levied and assessed against real property in this State are in arrears and unpaid and the owner of said real property or other person having an interest therein shall make application, in writing, to the governing body of the municipality in which said real property is situate for a revision, adjustment and reduction of said taxes or assessments, or both, and the said governing body shall determine that the sum of said taxes or assessments, or both, and the interest due thereon is greater in amount than the value of the real property upon which said taxes or assessments were levied, assessed and fixed, said governing body may fix and determine an amount to be accepted by such municipality in full satisfaction of the said taxes or assessments, or both, and the interest accrued thereon. If, within thirty days from the date of said determination, the petitioner shall pay to the collector of taxes or other proper officer of the municipality the amount fixed and determined as aforesaid, the said sum shall be accepted in full satisfaction of all said taxes, assessments and interest thereon, and said collector of taxes or other proper officer of said municipality shall forthwith enter on his records said sum as in full payment, satisfaction and discharge of said taxes, assessments and interest, and the said taxes, assessments and interest shall cease to be a lien upon the real property on which the same were

Payment of amount agreed upon a discharge of lien.

levied or assessed. In the event that the sum so fixed and determined as aforesaid be not paid within thirty days of said determination by the governing body, then all proceedings hereunder shall be without force and effect. If unpaid proceedings void.

2. This act shall take effect immediately.

Approved March 29, 1928.

CHAPTER 124.

An Act to amend and to further supplement an act entitled "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," approved March twenty-eighth, 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 an amendment and supplement is hereby amended so as to read as follows: Section 1 amended.

1. Any municipality which has heretofore acquired or shall hereafter acquire title to any land or real estate by reason of the same having been struck off and sold to such municipality at any sale of lands for delinquent taxes and assessments, it shall be lawful for the governing body of such municipality by resolution to authorize a private sale of the certificate of tax sale for such land and real estate, together with subsequent liens thereon; such sale to be made by assignment executed by such officers as may be designated in the resolution; *provided,* that no such assignment shall be made unless Assigning certificate of tax sale. Proviso.

the purchaser thereof pay to the collector of such municipality not less than the amount of municipal liens charged against said lands or real estate; *provided, further, however,* where the total amount of any such municipal liens shall, at the time of any proposed sale or assignment, exceed the assessed value of said lands or real estate as of the date of the last sale thereof for unpaid taxes and assessments, then, in such cases, the certificates, together with subsequent liens thereon, may be sold and assigned for a sum not less than the said assessed value. Before the governing body of such municipality shall authorize the assignment of such certificate or certificates, notice shall be mailed to the owner at the address appearing on the tax books of the municipality at least five days prior to the taking of such action by the governing body and public notice shall be posted in three public places in such municipality at the time of the mailing of the notice as above. In municipalities over five thousand inhabitants the above notice must be published at least once in a public newspaper published or circulated in such municipality within five days prior to taking such action.

Proviso.

Notice given before assignment of certificates.

Confirming assignments of certificates of tax sale.

2. All assignments of certificate of tax sale heretofore authorized and made by the governing body of any municipality and all proceedings had thereunder are hereby ratified and confirmed.

If property sold illegally.

3. Whenever, heretofore, a municipality has conducted one or more sales for unpaid taxes and assessments, and the land sold at said sales has previously been sold to the municipality by tax sale contrary to the provisions 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)" and has failed to include the amount of prior liens and tax sales purchased by such municipality, then, in that event, the first sale of any such land to the municipality, as held under the provisions of the above-entitled act, shall be considered as the legal and binding sale of said land, and all subsequent sales thereof to the municipality where the former tax liens were purchased by the municipality are hereby declared to

First sale binding.

Subsequent sales void.

be void and without effect, and the lien of the subsequent taxes and assessments shall remain as a lien on said lands as though no sale had been made, and shall continue as liens until the amount thereof, with interest, as provided in the above-entitled act, has been paid. Lien continues.

4. This act shall take effect immediately.

Approved March 29, 1928.

CHAPTER 125.

An Act to amend the title and body of an act entitled "An act to provide for the licensing of private nursing homes for the care, treatment and nursing of persons ill with disease or who are crippled, infirm or in any way afflicted," approved March twenty-fifth, one thousand nine hundred and twenty-seven.

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

1. The title of said act is hereby amended so that the same shall henceforth read as follows: Title amended.

An act to provide for the licensing of private nursing homes, and private hospitals for the care, treatment and nursing of persons ill with disease, or who are crippled, infirm or in any way afflicted, and providing penalties for the violations hereof. 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. No private nursing home or private hospital for the care, treatment, or nursing of persons ill with disease, or who are crippled, infirm or in any way afflicted, shall operate within this State except upon license first had and obtained for that purpose from the Department of Institutions and Agencies of the State of New Jersey, upon application made therefor, which application shall set forth the locations of the home or Private nursing homes licensed. What application to show.

private hospital, the person in charge thereof, and the facilities for taking care of persons who may seek treatment or care in said home or private hospital;

Proviso.

provided, however, that nothing in this act contained shall be construed to apply to any hospital, home or institution conducted by or for the members of any religious body or denomination or regularly organized fraternal or charitable association.

Section 3 amended.

3. 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:

Fire protection and other considerations.

3. In considering the application for a license the said commissioner shall take into consideration whether such home has adequate fire protection and shall further make an investigation as to the character and financial responsibility of the applicant.

Penalty for operating without license.

Any person, firm, corporation or association who shall operate or conduct a private nursing home or private hospital without first obtaining the license specified in this act shall be liable to a penalty of five hundred dollars, or to imprisonment for six months, or both. In default of the payment of the fine fixed by this section, the defendant may be imprisoned in the common jail of the county, but such imprisonment shall not exceed the maximum fixed by this act.

Procedure to recover penalty.

An action to recover the penalty incurred under the provisions of this act shall be in the nature of an action in debt, and jurisdiction is hereby conferred upon the Court of Common Pleas of any county in this State to hear and recover the penalty in the aforesaid action. The procedure and practice in all such cases shall conform to the practice and procedure prevailing in the court in which the action is instituted.

Use of recovered penalty

All such actions shall be brought in the name of the Commissioner of Institutions and Agencies, and the penalty when recovered shall be payable to the Department of Institutions and Agencies for the use of said department.

4. This act shall take effect immediately.

Approved March 29, 1928.

CHAPTER 126.

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

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

Deformities of newly born children reported.

1. Within thirty days after the date of the birth of any child born in this State with visible congenital deformities, the physician, midwife, or person acting as midwife, who shall be in attendance upon the said birth, shall prepare and file with the State Rehabilitation Commission a statement setting forth such visible congenital deformity. The contents of such statement shall be solely for the use of the State Rehabilitation Commission in the performance of its duties under the laws of this State and shall not be open to public inspection nor considered in anywise a public record, nor shall such contents be admissible in evidence nor in any way shown in any action or proceeding of a criminal or civil nature. Any person violating any of the inhibitions of this section shall be subject to a penalty of fifty dollars to be recovered in an action of debt at the suit of the State Department of Health.

Statement confidential.

Penalty.

2. This act shall take effect immediately.

Approved March 29, 1928.

CHAPTER 127.

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

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

Sec. 4, Art. X, amended.

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

Municipal Clerks to County Clerks.

Municipal clerk to report to county clerk, public offices to be filled.

4. It shall be the duty of all municipal clerks, on or before the first day of April in a presidential year, and on or before the first day of May in other years to make and to certify under their hands and seals of office and forward to the clerk of the county in which such municipality is located a statement, designating the public offices which are to be filled at such election, and the number of persons to be voted for each office.

In first class counties.

In counties of the first class said statement shall also be forwarded to the county board of elections.

2. This act shall take effect immediately.

Approved March 29, 1928.

CHAPTER 128.

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

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

Section 1 amended.

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

Unfair discriminating rates forbidden.

1. No corporation, firm, association, individual or aggregation of individuals, hereinafter called "insurer," doing the business of insurance within this State shall fix or make any rate or schedule of rates, or charge, demand, collect or receive, directly or indirectly, or through any special rate, tariff, drawback, rebate, concession, device or subterfuge, a rate for insurance, which discriminates unfairly between risks within this State of essentially the same hazard, nor shall any insurer against the hazards of fire or legal liability of employers make any such insurance within this State except in accordance with general basis schedules, embodying basis rates, charges, credits, terms, conditions, permits, standards and other data necessary to the computation of equitable rates and rules of practice for such insurance, which general basis schedules, embodying basis rates, charges, credits, terms, conditions, permits, standards and other data used for the determination of rates shall be filed by such insurer or its agent or expert duly authorized, with the Commissioner of Banking and Insurance within three months after this act goes into effect, or with the amendments to such general

Basis schedules filed.

basis schedules which may be filed with the Commissioner of Banking and Insurance from time to time thereafter. Any one or more of such insurers singly or jointly may employ for the making of such general basis schedules and rates and the filing of the same the services of such experts as it, or they, may deem advisable for such purpose. In order that rates for insurance against the hazards of fire shall be reasonable it shall be unlawful for any such insurer licensed in this State to directly or indirectly pay or allow, or offer or agree to allow, any commission or other compensation or anything of value, in excess of a reasonable amount, to any person for acting as its agent in respect to any class of such insurance, nor to directly or indirectly pay or allow, or offer or agree to allow, any commission or other compensation or anything of value, to any person for acting as its local agent in respect to any class of such insurance, in excess of that offered, paid or allowed to any one of its local agents on such risks in this State. On the written complaint of any insurer or any agent licensed in this State, that there has been any violation of the provisions of this act, or when the commissioner deems it necessary without such complaint, the commissioner shall inquire whether or not there has been any violation of the provisions of this act in the commissions paid or payable on such risks in this State.

Joint use of schedules.

Reasonable rates maintained.

On complaint commissioner to make inquiry.

Insurer to furnish information on demand.

Every such insurer or agent shall, within ten days after written demand therefor, furnish to any person, upon whose property or risk a rate has been made by said insurer, or to his authorized representative, full information as to such rate, and if such property or risk be rated by schedule applying particularly to each risk, a copy of such schedule, and shall provide such means as may be approved by the Commissioner of Banking and Insurance whereby any person or persons affected by such rate may be heard on an application for a change in such rate. Whenever it is made to appear to the satisfaction of the Commissioner of Banking and Insurance that any such rate or general basis schedule or amendment thereof discriminates

Correction of unfair rates.

unfairly between risks within this State of essentially the same hazard or that any insurer has made any insurance within this State at any rate not in accordance with the general basis schedule or amendment thereof filed by it, he may, after a full hearing, either before himself or before any salaried employee of the Department of Banking and Insurance whose report he may adopt, order such discrimination removed, or such rate corrected in accordance with such general basis schedule or amendment thereof; and all such insurers affected thereby shall forthwith comply with such order; nor shall such insurers or any of them remove such discrimination by increasing the rates on any risk or class of risks affected by such order unless it is made to appear to the satisfaction of the Commissioner of Banking and Insurance that such increase is justifiable.

Compliance with order.

This supplement shall not apply to any contract of life insurance, nor to any contract of insurance upon or in connection with marine or transportation risks or hazards other than contracts for automobile insurance, nor to contracts of insurance upon property or risks located without this State, nor to contracts of title insurance or mortgage guaranty.

Exceptions to act.

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

Section 2 amended.

2. Any insurer, agent, expert, person or corporation violating any of the provisions of this act shall be subject to a penalty of five hundred dollars for each and every violation to be sued for and recovered by the Commissioner of Banking and Insurance, or by any citizen of this State and paid to the State Treasurer. In case any insurer is convicted of a violation of this act, every local agent of the insurer in this State shall be entitled to the same commission or compensation, or other thing of value, for business done for the insurer during the calendar year in which the discrimination took place, on risks in this State, and any local agent may recover from the insurer in any court of competent jurisdiction, the amount of such excess commission or compensation, or other thing of value,

Penalty.

Agents entitled to commission.

Agent may recover excess commission.

if any, to which he may become entitled under the provisions of this act.

As to constitutionality of act.

If any section, provisions or part of this act be questioned in any court of competent jurisdiction, and declared to be unconstitutional, the said section, clause or part shall be exscinded and the remainder of the act shall continue in full force and effect.

3. This act shall take effect immediately.

Passed March 29, 1928.

CHAPTER 129.

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

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

Boroughs to elect freeholders.

1. Boroughs having a population of not less than twenty-three hundred inhabitants, according to the next preceding Federal or State census, shall be entitled to one member of the county board of chosen freeholders, to be elected by the people; *provided, however,* that such chosen freeholder, elected under the provisions of this act, shall be elected at the next general election and shall assume office on January first following said election; *and provided, further,* that the provisions of this act shall not be operative in any county that operates under the provisions of an act entitled "An act to reorganize the boards of chosen freeholders of the several counties of this State, reducing the membership thereof, fixing the salaries and providing for the election and terms of offices of the members and also for the appointment and terms of office of officers appointed by such boards" (Revision of 1912), approved April first, one thousand nine hundred and

Proviso.

Proviso.

twelve; *and provided, further,* that the provisions of this act shall not be operative in any county where the members of the board of chosen freeholders are selected in accordance with the provisions of an act entitled "An act to reorganize the government of counties of the first class in this State," approved March twenty-sixth, one thousand nine hundred and twelve, and the acts amendatory thereof and supplemental thereto; *and provided, further,* that the provisions of this act shall not be operative in counties of the fourth class in this State. Proviso. Proviso.

2. This act shall take effect immediately.

Approved April 2, 1928.

CHAPTER 130.

An Act to enable counties of the fourth class which have no county hospitals to assist in maintaining hospitals located in such counties or in adjoining counties.

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

1. It shall and may be lawful for the board of chosen freeholders of any county of the fourth class in this State, which has no hospital located therein maintained by such county, other than the hospital or sick ward of the county poor home, or other than a county tuberculosis hospital or sanatorium, or other than a county hospital or sanatorium for the insane, or other than a hospital for contagious or infectious diseases, to make an appropriation of a sum of money not exceeding ten thousand dollars each year, to any one hospital, in the same manner that appropriations for other county purposes are made, which sum so appropriated shall be included in the annual tax levy of such county, and collected in the same manner and at the same time as other county taxes, and shall be applied to the purpose of supporting Appropriation by fourth class counties for care of patients in hospital.

and maintaining such patients as may be sent to any hospital or hospitals whether privately owned and maintained or supported by private charity, and located in such county or in adjoining counties; *provided,* that the sum so appropriated be used and applied for the benefit, comfort and maintenance of such patients, inmates of such hospital.

Proviso.

2. This act shall take effect immediately.

Approved April 2, 1928.

CHAPTER 131.

An Act to authorize the formation and regulation of corporations to construct, own and operate motor toll roads and facilities in connection therewith.

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

Corporation to build motor toll road.

1. Upon executing and filing a certificate in the form hereinafter provided, any three or more persons may form a corporation for the purpose of constructing, owning, maintaining, operating and regulating a motor toll road or roads for the use and passage of persons, property and motor driven vehicles. The said certificate shall set forth:

Corporate name.

a. Name. The name of the company, which shall not resemble any name already in use by any corporation of this State, so as to lead to uncertainty or confusion.

Office.

b. Office. The location of the principal office in the State.

Route and termini.

c. Object-Route-Termini. The object of the company; the terminal points between which its main line or route shall be established. The counties in or through which the main line of the road and route and any branches, laterals or spurs or connections are intended to be constructed and the length, as near as may be

known, of the main line and route, which shall in no case be less than twenty-five miles between the terminal points of such main road or route.

Capital.

d. Capital Stock. The total number of shares of stock which the company is authorized to issue; the class or classes (if there be more than one class) into which such shares are divided and the number of shares of each class; the number of shares of such authorized stock which are to have a par value and the par value of each such share, and the number of shares of stock which are to have no par value; the amount of capital stock subscribed for by the incorporators, which shall not be less than five hundred dollars for each mile or fraction thereof of the main line of road and route, and of the amount so subscribed one thousand dollars shall be paid in before the company shall commence business, and the balance thereof on or before the time of filing the survey hereinafter mentioned. If there be more than one class of stock created by the certificate, the certificate shall set forth the rights, designation, preferences and voting powers of the respective classes.

Details of issue.

Incorporators.

e. Names, etc., of Incorporators. The names and places of residence of the incorporators and the number of shares subscribed by each; the aggregate of such subscription shall be the amount of capital with which the company shall commence business.

Directors.

f. Names, etc., of Directors. The names and places of residence of the first directors of the company, not less than three nor more than fifteen in number, who shall be stockholders and incorporators of the company and at least one of whom shall be a resident of this State and who shall manage its affairs until others are chosen in their place at the next annual election.

Period of existence.

g. Duration of Incorporation. The period, if any, limited for the duration of the company.

Powers and regulations.

h. Powers, Regulations, etc. Any provision authorized by this act or by law which the incorporators may choose to insert for the regulation of the business and for the conduct of the affairs of the corporation; or for creating, defining, limiting and regulating the powers of its directors or stockholders.

Charter.

i. Acknowledgment-Filing. The certificate shall be proved or acknowledged as required for deeds of real estate and shall be filed in the office of the Secretary of State upon compliance with the terms of this act, to whom shall be paid such fees as are required to be made by corporations organized under the act entitled "Act concerning corporations" (Revision of 1896), and the supplements thereto and amendments thereof.

Body corporate.

2. Incorporation. Upon making the certificate of incorporation and causing the same to be filed as aforesaid, the persons so associating, their successors and assigns, shall, from the date of such filing, be and constitute a body corporate by name set forth in said certificate.

Amending charter.

3. Amendments. Any company incorporated or reincorporated under this act may amend its certificate of incorporation so as to change, extend its roads or routes and so as to lay out, construct and build main lines of road, branches, laterals, spurs, approaches and connections other than those stated in its original certificate of incorporation or reincorporation, or in any prior amendment thereto, by filing in the office of the Secretary of State a certificate of amendment specifying the terminus or termini to which the then existing main line is to be extended and the termini of any new main line, and the general location of any additional branches, laterals and connections. Said certificate of amendment shall be made, authorized, executed and filed in the same manner as an amendment effected under section twenty-seven of an act entitled "An act concerning corporations" (Revision of 1896), and all amendments and supplements thereto, but no amendment as permitted herein shall be made so as to give the company any powers other than those provided for or contemplated herein.

Corporate powers.

4. General Powers. Every corporation shall have the general powers conferred by the act entitled "An act concerning corporations" (Revision of 1896), and the supplements thereto and amendments thereof, so far as the same are appropriate to and not inconsistent with this act, and in addition thereto, shall have the following powers, to wit:

Determining route.

a. Determination of Route and Making of Surveys. To locate and determine the route of its main road and route and branches, laterals and spurs and connections with any thereof and approaches thereto, and other buildings or works, and for that purpose to make such surveys as may be necessary and to enter upon lands or waters of any person, doing no unnecessary injury to private or other property, but subject to responsibility for all damages which shall be done thereto.

Surveys.

Acquire necessary property.

b. Acquisition of Real Estate. To acquire from time to time, without limit as to amount, by purchase or lease, and to hold, use and enjoy all such real estate and other property as may in the judgment of the directors of the company be necessary or advantageous for any of the purposes of the company, or incident to the carrying out of the objects for which it is formed or any projects undertaken in connection therewith, including, but not limited to, property necessary for terminal purposes or advantageously acquired in connection with the acquisition of property for such purposes, and for the construction and maintenance and drainage of its main road and route and branches, laterals and connections therewith and approaches to any thereof, stations, sidings, parking spaces, toll houses, garages and other facilities deemed by the directors desirable in the conduct of the business of the company and the enjoyment and use of the roads and routes by the persons traveling over the same. Any property, so acquired, or rights therein, may be sold or leased or otherwise disposed of for such purpose or purposes and for such consideration and upon such terms as the directors may at any time and from time to time determine.

Construction, lighting, operating.

c. Construction and Operation of Road and Admission and Control of Traffic. To lay out, construct or contract for the construction of, to light or to contract for the lighting of and to operate its road and route, to construct and operate or provide for construction and operation of toll houses, parking places, garages and any other structures necessary or useful in the operation of said road, and also any buildings and facilities for the use of persons traveling over said roads or stopping at points thereon, and to charge and collect

Buildings.

Tolls.

tolls and charges as hereinafter provided and to exercise all other powers incident to any of the foregoing or powers hereinafter provided for. No equestrian and no vehicle drawn or propelled by animal power shall be entitled to use or cross the road or roads of any company formed under this act, unless a crossing when made upon a public highway or street or at such point or points and upon such regulations as the board of directors of the company shall determine. The company shall also have the rights to close all or any part of its roads and routes, main line and others at any time for the purpose of making repairs to its roads and property and shall at all times have the power, in its discretion, to limit the amount and class of traffic over the same, and refuse admission to any class of traffic.

Use of road and crossing.

Closing road.

Regulate kind of traffic.

Condemnation of property.

d. Condemnation. To take by condemnation any land and property which it is authorized to acquire and hold or which in the judgment of the directors the exigencies of business may demand, not exceeding two hundred and fifty feet in width unless more shall be required for slopes or cuts or embankments or retaining walls or approaches, or drainage purposes, and all such other lands and property adjoining its main road and route or right of way or branches, connections and laterals as may be deemed necessary for terminals, toll houses, garages, freight depots and all other legitimate purposes of the company. In case condemnation proceedings shall be instituted the procedure shall be in accordance with the provisions of an act entitled "An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use" (Revision of one thousand nine hundred), approved March twentieth, one thousand nine hundred, and the supplements thereto and amendments thereof.

Width.

Procedure in condemnation.

Bridges, tunnels, etc.

e. Viaducts, Bridges, Tunnels. To construct and maintain viaducts or bridges over, or tunnels or culverts under, any public or private road, railroad or street or other railway or navigable or other river, stream or bay or water or public improvement.

Sundry regulations.

f. Regulations. To make rules and regulations with respect to admission of traffic and governing and controlling the same, including the speed thereof, and limit-

ing the number, character, class, kind and ownership of vehicles, persons and property entitled to use the property of the company, and generally covering the operation and control of its property and the conduct of its business. The company shall also have power to regulate and prevent huckstering and traffic in fruits, goods, wares and merchandise, of whatever description, in or upon or along any of its property, roads or routes.

Use of existing roads.

g. Existing Roads. To use all or part of any existing road or highway upon consent first had and obtained of the governing body in control of said road or highway.

Road connections.

h. Road Connections. To connect with any existing State, county or municipal public highway upon consent of the commission, board or body having control of said public highway.

Rate of tolls.

5. Tolls. That it shall and may be lawful for any company incorporated or reincorporated under this act at any and all times to take, demand and receive for passage over the road or roads or routes, and upon entry thereof or any part thereof, such tolls as the board of directors may at any time and from time to time establish, which shall not, however, exceed ten cents per mile of main line road or other road traveled, except in the case of trucks and commercial vehicles or vehicles operated for profit or for carriage in which the owners or others operating the same charge a fare or other compensation, in which case such limit of ten cents per mile shall not apply.

Taking toll.

6. Toll Gatherers and Their Powers; Policemen. That it shall be lawful for any toll gatherer or employee of any company incorporated under this act, to stop any person or motor vehicle from passing over said road or route until the toll before mentioned shall have been paid, and they, and any policemen appointed under the provisions of this act, shall have power to eject all persons improperly on any road or other property of said company, or acting disorderly thereon, or who neglect or refuse to pay the toll before mentioned, or observe the rules prescribed by the company for the use of any of its said roads or routes or other property. On application of any company incorporated under this act, the Governor of the State may appoint such persons as

Police powers.

Policemen.

the company may designate to act as policemen for said company, and shall issue to each person so appointed a commission, a copy of which shall be filed in the office of the Secretary of State; every person so appointed and commissioned shall, in the counties wherein are located any route or routes of any motor toll road or terminus of said company, possess all the powers of policemen and of constables in criminal cases of the several townships and municipalities in said counties and shall receive from the company by whom empowered such compensation as shall be agreed upon between said company and person; when on duty, except when employed as a detective, he shall wear in plain view a metallic shield or device with the words "Motor Toll Road Police" and the name or style of the company for whom appointed described thereon; when any such company shall file in the office of the Secretary of State a notice that it no longer requires the services of such policeman, his power shall cease and determine. The company shall have the right and power to sue for and collect, by an appropriate action at law, any toll not paid, but this right and power shall not prevent the exercise by the policemen aforesaid of the powers hereinabove mentioned.

Police badge.

Collecting tolls by suit.

Survey of route.

7. Filing of Survey. When the route or routes of any motor toll road shall have been determined upon by the directors of the company, a survey of such route and the location particularly described in the main line and branches, laterals, spurs, approaches and connections, if any, shall be filed in the office of the Secretary of State, having attached thereto or written thereon such legend or endorsement as will indicate by what company the same is filed. The company may, from time to time, make and file surveys and additions and changes of the original survey; *provided, however,* that no change of termini, as set forth in the certificate of incorporation, shall be made without a corresponding amendment to the certificate of incorporation made as hereinabove provided. After any such survey shall have been filed, no public highway, private road, railway, railroad, canal or other public way or viaduct or improvement shall be laid out or constructed so that the same

Proviso.

No grade crossings.

shall cross the main line of the road or routes of such company at grade, and no other corporation formed under this act or under any other act pertaining to the operation and construction of turnpikes or other toll roads shall construct a parallel route within twenty miles of the location of the main line of the route described in such survey, unless and until it shall obtain and file in the office of the Secretary of State the consent of the company which originally filed the survey.

Parallel roads.

8. Commencement and Completion. The final survey for the main line of road or route shall be filed within one year after the incorporation or reincorporation of the company, and the survey setting forth the location of any branches, laterals, spurs and connections, if any, shall be filed from time to time as the board of directors of the company may determine. Work of constructing the main line of road or routes or the terminal shall be begun within eighteen calendar months after the incorporation or reincorporation of the company; *provided, however,* that if any company now or hereafter organized under this act has been or shall be restrained, prevented or enjoined by the order of any court or judge thereof, or by any proceedings whatever at law or in equity, from prosecuting the work, or from opening or completing its road or route, or shall be compelled to take proceedings for the condemnation of any property or rights therein, the time which any such company has been or shall be so restrained, prevented or enjoined and the time consumed for final determination of any such condemnation proceedings shall not be taken or computed as any part of the time allowed and limited in this section for the commencement of work.

Final survey.

Beginning construction.

Proviso.

9. Parallel Roads. No motor toll roads shall be built pursuant to this act unless the same shall run in the same general direction with and parallel more or less at one or more points to an existing public highway, except with the consent of the State Highway Commission first had and obtained and filed in the office of the Secretary of State.

As to parallel roads.

10. Grade Crossing. No toll road shall cross at grade any existing public highway which is under the super-

Grade crossing.

vision of the State Highway Commission, or any railroad or street or other railway.

Mortgaging property.

11. Indebtedness and Mortgages. Any company incorporated or reincorporated under this act shall have the power to borrow money to provide funds for the acquisition of property, the construction of its road and other property and for any other corporate purposes, and may issue and dispose of its obligations for any amount so borrowed, and may mortgage all or any part of its property, franchises and rights to secure the payment of such obligations or of any debt contracted for any of such purposes. Such mortgage may be given to secure a fixed or unlimited amount borrowed or to be borrowed, and the terms and provisions of the mortgage and the bonds to be issued thereunder shall be such as shall be determined by the board of directors of the company; *provided, however,* that if, and only if, the certificate of incorporation or the by-laws so provide the vote or consent of the holders of a fixed percentage of the stock of one or more classes of the company may be required in order to authorize the creation of any such mortgage.

Proviso.

Disposition of property.

12. Acquisition. In the event that the State of New Jersey or any county or municipality therein shall, at any time, have the right to acquire the motor toll road or other property of any company organized under this act, and at any time prior to twenty-five years after the incorporation or reincorporation of the company, shall exercise any such right which it may so have to acquire the same then and in that event, in determining the consideration to be paid to the owner of such motor toll road or other property, the commission or other board or court having jurisdiction in the premises, shall include, among other elements of value to be allowed and compensated for, proper compensation to the owner for going value and loss of future earnings, notwithstanding any other statute or law to the contrary.

Value determined.

Certain acts not applicable.

13. Acts Not Applying or Affected. The provisions of all acts or parts of acts now in effect pertaining to turnpike companies and bridge companies shall not apply to any corporations incorporated or reincorporated

under this act, but shall remain in full force and effect as to corporations heretofore and hereinafter incorporated under said act or acts.

Constitutionality of act.

14. Constitutionality. If any part or parts of this act shall be declared to be unconstitutional, the other parts thereof shall not thereby be affected or impaired.

Approved April 2, 1928.

CHAPTER 132.

An Act establishing the New Jersey Nautical and Maritime School; and providing for the management, maintenance and support thereof.

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

Nautical school.

1. The new Jersey Nautical and Maritime School is hereby established. Such school is so established and shall be maintained for the purpose of instructing residents of this State in all matters relating to the seafaring profession, including the theory and practice of navigation, seamanship and all matters pertaining thereto; marine engineering and mechanics; the care and furtherance of trade by cargo ships with instruction in port and ocean traffic regulations and customs as followed by the most progressive water transportation agencies under rules and practice of maritime law of this day by nations, in order to advance the State of New Jersey to her proper place and share in interstate and foreign American trade.

Courses.

Commission.

2. The New Jersey Nautical and Maritime School shall be managed and subject to the direction and authority of a commission consisting of the Adjutant-General of the State, the Quartermaster-General and the Commissioner of Education. The said commission is authorized to select and appoint a superintendent of the said nautical and maritime school who shall be the

Superintendent.

executive officer thereof and subject to the direction of the said commission, and the rules and regulations established therefor concerning the conduct of said school. The said executive officer so appointed shall hold his office for five years and his compensation shall be fixed by said commission. The said commission is further authorized to make any rule or regulation not inconsistent herewith in order to effectuate this act. The commission is further authorized to employ such instructors and assistants necessary to comprise the teaching staff of said school. Such instructors and assistants being qualified for sea management of a vessel or vessels during cruising and port periods.

Term and salary.

Regulations.

Assistants.

Candidates.

3. Any male resident of this State between the ages of sixteen and twenty years, inclusive, shall be eligible for appointment to the New Jersey Nautical and Maritime School. The Governor of New Jersey is authorized to select and appoint five candidates to said school. Each member of the Senate and each member of the General Assembly is authorized to select and appoint one candidate to said school, and the persons so selected and appointed in the manner in this act provided, shall be certified to the commission, created under this act, and upon such certification shall be enrolled by the commission as a student. Any vacancies happening for any cause shall be filled by the Governor. All such appointments and certifications shall be made on or before July first, one thousand nine hundred and twenty-eight.

Appointments.

Vacancies.

Date.

Appropriation.

4. For the purpose of carrying into effect the provisions of this act there is hereby appropriated the sum of seventy-five thousand dollars when included in the annual appropriation bill.

5. This act shall take effect immediately.

Approved April 2, 1928.

CHAPTER 133.

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

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

1. In this act, unless the context otherwise requires, Definitions:

(1) The term "article" means any article of merchandise and includes any portion of such article, whether a distinct part thereof or not (including every part thereof whether or not separable and also including material for manufacture). "Article";

(2) The terms "platinum," "iridium," "palladium," "ruthenium," "rhodium," and/or "osmium" include any alloy or alloys of any one or more of said metals. "Platinum," etc.;

(3) The term "mark" means any mark, sign, device, imprint, stamp or brand applied to any article, or to any tag, card, paper, label, box, carton, container, holder, package, cover, or wrapping attached to, used in conjunction with, or inclosing such article, or any bill, bill of sale, invoice, statement, letter, circular, advertisement, notice, memorandum, or other writing or printing. "Mark";

(4) The terms "apply" and "applied" include any method or means of application or attachment to, or of use on, or in connection with, or in relation to, an article, whether such application, attachment, or use is to, on, by, in, or with. "Apply" and "Applied".

(A) The article itself; or

(B) Anything attached to the article; or

(C) Anything to which the article is attached; or

(D) Anything in or on which the article is; or

(E) Anything so used or placed as to lead to a reasonable belief that the mark on that thing is meant to be taken as a mark on the article itself.

(5) The term "quality mark" means any mark as herein defined indicating, describing, identifying or referring to or appearing or seeming or purporting "Quality mark".

to indicate, describe, identify or refer to the partial or total presence or existence of, or the quality of, or the percentage of, or the purity of, or the number of parts of platinum, iridium, palladium, ruthenium, rhodium, and/or osmium in any article.

Does not apply to mechanism.

2. (a) When an article is composed of mechanism, works or movements and of a case or cover containing the mechanism, works or movements, a quality mark applied to the article shall be deemed not to be, nor to be intended to be, applied to the mechanism, works or movements.

Exceptions.

(b) The quality mark applied to the article shall be deemed not to apply to springs, winding bars, sleeves, crown cores, mechanical joints, pins, screws, rivets, dust bands, detachable movement rims, hat-pin stems, bracelet and necklace snap tongues. In addition, in the event that an article is marked under paragraph five of section five, the quality mark applied to the article shall be deemed not to apply to pin tongues, joints, catches, lapel button backs and the posts to which they are attached, scarf-pin stems, hat-pin sockets, shirt-stud backs, vest-button backs and ear-screw backs;

Proviso.

provided, that such parts are made of the same quality of gold as is used in the balance of the article.

Wording attached to quality mark.

3. If there is any quality mark printed, stamped or branded on the article itself, there must also be printed, stamped or branded on the said article itself the following mark, to wit: A trade-mark duly applied for or registered under the laws of the United States of the manufacturer of such article; except that if such manufacturer has sold or contracted to sell such article to a jobber, wholesaler or retail dealer regularly engaged in the business of buying and selling similar articles, this provision shall be deemed to be complied with if there is so marked on the said article the trade-mark duly registered under the laws of the United States of such jobber, wholesaler or retail dealer, respectively; and in such event there may also be marked on the said article itself numerals intended to identify the article, design or pattern;

Marked with registered trade-mark.

Proviso.

provided, however, that such numerals do not appear or purport to be a part of the quality mark;

provided, further, that they are not calculated to mislead or deceive anyone in believing that they are partly of the quality mark. Proviso.

4. All quality marks applied to any article shall be equal in size and equally visible, legible, clear and distinct, and no quality mark which is false, deceptive or misleading shall be applied to any article or to any descriptive device therefor. No more than one quality mark shall be applied to any article and such quality mark shall be applied to such article in only one place thereon except as elsewhere in this law specifically permitted. Uniformity of marks. One mark only.

(b) Wherever in this act provision is made for marking the number of parts or percentage of metals such number or percentage shall refer to weight and not to volume, thickness or any other basis. Reference to weight.

5. There shall not be applied to any article any quality mark or any colorable imitation thereof, nor any contraction thereof, nor any addition thereto, nor any words or letters, nor any mark purporting to be or resembling a quality mark, except as follows: No changes allowable. Exceptions:

(1) An article consisting of at least nine hundred and eighty-five one-thousandths parts of platinum, iridium, palladium, ruthenium, rhodium, and/or osmium, where solder is not used and at least nine hundred and fifty one-thousands parts of said same metal or metals where solder is used, may be marked "platinum"; *provided,* that the total of the aforementioned metals other than pure platinum shall amount to no more than fifty one-thousandths parts of the contents of the entire article. Platinum; Proviso.

(2) An article consisting of at least nine hundred and eighty-five one-thousandths parts platinum, iridium, palladium, ruthenium, rhodium, and/or osmium, where solder is not used and at least nine hundred and fifty one-thousandths parts of the said same metal or metals where solder is used; *provided,* that at least seven hundred and fifty one-thousandths parts of said article are pure platinum, may be marked "platinum"; *provided, further,* that immediately preceding the mark "platinum" there is marked the name or abbreviation as hereinafter provided, of either iridium, palladium, ruthenium, rhodium, and/or osmium, whichever of said Pure platinum; Proviso. Proviso.

Proviso.

metals predominates; *and provided, further,* that such such predominating other metal must be more than fifty one-thousandths parts of the entire article.

Other conditions;

(3) An article consisting of at least nine hundred and eighty-five one-thousandths parts of platinum, iridium, palladium, ruthenium, rhodium, and/or osmium, where solder is not used and at least nine hundred and fifty one-thousandths parts of said same metals where solder is used; *provided,* that more than five hundred one-thousandths parts of said article consists of pure platinum, may be marked with the word "platinum"; *provided, further,* that said word is immediately preceded by a decimal fraction in one-thousandths showing the platinum content in proportion to the content of the entire article; *and provided, further,* that said mark "platinum" be followed by the name or abbreviation as herein allowed, of such one or more of the following metals, to wit: iridium, palladium, ruthenium, rhodium, and/or osmium, that may be present in the article in quantity of more than fifty one-thousandths parts of the entire article. The name of such other metal or metals other than platinum, however, shall each be immediately preceded by a decimal fraction in one-thousandths showing the content of such other metal or metals in proportion to the entire article—as, for example, 600 Plat., 350 Pall., or 500 Plat., 200 Pall., 150 Ruth., 100 Rhod.

Proviso.

Proviso.

Proviso.

Decimal marking.

Not marked platinum;

(4) An article consisting of nine hundred and fifty one-thousandths parts of the following metals: Platinum, iridium, palladium, ruthenium, rhodium, and/or osmium, with less than five hundred one-thousandths parts of the entire article consisting of pure platinum, may be marked with the name iridium, palladium, ruthenium, rhodium, and/or osmium, whichever predominates in the said article, but in no event with the mark "platinum"; *provided, however,* that the quantity of such metal other than platinum so marked must be marked in decimal thousandths; *and provided, further,* that the name of such metal other than platinum so used must be spelled out in full, irrespective of any other provisions of this act to the contrary.

Proviso.

Proviso.

(5) An article composed of platinum and gold which resembles, appears, or purports to be platinum may be marked with a karat mark and the platinum mark; *provided,* Platinum and gold;

(A) The platinum in such article shall be at least nine hundred and eighty-five one-thousandths parts pure platinum; and Purity of platinum.

(B) The fineness of the gold in such article shall be correctly described by the karat mark of said gold; and Fineness of gold.

(C) The percentage of platinum in such article shall be no less than five per centum in weight of the total weight of the article; and Percentage of platinum.

(D) The mark shall be so applied that the karat mark shall immediately precede the platinum mark, as for example, "14 K & Plat.," "18 K & Plat.," as the case may be, it being expressly provided that in case the percentage of platinum exceeds the five per centum provided herein the quality mark may also include a declaration of the percentage of platinum, as for example, "18 K & 1/10th Plat.," or "14 K & 1/8th Plat.," or as the case may be. How marking to appear.

(6) An article composed of platinum, and any other material or metal not resembling, appearing or purporting to be platinum, may be marked with the quality mark platinum; *provided,* that all parts or portions of such article resembling, or appearing, or purporting to be platinum, or reasonably purporting to be described as platinum by said quality mark, shall be at least nine hundred and eighty-five one-thousandths parts pure platinum. Other articles. Proviso.

6. Whenever provided for in this act, except as specifically excepted in paragraph four of section five hereof, the word "platinum" may be applied by spelling it out in full or by abbreviation "Plat."; the word "iridium" may be applied by spelling it out in full or by the abbreviation "Irid."; the word "palladium" may be applied by spelling it out in full or by the abbreviation "Pall."; the word "ruthenium" may be applied by spelling it out in full or by the abbreviation "Ruth."; the word "rhodium" may be applied by spelling it out in full or by the abbreviation "Rhod."; and the word. Abbreviations permissible.

"osmium" may be applied by spelling it out in full or by the abbreviation "Osmi."

Penalty.

7. Any person, firm, partnership, corporation or association, or any officer, manager, director, employee or agent thereof, who shall sell or offer or expose for sale in this State, after July fourth, one thousand nine hundred and twenty-nine, any article to which is applied any quality mark which does not conform to all the provisions of this act, or from which is omitted any park required by the provisions of this act, shall be guilty of a misdemeanor.

Assay in evidence.

8. In any action relating to the enforcement of any provision of this article, a certificate duly issued by an assay office of the Treasury Department of the United States, certifying the weight of any article, or any part thereof, or of the kind, weight, quality, fineness or quantity of any ingredient thereof, shall be receivable in evidence as constituting prima facie proof of the matter or matters so certified.

Proof of marking.

9. In any action relating to the enforcement of any provision of this act, proof that an article has been marked in violation of the provisions of this act shall be deemed to be prima facie proof that such article was manufactured after this act became effective.

Act effective.

10. This act shall not become effective until July fourth, one thousand nine hundred and twenty-nine, and shall not apply to any article manufactured prior to that time.

As to constitutionality of act.

11. In case, for any reason, any paragraph or any provision of this act shall be questioned in any court and shall be held to be unconstitutional or invalid, the same shall not be held to affect any other paragraph or provision of this act.

Approved April 3, 1928.

CHAPTER 134.

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

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

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

1. The governing body of every municipality shall have power and authority, by ordinance, notwithstanding any maximum or minimum limitation now fixed by statute, to fix and determine the amount of salary, wages and compensation to be paid each officer, employee, servant and agent of such municipality who, by law, is entitled to be paid a salary, wage or compensation, excepting the members of any governing body therein whose salary shall be fixed by vote of the legal voters as hereinafter provided; and also excepting all officers whose salaries shall have been adopted or determined by a referendum vote of the voters in such municipality, which salaries shall not be changed except by another and further referendum vote therefor; *provided, however,* that in case any elective officer entitled to receive a salary has been or is re-elected to succeed himself after having served one full term in such office that the salary of such officer may be increased not more than once during such term for which the said officer is duly re-elected. Salaries of officers, employees, etc. Proviso.

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

2. Salaries, wages or other compensation shall not be paid the members of any governing body until the legal voters of such municipality shall have voted for the payment of such salaries, wages or other compensation at a general election held in such municipality; *provided, however,* that this section shall not apply to municipalities governed under the provisions of an act entitled "An Salaries of governing body. Proviso.

act relating to, regulating and providing for the government of cities, towns, townships, boroughs, villages and other municipalities governed by boards of commissioners or improvement commissions in this State," approved April twenty-fifth, one thousand nine hundred and eleven; *and provided, further, however,* that this act shall not affect the salary or the increase or decrease thereof during the term of office of the mayor of any municipality having twenty thousand or more inhabitants at the latest census.

Proviso.

Section 9, Article XIII, amended.

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

Authority to fix salaries.

9. The legal voters of any municipality shall have authority to fix and determine the salary, wage or other compensation for the members of the council or other governing body, and to fix and determine the salary, wage or other compensation for the mayor, excepting in municipalities having more than twenty thousand inhabitants at the latest census, in accordance with section two of this article. In municipalities having more than twenty thousand inhabitants the council or other governing body shall have power by ordinance to fix and determine the amount of salary, wages or other compensation to be paid such mayor; *provided, however,* that in case the mayor of any municipality is re-elected to succeed himself after having served one full term in such office that the salary of such mayor may be increased not more than once during such term for which the said mayor is duly re-elected.

Proviso.

Repealer.

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

Approved April 3, 1928.

CHAPTER 135.

An Act to amend an act entitled "An act prescribing the liability of an employer to make compensation for injuries received by an employee in the course of employment, establishing an elective schedule of compensation and regulating procedure for the determination of liability and compensation thereunder," approved April fourth, one thousand nine hundred and eleven, as amended by Chapter ninety-three, Laws of one thousand nine hundred and nineteen; Chapter eighty-five, Laws of one thousand nine hundred and twenty-one, and Chapter forty-nine of the Laws of one thousand nine hundred and twenty-three.

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

1. Paragraph eleven of the act referred to in the title of this act is hereby amended to read as follows: Section 11 amended.

11. Following is a schedule of compensation:

(a) For injury producing temporary disability, sixty-six and two-thirds per centum of the wages received at the time of the injury, subject to a maximum compensation of twenty dollars per week and a minimum of ten dollars per week; *provided,* that if at the time of the injury the employee receives wages of less than ten dollars per week, then he shall receive the full amount of such wages per week. This compensation shall be paid during the period of such disability, not, however, beyond three hundred weeks. Payments for temporary disability. Proviso. Duration.

(b) For disability total in character and permanent in quality, sixty-six and two-thirds per centum of the wages received at the time of injury, subject to a maximum compensation of twenty dollars per week and a minimum of ten dollars per week; *provided,* that if at the time of injury the employee receives wages of less than ten dollars per week then he shall receive the full amount of wages per week. This compensation shall be paid Complete disability. Proviso.

Period of payments.

for a period of four hundred weeks, at which time compensation payments shall cease unless the employee shall have submitted to such physical or educational rehabilitation as may have been ordered by the Rehabilitation Commission of the State, and can show that because of such disability it is impossible for him to obtain wages or earnings equal to those earned at the time of the accident, in which case further weekly payments shall be made during the period of such disability, the amount thereof to be the previous weekly compensation payment diminished by that portion thereof that the wage, or earnings, he is then able to earn, bears to the wages received at the time of the accident. In calculating compensation for this extension beyond four hundred weeks the minimum provision of ten dollars shall not apply. This extension of compensation payments beyond four hundred weeks shall be subject to such periodic reconsiderations and extensions as the case may require, and shall apply only to disability total in character and permanent in quality, and shall not apply to any accident occurring prior to July fourth, nineteen hundred and twenty-three.

Extension of payments.

Partial disability.

(c) For disability partial in character, but permanent in quality, the compensation shall be based upon the extent of such disability. In cases included in the following schedule the compensation shall be that named in the schedule to wit:

Thumb.

(d) For the loss of the thumb, sixty-six and two-thirds per centum of daily wages during sixty-five weeks.

Index finger.

(e) For the loss of the first finger, commonly called index finger, sixty-six and two-thirds per centum of daily wages during forty weeks.

Second finger.

(f) For the loss of a second finger, sixty-six and two-thirds per centum of daily wages during thirty weeks.

Third finger.

(g) For the loss of a third finger, sixty-six and two-thirds per centum of daily wages during twenty weeks.

Little finger.

(h) For the loss of a fourth finger, commonly called little finger, sixty-six and two-thirds per centum of daily wages during fifteen weeks.

Phalange.

(i) The loss of the first phalange of the thumb or of any finger shall be considered to be equal to the loss of one-half of such thumb or finger, and the compensation shall be for one-half of the periods of time above specified. The loss of any portion of the thumb or any finger between the terminal joint and the end thereof shall be compensated for a like proportion of the period of time prescribed for the loss of the first phalange of such member.

More than one phalange.

(j) The loss of the first phalange and any portion of the second shall be considered as the loss of the entire finger or thumb; *providing, however,* that in no case shall the amount received for more than one finger exceed the amount provided in this schedule for the loss of a hand.

Proviso.

Great toe.

(k) For the loss of a great toe, sixty-six and two-thirds per centum of daily wages during thirty weeks.

Other toes.

(l) For the loss of one of the toes other than a great toe, sixty-six and two-thirds per centum of daily wages during ten weeks.

Phalange of toe.

(m) The loss of the first phalange of any toe shall be considered to be equal to the loss of one-half of such toe, and compensation shall be for one-half of the period of time above specified.

More than one phalange.

(n) The loss of the first phalange and any portion of the second shall be considered as the loss of the entire toe.

Hand.

(o) For the loss of a hand, sixty-six and two-thirds per centum of the daily wages during one hundred seventy-five weeks.

Arm.

(p) For the loss of an arm, sixty-six and two-thirds per centum of daily wages during two hundred thirty weeks.

Foot.

(q) For the loss of a foot, sixty-six and two-thirds per centum of daily wages during one hundred twenty-five weeks.

Leg.

(r) For the loss of a leg, sixty-six and two-thirds per centum of daily wages during one hundred and seventy-five weeks.

Eye.

(s) For the loss of an eye, sixty-six and two-thirds per centum of daily wages during one hundred weeks.

Tooth. (t) For the loss of a natural tooth, sixty-six and two-thirds per centum of daily wages for four weeks for each tooth lost.

Hearing. (u) For the total loss of hearing in one ear, sixty-six and two-thirds per centum of daily wages during forty weeks. For the total loss of hearing in both ears by one accident, sixty-six and two-thirds per centum of daily wages during one hundred sixty weeks.

Both hands, arms, legs, eyes. (v) The loss of both hands, or both arms, or both feet, or both eyes, or any two thereof as a result of any one accident, shall constitute total and permanent disability to be compensated according to the provisions of clause (b).

Other cases. (w) In all lesser or other cases involving permanent loss, or where the usefulness of a member or any physical function is permanently impaired, the compensation shall be sixty-six and two-thirds per centum of daily wages, and the duration of compensation shall bear such relation to the specific periods of time stated in the above schedule as the disabilities bear to those produced by the injuries named in the schedule; *provided, however,* that in cases in which the disability is determined as a percentage of total and permanent disability the duration of the compensation shall be a corresponding portion of five hundred weeks. Should the employer and employee be unable to agree upon the amount of compensation to be paid in cases not covered by the schedule, either party may appeal to the Workmen's Compensation Bureau for a settlement of the controversy.

Proviso.

In case of disagreement.

Hernia. (x) Hernia is a disease which ordinarily develops gradually, being very rarely the result of an accident. Where there is a real traumatic hernia resulting from the application of force directly to the abdominal wall, either puncturing or tearing the wall, compensation will be allowed. All other cases will be considered as either congenital or of slow development and not compensable, being a disease rather than an accidental injury; unless conclusive proof is offered that the hernia was immediately caused by such sudden effort or severe strain that, first, the descent of the hernia immediately followed the cause; second, that there was severe pain

Proof of disease.

in the hernial region; third, that there was such prostration that the employee was compelled to cease work immediately; fourth, that the above facts were of such severity that the same was noticed by the claimant and communiciated to the employer within twenty-four hours after the occurrence of the hernia; fifth, that there was such physical distress that the attendance of a licensed physician was required within twenty-four hours after the occurrence of the hernia. In the case of hernia as above defined, the provisions of paragraph thirteen, fourteen, and eleven (2) shall apply, and until such time as the employee is able to resume some kind of work with the aid of a truss or other mechanical appliance. If the employee refuses to permit of an operation the employer shall meet the requirements above specified, pay the reasonable costs of the truss or other appliance found necessary, and also pay compensation for twenty weeks, following which the obligation shall cease and terminate, unless death results from the hernia, in which case the provisions of paragraph twelve shall apply. However, if the employee shall elect to undergo an operation, by a physician selected by the employer, the employer shall meet all the expense incident to such operation and recovery, not in excess of one hundred and fifty dollars, together with compensation as provided in paragraph eleven (a) during the periods of disability prior to and following the operation, subject to the provisions of paragraph thirteen. If the employee refuses the services of the physician selected by the employer, preferring one of his own selection, the employer shall be relieved of obligations concerning medical expense due to the operation and recovery, but shall pay compensation during the prior and resulting periods of disability. If death results from the hernia or operation, the provisions of paragraph twelve shall apply.

Requirments in case of refusal of operation.

Operation.

Refusal of services of physician.

(y) The weekly compensation payments specified in paragraph eleven are all subject to the same limitations as to maximum and minimum as are stated in clause (a) hereof.

Limitations of payments.

(z) In case of the death of the person from any cause other than the accident, during the period of pay-

Payment in case of death other than accidental.

ments for permanent injury, the remaining payments shall be paid to such of his or her dependents as are included in the provisions of paragraph twelve of this act, or, if no dependents, the remaining amount due, but not exceeding one hundred and fifty dollars, shall be paid in a lump sum to the proper person for funeral expenses; *provided, however,* that no compensation shall be due any other person than the injured employee on account of compensation being paid in excess of four hundred weeks on account of disability total in character and permanent in quality, as provided by paragraph eleven (b) hereof.

Proviso.

Section 12 amended.

2. Paragraph twelve of said act is hereby amended to read as follows:

Basis of compensation in case of death.

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

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

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

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

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

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

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

Dependents, whom to include.

(g) The term "dependents" shall apply to and include any or all of the following who are dependent upon the deceased at the time of accident or death, namely: husband, wife, parents, stepparents, grandparents, children, stepchildren, grandchildren, child in esse, posthumous child, illegitimate children, brothers, sisters, half-brothers, half-sisters, niece, nephew. Legally adopted children shall, in every particular, be considered as natural children; *provided, however,* that dependency shall be conclusively presumed as to the decedent's widow and natural children under sixteen years of age who were actually a part of the decedent's household at the time of his death. Every provision of this act applying to one class shall be equally applicable to the other. Should any dependent of a deceased employee die during the period covered by such weekly payments or should

Adopted children.

Proviso.

Payment to cease.

the widow of a deceased employee remarry during such period, the right of such dependent or of such widow to compensation under this section shall cease. *It is further provided,* that the foregoing schedule applies only to persons wholly dependent, and that in the case of persons only partially dependent, except in the case of the widow and children, who were actually a part of the decedent's household at the time of his death, the compensation shall be such proportion of the scheduled percentage as the amounts actually contributed to them by the deceased for their support constituted of his total wages and the provision as to a ten dollar minimum shall not apply to such compensation. In determining the number of dependents, where the deceased employee was a minor, the number of persons dependent upon said deceased employee shall be determined in the same way as if said deceased employee were an adult, notwithstanding any rule of law as to the person entitled to a minor's wages.

Proviso.

Dependents when employee a minor.

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

Distribution of compensation.

(i) If death results from the accident, whether there be dependents or not, expenses of last sickness in accordance with the provisions for medical and hospital service as set forth in paragraph fourteen of this act. Also the cost of burial, not to exceed one hundred and fifty dollars.

In case of death by accident.

(j) In computing compensation to those named in this paragraph, except in the case of husband, wife, parents and stepparents, only those under sixteen, or over forty years of age, shall be included, and then only for that period in which they are under sixteen or over forty; *provided, however,* that payments to such physically or mentally deficient persons as are, for such rea-

Computing compensation.

Proviso.

son, dependent, shall be made during the full term of compensation payment of three hundred weeks.

Compensation in case of death.

(k) The compensation in case of death shall be subject to a maximum compensation of twenty dollars per week and a minimum of ten dollars per week; *provided,* that if at the time of the injury, the employee receives wages of less than ten dollars per week, then the compensation shall be for the full amount of such wages per week. This compensation shall be paid during three hundred weeks; *provided,* that if at the expiration of three hundred weeks there shall be one or more dependents under sixteen years of age, compensation shall be continued for such dependents until they reach sixteen years of age, at the schedule provided under clauses (a), (b), (c), (d), (e), and (f), of paragraph twelve.

Proviso.

Proviso.

Act effective.

3. This act shall take effect on the first day of January, one thousand nine hundred and twenty-nine.

Approved April 3, 1928.

CHAPTER 136.

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

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

Representative of beneficiary appointed.

1. The Commissioner of Labor and each Deputy Commissioner of Compensation is hereby authorized and empowered when in the judgment of the commissioner or a deputy it shall be advisable, in order to accomplish the purpose of the act to which this act is a supplement, to appoint a representative with power

to act for a person who may be entitled to compensation, by legally receiving and disbursing said compensation under the direction of the Commissioner of Labor or any Deputy Commissioner of Compensation, when it shall appear that such person is mentally, legally or physically unable to properly receive or disburse said compensation, or when said person, after due diligence, cannot be located.

Application of act.

2. This act shall take effect immediately, and shall be applicable to causes arising on account of accidents occurring prior to the passage of this act.

Approved April 3, 1928.

CHAPTER 137.

A Supplement to an act entitled "An act for the appointment of fire wardens, and the prevention of forest fires and the repeal of sundry acts relating thereto," approved April eighteenth, nineteen hundred and six.

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

Fire protection extended to salt meadows.

1. Wherever in the act to which this act is a supplement provision is made for the protection of forests and forest land from fire the same is and shall be applied and extended to the protection of salt marsh or meadows.

Approved April 3, 1928.

CHAPTER 138.

A Supplement to an act entitled "An act concerning the militia of the State" (Revision of 1925), approved March tenth, one thousand nine hundred and twenty-five.

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

State Service Officer.

1. In addition to the duties imposed upon the Adjutant-General, as chief of staff of the military forces of this State, he shall be the State Service Officer, and as such shall be charged with the duty of assisting the veterans of all wars citizens of this State, and their dependents, in securing the benefits of pensions to which they are severally entitled under the provisions of any Federal legislation, and further to assist veterans of the World War, citizens of this State, and their dependents, in the presentation of claims for compensation as the result of physical disabilities or adjusted compensation, or war risk insurance, and further to advise such veterans and their dependents, in securing for them the benefits of hospitalization and such other benefits as they may be entitled to by any Federal legislation.

Object.

Assistance rendered

Appropriation.

2. For the purpose of carrying into effect the provisions of this act there is hereby appropriated the sum of seven thousand five hundred dollars; of said sum two thousand five hundred dollars shall be paid to the Adjutant-General for services as State Service Officer, and the balance of said appropriation for administrative, clerical and other expenses in connection with the administration of this act.

Salary.

Use of balance.

3. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 139.

An Act giving a bank or trust company the option to refuse payment of a check presented one year after date.

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

Refusing payment of check after one year.

1. Where a check or other instrument payable on demand at any bank or trust company doing business in this State is presented for payment more than one year from its date, such bank or trust company may, unless expressly instructed by the drawer or maker to pay the same, refuse payment thereof and no liability shall thereby be incurred to the drawer or maker for dishonoring the instrument by nonpayment.

Approved April 3, 1928.

CHAPTER 140.

An Act to authorize the filing of notices of Federal tax liens and the discharges thereof in the offices of the county clerks or of the registers of deeds (as the case may require) in counties of this State.

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

Filing federal tax liens.

1. Pursuant to the authority of Title twenty-six, chapter three, section one hundred and fifteen, in the code of laws of the United States as adopted by Congress June thirtieth, one thousand nine hundred and twenty-six, notices of Federal tax liens and certificates discharging such liens may be filed in the office of the county clerk or of the register of deeds, in counties

where such registers exist of one or more counties of this State.

Validity of lien.

2. As provided in said Title twenty-six, chapter three, section one hundred and fifteen, in the code of laws of the United States as adopted by Congress June thirtieth, one thousand nine hundred and twenty-six, no such tax shall be a valid lien as against any mortgagee, purchaser, or judgment creditor, until such notice shall be filed in the office of the county clerk, or of the register of deeds in counties having such office, of the county or counties within which the property subject to the lien is situated.

Liens recorded.

3. Every notice of Federal tax lien and certificate discharging said lien and filed as provided for in section one of this act shall be forthwith recorded in a book to be kept for that purpose and endorsed "Federal Liens" and each notice of Federal tax lien and certificate discharging such lien shall be, immediately upon filing, indexed in an index book entitled "Index of Federal Liens," which said index shall indicate the date of filing and the place of record, and the names of the parties thereto.

Index.

Fees chargeable

4. Each county clerk or register of deeds shall be authorized to charge for the filing and recording of said notices or certificates as are provided for in this act the same fees as may be charged under the then existing law of this State for the docketing of judgments from the lower courts in the Court of Common Pleas.

Act effective.

5. This act shall take effect July first, one thousand nine hundred and twenty-eight.

Approved April 3, 1928.

CHAPTER 141.

An Act relative to notice of adverse claim to deposits in banks, trust companies and savings banks and the procedure necessary to make such claim effective to cause recognition of the adverse claimant.

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

Recognizing adverse claim to bank deposit.

1. Notice to any bank or trust company or savings bank doing business in this State of an adverse claim to a deposit standing on its books to the credit of any person, persons or corporation shall not be effectual to cause said bank or trust company or savings bank to recognize said adverse claimant unless said adverse claimant shall also either procure a restraining order, injunction or other appropriate process against said bank or trust company or savings bank from a court of competent jurisdiction in a cause therein instituted by him wherein the person, persons or corporation to whose credit the deposit stands is made a party and served with process, or shall execute to said bank, trust company or savings bank, in form and with sureties acceptable to it a bond, indemnifying said bank, trust company or savings bank from any and all liability, loss, damage, costs and expenses for and on account of the payment of such adverse claim or the dishonor of one or more checks or other orders of the person to whose credit the deposit stands on the books of said bank, trust company or savings bank; *provided,* that this law shall not apply in any instance where the person to whose credit the deposit stands is a fiduciary for such adverse claimant, and the facts constituting such relationship, as also the facts showing reasonable cause or belief on the part of the said claimant that the said fiduciary is about to misappropriate said deposit, are made to appear by the affidavit of such claimant.

Claimant to execute bond to bank.

Proviso.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 142.

An Act fixing limitations on revocations, countermands of payment and stop-payment orders, relating to the payment of any check or draft against bank accounts.

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

Limit on stop-payment orders.

1. No revocation, countermand or stop-payment order relating to the payment of any check or draft against an account of a depositor in any bank or trust company doing business in this State shall remain in effect for more than ninety days after the service thereof on the bank, unless the same be renewed, which renewals shall be in writing, and which renewals shall be in effect for not more than ninety days from the date of service thereof on the bank or trust company, but such renewals may be made from time to time.

Renewals.

Period of continuance.

2. All notices affecting checks upon which revocation, countermand or stop-payment order have been made at the time of the taking effect of this act shall not be deemed to continue for a period of more than ninety days thereafter.

Approved April 3, 1928.

CHAPTER 143.

An Act to validate and confirm budgets in municipalities of this State.

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

Validating municipal budgets.

1. All budgets heretofore approved, advertised and adopted by municipalities of this State are hereby validated and confirmed, notwithstanding such budgets were not approved, advertised or adopted, or hearings were not held thereon within the time limited by law.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 144.

An Act for the protection of water fowl and game birds on Shark river, in the county of Monmouth and State of New Jersey.

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

Water fowl on Shark river protected.

1. Hereafter it shall be unlawful at any time on Shark river, in the county of Monmouth, or the shores thereof, to shoot, hunt or pursue with intent to kill or injure or in any manner to attempt to take or injure, and it shall be also unlawful to kill or destroy or injure any anatidae, commonly known as swans, geese, brant and river and sea ducks; rallidæ, commonly known as rails, gallinules, coots and mud hens; limicalæ, commonly known as shore birds, surf snipe or bay snipe, among them yellow legs, clover, willets, sand pipers, dowitchers or robin snipe, brown backs, curlews, turnstones or calico backs, godwits or marlin, tattlers and woodcock. Any person who shall at any time capture, kill, injure, destroy or pursue with intent to kill, capture, injure or destroy any of the above-mentioned water fowl or game birds, whatsoever, shall be liable to a penalty of twenty-five ($25.00) dollars for each offense.

Penalty.

Enforcement.

2. This act shall be enforced by the persons authorized by and in accordance with the provisions of an act entitled "An act to provide a uniform procedure for the enforcement of all laws relating to fish, game and birds, and for the recovery of penalties for violation thereof," approved March twenty-ninth, eighteen hundred and ninety-seven, and the supplements thereto and amendments thereof.

3. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 145.

An Act relating to bonds, recognizances or other obligations entered into by surety companies.

Preamble. WHEREAS, Insurance companies organized under the laws of this State or of other States are permitted to carry on in this State the business of executing bonds or entering into recognizances in civil or criminal proceedings in the courts of this State, and the business of insuring against loss or damage on account of neglect, or breaches of duty, or obligations guaranteed by the insurer or the business of executing or guaranteeing bonds, undertakings or other obligations required by law, or by charter, ordinances, rules or regulations of any county or municipality, upon compliance with the requirements of the law of this State as to the amount of paid up capital said company shall have and/or the amount to be deposited with an officer of this State or otherwise; and

Preamble. WHEREAS, The capital and assets of said company, including such deposit, have been and are intended to be a substitute for the ownership of real estate required of private sureties; therefore,

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

Bond not lien on real estate. 1. That no bond, undertaking, recognizance or other obligation heretofore or hereafter given or entered into by any such company, nor shall any forfeiture thereunder be deemed or taken to impose any lien upon the real estate of any such company within this State.

Effect of bond. 2. This act shall not affect any right acquired by reason of any such bond or recognizance to acquire a lien upon such real estate by suit or other proceeding in the courts of this State resulting in judgment duly entered.

3. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 146.

An Act to amend an act entitled "A supplement to an act entitled 'An act to authorize the acquisition, by purchase or condemnation, of lands for a park and the erection of a memorial commemorative of Washington crossing the river Delaware, and for the appointment of a commission to acquire said lands, and to erect such a monument,'" approved March eighth, one thousand nine hundred and twelve, approved April fifteenth, one thousand nine hundred and nineteen.

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

Section 1 amended.

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

Acquiring land for Washington Crossing park.

1. In addition to the powers and duties conferred by chapter 33, P. L. 1910, and by the act to which this act is a supplement, which powers and duties are now vested in the Department of Conservation and Development by virtue of an act entitled "An act to establish a Department of Conservation and Development and to consolidate therein the State Water Supply Commission, the Board of Forest Park Reservation Commissioners, the State Geological Survey, the Washington Crossing Commission, the State Museum Commission and the Fort Nonsense Park Commission," being chapter 241, P. L. 1915, the Board of Conservation and Development is hereby authorized to acquire by purchase or condemnation, in the name and for the use of the State of New Jersey, lands not to exceed four hundred acres in extent in the total, at or near the point where Washington crossed the river Delaware on the night preceding the battle of Trenton, which shall include the building known as the McKonkey ferryman's house; to lay out, improve, preserve, care

Development.

for and maintain as a park the property heretofore and hereafter acquired; to lay out, construct and maintain pathways and roads across and over the said park, and for this purpose to acquire rights of way upon and across any intervening lands, to erect a tablet or tablets, monument or such other memorial as the board shall consider most suitable; and to expend such moneys as shall be appropriated by the Legislature from time to time for these purposes; *provided, however,* that pending the appropriation of the sums necessary for carrying out the aforesaid plans in their entirety, the Board of Conservation and Development may lease or otherwise make such use of the property heretofore or hereafter acquired or any part of it, as it shall deem to be for the best interest of the State, but no lease or plan of management shall be entered into which will interfere with the prompt development of a park as rapidly as the necessary appropriations are made.

Memorials.

Proviso.

Temporary lease.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 147.

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

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

Section 5 amended.

1. Amend section five of the act to which this act is an amendment so as to read as follows:

Municipal library trustees.

5. A board of trustees of the free public library shall be formed immediately in any municipality which shall adopt the provisions of this act, said board to consist of seven members, one of whom shall be the mayor or the chairman of the governing body of such municipality, as the case may be, ex officio, or in the event that there be neither of such officials, the principal with the power of supervision over the local school system.

ex officio, or in case such municipality shall have none of the school officials hereinbefore mentioned, then the president of the board of education, ex officio, and five citizens to be appointed by the mayor or chairman of the governing body of such municipality at least four of whom shall be from among the residents therein; such appointments, in all municipalities except cities, to be made by and with the consent of the governing body of such municipality, and for the terms of one, two, three, four and five years respectively, as they may be selected by such mayor or chairman. Upon the expiration of the term of office of any trustee the mayor or the chairman of the governing body of such municipality shall appoint some citizen for a term of five years in the same manner as the original appointment was made; vacancies occurring in said board of trustees shall be filled for the unexpired term only, in the same manner as the original appointments are made.

Appointments.

Continuation of board of trustees.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 148.

An Act to validate certain ordinances heretofore passed by municipalities.

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

1. Any ordinance heretofore finally passed by the governing body of any municipality shall be valid notwithstanding a first and a second reading shall have been given thereto at the meeting whereat the same was introduced; *provided, however,* the ordinance, together with a notice of the introduction thereof and the time and place when and where such ordinance was to be considered for final passage, shall have been published as required by law prior to the consideration thereof for final passage.

Validity of certain municipal ordinances.

Proviso.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 149.

An Act to amend an act entitled "An act to amend an act entitled 'An act prescribing the liability of an employer to make compensation for injuries received by an employee in the course of employment, establishing an elective schedule of compensation and regulating procedure for the determination of liability and compensation thereunder,' approved April fourth, one thousand nine hundred and eleven," approved March fourteenth, one thousand nine hundred and twenty-two.

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

Section 14 amended.

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

Medical and hospital service.

14. The employer shall furnish to the injured workmen such medical, surgical and other treatment, and hospital service as shall be necessary to cure and relieve the workman of the effects of the injury and to restore the functions of the injured member or organ where such restoration is possible; *provided, however,* that the employer shall not be liable to furnish or pay for physicians' or surgeons' services in excess of fifty dollars and in addition to furnish hospital service when necessary in excess of fifty dollars, unless the injured workman or the physician who treats him, or any other person on his behalf, shall file a petition with the Workmen's Compensation Bureau stating the need for such physicians' or surgeons' services in excess of fifty dollars, as aforesaid, and such hospital service or appliances in excess of fifty dollars as aforesaid, and the Workmen's Compensation Bureau after investigating the need of the same and giving the employer an opportunity to be heard, shall determine that such physicians' and surgeons' treatment and hospital services are or were necessary, and that the fees for the same are reasonable and

Proviso.

shall make an order requiring the employer to pay for or furnish the same. If the employer shall refuse or neglect to comply with the foregoing provisions of this paragraph the employee may secure such treatment and services as may be necessary and as may come within the terms of this paragraph, and the employer shall be liable to pay therefor; *provided, however,* that the employer shall not be liable for any amount expended by the employee or by any third person on his behalf for any such physicians' treatment and hospital services, unless such employee or any person on his behalf shall have requested the employer to furnish the same and employer shall have refused or neglected so to do, or unless the nature of the injury required such services, and the employer or his superintendent or foreman, having knowledge of such injury shall have neglected to provide the same, or unless the injury occurred under such conditions as make impossible the notification of the employer, or unless the circumstances are so peculiar as shall justify, in the opinion of the Workmen's Compensation Bureau, the expenditure assumed by the employee for such physicians' treatment and hospital services, apparatus and appliances. All fees and other charges for such physicians' and surgeons' treatment and fees and charges as prevail in the same community for similar physicians', surgeons' and hospital services. When an injured employee may be partially or wholly relieved of the effects of a permanent injury, by use of an artificial limb or other appliance, which phrase shall also include artificial teeth or glass eye, the Workmen's Compensation Bureau, acting under competent medical advice, is empowered to determine the character and nature of such limb or appliance, and to require the employer or his insurance carrier to furnish same.

Liability of employer.

Proviso.

Fees and charges allowable.

Furnishing artificial appliances.

Approved April 3, 1928.

CHAPTER 150.

An Act to amend an act entitled "An act to provide for the payment of wages in lawful money of the United States every two weeks," approved March sixteenth, one thousand eight hundred and ninety-nine.

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

Section 1 amended.

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

Semiweekly payments in lawful money.

1. Every person, firm, association or partnership doing business in this State, and every corporation organized under or acting by virtue of or governed by the provisions of an act entitled "An act concerning corporations" (Revision of one thousand eight hundred and ninety-six), in this State, shall pay at least every two weeks, in lawful money of the United States, to each and every employee engaged in his, their or its business, or to the duly authorized representative of such employee, the full amount of wages earned and unpaid in lawful money to such employee, up to within twelve days of such payment; *provided, however,* that if at any time of payment, any employee shall be absent from his or her regular place of labor and shall not receive his or her wages through a duly authorized representative, he or she shall be entitled to said payment at any time thereafter upon demand; any employer or employers as aforesaid who shall violate any of the provisions of this section, shall, for the first offense, be liable to a penalty of fifty dollars, and for the second and each subsequent offense, to a penalty of one hundred dollars, to be recovered by and in the name of the Department of Labor of this State. Every District Court, justice of the peace, and police magistrate, is hereby empowered, upon filing of a complaint in writing by any person alleging that a violation of this act has occurred, which complaint may be made upon informa-

Proviso.

Penalty for violation.

Jurisdiction.

tion and belief, to issue process at the suit of the Department of Labor 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 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, justice of the peace, or police magistrate 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 judge of the District Court, justice of the peace, or police magistrate, to detain the defendant in safe custody, unless he shall enter into bond to the said Department of Labor, with at least one sufficient surety in double the amount of the penalty claimed, conditioned for his appearance on the day to which the hearing shall be adjourned, and thence from day to day until the case is disposed of, and then to abide by the judgment of the said court, and such bond, if forfeited, may be prosecuted by the said board.

Process.

Summary procedure.

On refusal to pay judgment.

Adjourning hearing.

Bail.

Form of conviction.

The convictions in prosecutions under this act shall be in the following similar form:

State of New Jersey, } ss.
County of }

Be it remembered that on this day of , at , in said county, C. D., defendant, was by (the District Court of , or , justice of the peace, or police magistrate, or as the case may be), convicted of violating the first section of an act entitled "An act to amend an act entitled 'An act to provide for the payment of wages in lawful money of the United States every two weeks,' approved March sixteenth, one thousand eight hundred and ninety-nine," approved nineteen hundred and twenty-eight, in a summary proceeding at the suit of the Department of Labor of New Jersey upon a complaint made by , and further, that the witnesses in said proceeding, who testified for the plaintiff were (name them), and the witnesses who testified for the defendant were (name them).

Wherefore, the said court doth hereby give judgment that the plaintiff recover of the defendant dollars, penalty, and dollars, costs of this proceeding.

The conviction shall be signed by the judge of the District Court, justice of the peace or police magistrate before whom the conviction is had. In case the defendant is committed to jail in default of payment of the penalty, a commitment in the following form shall be added, beneath the judge's, justice of the peace's, or police magistrate's signature, to the conviction:

Form of commitment.

"And the said C. D., neglecting and refusing to pay the amount of the penalty above mentioned, with costs, it is hereby ordered that the said C. D. be, and he hereby is committed to the common jail of the county of for the period of days, unless the said penalty and costs are sooner paid."

This commitment shall also be signed by the judge, justice or magistrate, and in case of commitment of any defendant to jail, the conviction and commitment shall be signed in duplicate, and one of the duplicate

copies shall serve the purposes of a warrant of commitment.

Penalty for subsequent violations.

In case any person shall, after conviction of any violation of this act, be again convicted of another violation of this act or of continuing the violation for which he was previously convicted, he shall be liable to a penalty of one hundred dollars for each such violation or continuation, to be sued for and recovered in the manner above set forth. In case any defendant against whom judgment has been recovered for a penalty of one hundred dollars shall fail or neglect to forthwith pay the amount of said penalty, the court shall commit him to jail in the manner above set forth, for any number of days not exceeding two hundred days. Any penalty recovered for any violation of this act shall be paid to the said Department of Labor for the use of the State.

Signing and sealing process.

The clerk of any District Court or magistrate's court may sign and seal any process required to be issued under this act except a warrant of commitment. The costs recoverable in any such proceeding shall be the same as costs taxed in the District Court. Execution may issue for the collection of any judgment and costs, against the goods and chattels and body of the defendant without any order first obtained for such purpose.

Corrections by court.

It shall be lawful at all times for the court, justice or magistrate to amend all defects and errors in the complaint and process, in order that a determination may be reached as to whether a violation of this act has occurred.

Certain workmen excepted.

The provisions of this section shall not apply to any employee or employees engaged in agricultural work or as watermen.

Section 3 amended.

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

Enforcement of act.

3. The Department of Labor of this State shall be and is hereby authorized and directed to enforce the provisions of this act, and for this purpose the Commissioner of Labor shall designate such of his employees or assistants for that purpose as may be necessary.

Exception.

4. Nothing in this act shall apply to any person, firm, partnership, association or corporation of this State that can reasonably satisfy the Commissioner of Labor that he, they or it have a paid-up cash capital of not less than two hundred thousand dollars.

5. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 151.

An Act to amend an act entitled "A supplement to an act entitled 'An act to regulate the practice of courts of Law' (Revision of 1903)," which supplement was approved March twenty-eighth, one thousand nine hundred and twelve.

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

Section 15 amended.

1. Section fifteen of an act entitled "A supplement to an act entitled 'An act to regulate the practice of courts of law' (Revision of 1903)," be and the same hereby is amended to read as follows:

15. Summary Judgment. (a) Subject to rules, any frivolous or sham defense to the whole or to any part of the complaint may be struck out; or, if it appear probable that the defense is frivolous or sham, defendant may be allowed to defend on terms. Defendant, after final judgment, may appeal from any order made against him under this section.

(b) Subject to rules, any frivolous or sham complaint, or any frivolous or sham counterclaim heretofore filed, or which may hereafter be filed, or any portion or count of any such complaint or counterclaim, may be struck out; or if it appear probable that the complaint or counterclaim is frivolous or sham, the plaintiff or counterclaimant may be allowed to proceed

therewith on terms. A plaintiff whose complaint, or a counterclaimant whose counterclaim, has in part only been struck out, may, after final judgment, appeal from such order. Whether the striking out of any such complaint or counterclaim, or any part or count thereof, shall be with or without prejudice to the institution of another proceeding at law, based on the same cause or causes of action as were set forth in such complaint or counterclaim, or in the portion or count thereof so stricken out, shall be in the discretion of the court. Such discretion shall be exercised by the court and indicated in the order striking out such complaint or counterclaim or portion or count thereof.

Section 16 amended.

2. Section sixteen of an act entitled "A supplement to an entitled 'An act to regulate the practice of courts of law' (Revision of 1903)," be and the same hereby is amended to read as follows:

16. Summary Judgment. (a) If the answer as filed, or after any part thereof shall be struck out, leaves a part of the plaintiff's claim uncontested, judgment interlocutory or final may be entered for such part as is not contested and the cause may proceed to trial as to the residue.

(b) If a portion or count of a complaint or counterclaim shall be struck out, the plaintiff or counterclaimant may proceed with the case to trial as to the residue.

Application of act.

3. That the provisions of this act apply to any and all suits and proceedings which have heretofore been commenced or instituted, and also those which may hereafter be commenced or instituted.

4. That this act take effect immediately.

Approved April 3, 1928.

CHAPTER 152.

An Act to amend an act entitled "A supplement to an act entitled 'An act concerning District Courts' (Revision of 1898), approved March eleventh, one thousand nine hundred and twenty-two," approved March thirteenth, one thousand nine hundred and twenty-two, approved March thirteenth, 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 to which this act is an amendment is hereby amended to read as follows:

Transfer of action to Circuit Court when set-off exceeds jurisdiction of court.

1. Whenever in any answer to any action brought in any District Court now or hereafter created under the provisions of the act to which this is a supplement, the defendant shall file any setoff, counterclaim, discount or recoupment for liquidated damages, wherein it shall be made to appear that the amount claimed in such set-off, counterclaim, discount or recoupment shall exceed the sum or value limited for the jurisdiction of said court, such action shall, upon application on behalf of the defendant, accompanied by an affidavit of such defendant or his or her duly authorized agent, that he or she verily believes that the amount of such claim, when established by proof, will be greater than the sum or value limited for the jurisdiction of said court, and that said set-off or counterclaim, discount or recoupment is filed in good faith and not for the purpose of delay, upon order of the court, be transferred with the record thereof, and all papers filed in the cause, for hearing and determination, to the Circuit Court of the county in which such District Court is situate, which shall thereupon proceed therein as if the cause or matter had been originally commenced in that court; the record shall when necessary include a transcript of all entries and proceedings in the cause; *providing,* same shall not be transferred unless the judge of the Circuit Court to

Proviso.

which it is intended to transfer said cause, shall, upon due proof, and four days' notice, which shall operate as stay of suit in District Court until application is disposed of, and permitting adversary to read in opposition ex parte affidavit or affidavits, make an order that he finds that there is reasonable cause to believe that the set-off, counterclaim or other defensive action is founded on fact and that there is reasonable chance for success upon the trial of same by the party who files said set-off, counterclaim or other defensive action.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 153.

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:*

Selling charcoal by bag.

Contents indicated.

Size of paper bags.

1. Hereafter it shall be unlawful for any person 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 measure 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.

Penalty.

2. Any person, firm or corporation violating any of the provisions of this act shall for the first offense be liable to a penalty of not less than twenty-five dollars, nor more than fifty dollars; and for the second offense be liable to a penalty of not less than fifty dollars nor more than one hundred dollars, to be recovered in an action in the nature of an action in debt before the small cause court of any county, or the district court of any city or judicial district.

Action to recover penalties.

3. All actions for the recovery of penalties hereunder shall be brought by the State superintendent, county superintendent or assistant county superintendent, or the municipal or assistant municipal superintendent of weights and measures within their respective jurisdictions, and penalties when recovered shall be for use of the counties or municipalities in which the offense occurred. 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.

Procedure.

4. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 154.

An Act to amend 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:*

Section 1 amended.

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

DEFINITIONS.

1. The following are defined within the meaning of this act: Definitions:

(a) A poor person is one who is unable to maintain himself or those dependent upon him. Poor person;

(b) An overseer is such person as may be charged with the superintendence and relief or removal of the poor within his jurisdiction as may be found in his municipality, and shall be construed to mean superintendent in all cases where a superintendent as defined in this act is authorized to act when there is no overseer. Overseer;

(c) An almshouse is a place where the poor are maintained at the public expense of any municipality or county of this State, which has not established and does not maintain a welfare-house. Almshouse;

(d) A welfare house is a place where persons unable to care for and maintain themselves in whole or in part by reason of age, infirmity, or poverty may be cared for and maintained in whole or in part at the expense of county or municipality under the superintendent of a county welfare board in any county or portion thereof or districts composed of more than one county. District welfare house, where so mentioned, is one established and maintained by more than one county or portions thereof. Welfare house;

(e) A settlement of a person shall be his right under the provisions of this act to relief or maintenance and support in any municipality, county or counties. Settlement;

(f) Temporary or outdoor poor are such persons who can be relieved temporarily at their domicile or without being maintained in an almshouse or welfare-house. Temporary or outdoor poor;

(g) Permanent poor or out-door poor are such persons who may be better relieved or maintained and supported under the provisions of this act by commitment to a welfare house, almshouse, or with limitations, in the home. Permanent poor;

Voluntary wards of the county welfare board are such persons as are admitted to a county welfare house on application to the county board of welfare and are not supported entirely at public expense. Voluntary wards;

Welfare board; (h) A welfare board is the board of one or more counties authorized to have charge and supervision and control of a welfare-house and to supervise through a superintendent such work for or in relation to the poor as directed or authorized.

Superintendent; (i) A superintendent is the employee of a welfare board of a county or district authorized to act for it and under its direction and to act for overseers where there are none.

State board; (j) State board is the New Jersey State Board of Control of Institutions and Agencies.

Commissioner; (k) Commissioner is the Commissioner of Institutions and Agencies of this State.

"May"; (l) The word "may" shall be construed to be permissive.

Gender; (m) The masculine noun or pronoun shall include the feminine.

Public charge; (n) Public charge shall mean a person to whom it is necessary to furnish proper relief as provided in this act.

County adjuster; (o) County adjuster is the official of that designation now authorized to act in the cases of commitment or admission of insane persons to State or county hospitals for the insane.

Municipality. (p) The word "municipality" does not include, in meaning, a county, unless otherwise indicated by the context, but includes any city, borough, township, town, village or municipality governed by an improvement commission.

Section 5 amended. 2. Section five of the act of which this act is amendatory be and the same hereby is amended to read as follows:

Organization of welfare board. 5. Said welfare board shall elect from among its members a president, vice-president and a secretary-treasurer.

Term of superintendent. The superintendent appointed as herein provided shall not be a member of the board, and shall hold office for the term of five years, or until the appointment of his successor, unless sooner removed for cause after due notice and hearing.

Assistants. Said board of managers shall appoint such other officers and employees as may be necessary; they shall fix the salaries of the super-

Salaries.

intendent and such officers and employees within the limits of the appropriation made therefor by the board of freeholders, and such salaries shall be compensation in full for all services rendered. The superintendent, officers and employees shall be subject to such rules and regulations in the discharge of their duties as may be provided by said board, and shall have, under the control of said board, the general superintendence and management of said welfare-house, of the grounds and buildings, and of the inmates thereof. The welfare board shall have charge of all matters relating to the government, discipline, contracts and fiscal concerns thereof as appropriated by the chosen freeholders and shall make such rules and regulations as may be necessary for carrying out the purposes of such welfare-house. The county board of welfare shall be empowered to receive and pass upon applications for admission to the welfare-house of voluntary wards.

Rules and regulations.

Duties.

Applications.

Any adult person having legal settlement in a county where a welfare-house is maintained may make application for admission as a voluntary ward, provided such person is by reason of age or infirmity unable to fully support and properly care for himself in accordance with his need.

Application by voluntary ward.

In any case where voluntary payment for care and maintenance by a voluntary ward or by reasons legally chargeable, is in amount less than the per capita cost of care and maintenance in the welfare-house, an order of the court will fix the amount to be paid by the voluntary ward or by persons legally chargeable. The balance of the cost of care and maintenance shall be a charge upon the municipality where the applicant has legal settlement and if he has no settlement in a municipality it shall be a charge upon the county.

Fixing amount paid by voluntary ward and county.

They shall so equip and maintain said home as to provide proper heat and all furniture, materials and supplies, medical and otherwise, as may be necessary for the adequate maintenance of the permanent poor, and said board shall meet at said welfare-house at least once in every month, and at such other times as may be prescribed in the by-laws or rules of said board, and

Operation of home.

shall hold their annual meeting at least one month prior to the meeting of the board of freeholders at which appropriations for the ensuing year are to be considered. All appropriations for the expenditure of money above set forth shall be subject to the approval of the board of chosen freeholders. They shall keep a public record in a book provided for that purpose of their proceedings. The welfare-house shall be subject to inspection to duly authorized representatives of the State board, or the commissioner, and of the State Board of Health. They shall certify all bills and accounts, including salaries and wages, and transmit them to the board of freeholders of the county, who shall provide for their payment in the same manner as other charges against the county, except such municipalities therein as do not participate as provided in this act, and shall make annually, a report of the financial managment and expenditures and other operations of the welfare-house and the number of persons maintained therein, together with their recommendations to the said board of freeholders. The freeholders shall provide and maintain, however, a working expenses fund raised and collected as the other expenses are required by this act to be provided not to exceed three hundred dollars for the use of the welfare board. Payments therefrom shall be made out of the county treasury on the voucher of the said secretary-treasurer.

Records.

Inspection.

Accounts certified.

Annual report.

Working fund.

3. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 155.

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, one thousand eight hundred and ninety-eight).

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

Surrogates' fees.

1. The surrogate and other officers of the Orphans' Court shall receive for the services hereinafter mentioned the following stated fees, and no more; a sheet or folio shall consist of one hundred words:

WILLS.

Probating two-page wills.

For complete probate of a two-page will, including the preparation and execution of the petition, deposition of one witness, qualification of executor, surrogate's certificate, decree for probate, letters testamentary, binding, recording, comparing, docketing, indexing, report to Comptroller, report and transmission to Secretary of State, twelve dollars ($12.00).

Witnesses.

Extra witnesses, one dollar ($1.00) each.

Codicil.

For probate of each codicil not exceeding one page, four dollars ($4.00).

Recording.

For recording and comparing each additional page of will or codicil, one dollar ($1.00).

Certified copy.

For extra certified copy of will, one dollar ($1.00), plus twenty (20) cents per folio.

Plain copy.

For extra plain copy of will twenty (20) cents per folio.

Certified wills with proofs.

For certified copy of will with proofs for New Jersey county, five dollars ($5.00), plus twenty (20) cents per folio of will and codicil, in excess of two-page will.

Exemplifying. For exemplifying will for another State, six dollars ($6.00), plus twenty (20) cents per folio in excess of two-page will, plus cost of Secretary of State's certificate when requisite.

Recording will from another state. For recording, indexing, filing and reporting to Comptroller, an exemplified copy of will from another State, twenty (20) cents per folio.

Recording certified copy. For recording, docketing, indexing and filing a certified copy of will with proofs from New Jersey, twenty (20) cents per folio.

Probate. For probate of will, without letters, ten dollars ($10.00).

General work. General administration, including preparation and execution of petition, bond, surety affidavits and necessary recording, indexing, filing, report to Comptroller and Secretary of State and original letters, nine dollars ($9.00).

Sundry charges. Administration ad prosequendum, five dollars ($5.00).

Administration to creditor (same as general administration), nine dollars ($9.00).

Filing, entering, issuing and recording proceedings in commission for deposition of foreign witness to a will or codicil, five dollars ($5.00).

Exemplifying administration, five dollars ($5.00).

Certified copy administration, three dollars ($3.00).

Granting letters of guardianship, six dollars ($6.00).

No fee when estate under $100. Whenever it shall appear that the estate, real and personal, of any testator, intestate, minor or ward, is less than one hundred dollars, no fees shall be charged upon proceedings for probate of a will, granting administration or guardianship up to and including the letters issued and copies of said letters as well as the fees

When $200. of filing and recording and inventory, and whenever it shall appear that such estate does not exceed two hundred dollars the fees shall be one-half of those allowed

Proviso. by law; *provided, however,* if it shall afterwards appear in any case that the value of the estate, real and personal, exceeds or exceeded two hundred dollars, then the said estate shall be liable for and pay the balance of the fees that would have been collected had no deduction been made under the provisions of this act.

Adoption.

Filing, entering and recording proceedings in adoption (all papers), fifteen dollars ($15.00).

Accounts—table of fees.

Accounts. Filing, auditing, stating, reporting and recording accounts of executors, administrators, guardians, trustees and assignees, including drawing decree:

In estates up to two thousand dollars ($2,000), fifteen dollars ($15.00), plus advertising.

In estates two thousand dollars ($2,000), to ten thousand dollars ($10,000), thirty-two dollars ($32.00), plus advertising.

In estate ten thousand dollars ($10,000) to thirty thousand dollars ($30,000), forty dollars ($40.00), plus advertising.

In estates thirty thousand dollars ($30,000), to fifty thousand dollars ($50,000), fifty-two dollars ($52.00), plus advertising.

In estates fifty thousand dollars ($50,000) to five hundred thousand dollars ($500,000), one-tenth of one per centum, plus advertising, and plus such additional fees as the court may allow.

The petition and one page of accounting are included in the above costs. In excess of one page of accounting the charge shall be twenty (20) cents for each additional folio.

In case of small estates.

Whenever it shall appear that the estate, real and personal, of any testator, intestate, minor or ward is less than two hundred dollars, no fees shall be charged upon auditing, stating and allowance of the account of the executor, trustee, administrator or guardian; and when it shall appear that such estate does not exceed the sum of five hundred dollars, the fees upon the auditing, stating and allowance of the executor, trustee, administrator or guardian, shall be one-half of the fees heretofore allowed.

Balance included.

In computing the amount of an estate for the purpose of fixing the fees of a surrogate for auditing and reporting the account, the balance transferred from a prior account shall be excluded.

Drawing various papers.

Drawing petition on application for order to limit time to creditors, posting notices, entering the rule and decree and making the rule absolute, twelve dollars ($12.00), plus advertising.

Short certificates, seventy-five (75) cents.

Filing. Filing, et cetera, appointment of appraisers, one dollar and a half ($1.50).

Filing, entering and recording inventory and appraisement not exceeding one page, four dollars and a half ($4.50).

Twenty cents per folio for each folio in excess of one page.

Filing, entering and recording combined refunding bond and release (not over two pages), two dollars ($2.00), with additional fifty (50) cents for county clerk's certificate.

Filing, entering and recording release (two pages), one dollar and a half ($1.50), with additional fifty (50) cents for county clerk's certificate.

Filing every caveat, one dollar ($1.00).

Filing, entering and recording renunciation for one person, seventy-five (75) cents.

Each additional person in renunciation, twenty-five (25) cents.

Citations. Issuing citations (original and copy), one dollar and a half ($1.50).

Extra copies, seventy-five (75) cents each.

Filing, entering and recording all proceedings relative to presumption of death (exclusive of letters), fifteen dollars ($15.00), with additional fee for advertising.

Filing, entering petition for distribution, affidavit of next of kin, and recording and filing decree of distribution, three dollars ($3.00).

Miscellaneous. Miscellaneous orders of court, one page, one dollar ($1.00), and twenty (20) cents extra per folio.

Subpœnas, one dollar ($1.00).

Subpœna tickets, each, twenty-five (25) cents.

Authorization of process, fifty (50) cents.

Swearing each witness, ten (10) cents.

Adjournment or continuance, one dollar ($1.00).

Proceedings in sale of land to pay debts (exclusive of advertising), twenty-five dollars ($25.00).

Recording all papers not herein specifically mentioned, twenty (20) cents per folio.

Filing all papers not herein specifically mentioned, fifty (50) cents.

In all proceedings not herein specifically provided for, the fees provided by law in effect July third, one thousand nine hundred and twenty-six, shall be allowed. Certain fees continued.

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

Approved April 3, 1928.

CHAPTER 156.

A Supplement to "An act concerning savings banks," approved May second, one thousand nine hundred and six, and limiting the time within which claims may be made against savings banks by depositors in certain cases.

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

1. No savings bank shall be liable to a depositor for or in respect of any payment made by it upon any forged or altered draft, order or receipt, or upon any forged or altered endorsement of any draft, order or receipt, if such payment has been or shall be made to any person presenting the pass book or other evidence of deposit furnished by the bank and such payment or withdrawal is entered therein, unless within two years after such payment the depositor shall have notified the bank, in writing, that such draft, order or receipt, or endorsement thereon, was forged or altered; *provided,* that such notification with respect to any such payment heretofore made may be given within one year from the date of approval of this act, if such period of two years would have expired prior thereto. Liability of savings bank for paying forged paper. Proviso.

2. This act shall not be construed, in any such case, so as to create any liability against any savings bank or affect any legal defense which it may have without reference to the provisions of this act. Construing act.

3. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 157.

An Act to amend an act entitled "An act respecting notice of lis pendens" (Revision of 1902), approved April third, one thousand nine hundred and two.

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

Section 1 amended.

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

No process deemed constructive notice until lis pendens is filed.

1. Neither the issuing of a summons or subpœna or other process of writ, nor the filing of a declaration or bill of any suit relating to or affecting the possession of or title to lands or real estate, nor any proceedings had or to be had thereon, either at law or in equity, before a final judgment or decree, shall be deemed or taken to be constructive notice to any bona fide purchaser or mortgage of any lands or real estate to be affected thereby until the plaintiff or complainant in such action, or his attorney or solicitor, shall have first filed in the office of the clerk of the Court of Common Pleas, except in counties where there is a register of deeds and mortgages, then in the office of the register of deeds and mortgages of the county in which such lands or real estate lie, a written notice of the pendency of such suit, setting forth the title of the cause and general object thereof, together with a description of the lands or real estate to be affected thereby; *provided,* that in suits for the satisfaction or foreclosure of any duly registered or recorded mortgage, such notice shall also specify the book and page of record of such mortgage; *provided, further,* in case the plaintiff in any suit at law or the complainant named in any bill in Chancery does not take steps to prosecute the suit diligently within three years after the filing of such notice, then the court in which such suit at law is brought, or the complainant or his solicitor, declare the filing of such notice to be null and void and of no effect.

Proviso.

Proviso.

Approved April 3, 1928.

CHAPTER 158.

An Act relative to recorders in villages.

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

Village recorder. Appointment and term.

1. It shall be lawful for the governing body of any village in this State by resolution to appoint a recorder who shall hold office for a term of five years from the first day of January of the year of his appointment and who shall receive such compensation as said governing body shall by law fix.

Powers and jurisdiction.

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

3. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 159.

An Act to authorize the Chancellor of this State to authorize and approve and confirm, in his discretion, the sale of lands by any executor, administrator, administrator with the will annexed, guardian or trustee to such executor, administrator, administrator with the will annexed, guardian or trustee.

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

Sale of land by executor, etc., to himself by order of Chancellor.

1. Whenever it shall appear to the Chancellor of this State, by petition of any executor, administrator, administrator with the will annexed, guardian or trustee,

that it will be to the advantage of the estate or estates of which any such person is executor, administrator, administrator with the will annexed, guardian or trustee, that such executor, administrator, administrator with the will annexed, guardian or trustee should purchase any lands or real estate, or any part thereof, belonging to the said estate, it shall be lawful for the said Chancellor, upon petition filed for that purpose, to inquire, in a summary manner, into the merits of the application, by reference to a master, or otherwise, and ascertain the actual money value of the lands or real estate or portion or part thereof, so to be purchased, and in case the said court shall ascertain that it will be to the advantage of the estate, or estates, the said Chancellor may decree that such executor, administrator, administrator with the will annexed, guardian or trustee, may purchase the said lands for such price and in the same manner as though such executor, administrator, administrator with the will annexed, guardian or trustee, were any other person purchasing the same.

Reference to master.

Decree.

No sale without authorization.

2. Nothing herein contained shall authorize the sale of any lands, premises or real estate belonging to any estate by any executor, administrator, administrator with the will annexed, guardian or trustee, who is not otherwise authorized by the terms of the will, or under an order or decree of a court or by a statute of this State to sell the same, and nothing herein contained shall authorize the purchase of any lands, or real estate, by any executor, administrator, administrator with the will annexed, guardian or trustee, where there is a coexecutor, coadministrator, coadministrator with the will annexed, coguardian, or cotrustee, without the concurrence of the said coexecutor, coadministrator, coadministrator with the will annexed, coguardian or cotrustee.

Concurrence necessary in case of co-executor, etc.

3. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 160.

An Act concerning parks in cities of the second class.

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

Raising funds for parks by entertainments in said parks.

1. Any park board, or board of park commissioners of any city of the second class, in order to provide the funds, in whole or in part, necessary to improve, maintain or police the parks or recreation places under its control, or for the purpose of constructing stadiums or pavilions in said public parks, shall have the power and authority to arrange and provide for the giving of outdoor exhibitions, concerts, games and contests, and the authority to use and employ said parks, or any portion thereof, for the purpose of giving thereon outdoor exhibitions, concerts, games and contests, and the said board shall have the power and authority to charge and collect a reasonable admission fee for each person entering such park during the time or times when the said park or recreation place is being used for such purpose; *provided, however,* that the said board shall not use or employ any such park or recreation place for any such purpose for a greater period than eight hours in any week, nor on more than two days in any one week.

Proviso.

Receipts kept as special fund.

2. All moneys received by said board shall be paid over to the city treasurer and kept by him in a special fund which shall be under the control of said board and the governing body having control of the finances of any such city, and shall be used only for the purpose of defraying the expenses of improving, maintaining or policing the parks and recreation places, or for the purpose of constructing stadiums or pavilions in said public parks in such municipality.

Use.

3. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 161.

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

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

Freeholders may build sidewalks and curbing.

1. In addition to the powers conferred by the provisions of the act to which this act is a supplement, it shall be lawful for boards of chosen freeholders in counties of the first and second class and they are hereby empowered to construct sidewalks and curbing along county highways and other roads or highways subject to the jurisdiction of said boards of chosen freeholders, and further are empowered, in connection with such construction as aforesaid, to enter into agreements with municipalities in said county to share part of the cost of said construction and thereafter of the maintenance and reconstruction of such sidewalks so constructed.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 162.

A Supplement to an act entitled "An act creating a department to be known as the Board of Commerce and Navigation, and vesting therein all the powers and duties now devolved, by law, upon the Board of Riparian Commissioners, the Department of Inland Waterways, the Inspector of Power Vessels, and the New Jersey Harbor Commission," approved April eighth, one thousand nine hundred and fifteen.

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

Dredge and improve Lake Hopatcong.

1. In addition to the powers conferred upon the Board of Commerce and Navigation by the provisions of the

act to which this act is a supplement, the said Board of Commerce and Navigation is hereby authorized and empowered and shall undertake to dredge and to improve generally Lake Hopatcong, located in the counties of Morris and Sussex in this State.

Appropriation.

2. For the purpose of carrying into effect the provisions of this act there is hereby appropriated the sum of fifty thousand dollars, when contained in any annual or supplemental appropriation bill, or so much thereof as may be necessary to be expended by the Board of Commerce and Navigation for the aforesaid purpose.

3. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 163.

An Act authorizing municipalities and fire districts to provide compensation insurance for volunteer firemen.

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

Compensation insurance for volunteer firemen.

1. It shall be lawful for the governing body of any municipality, and the committee of any fire district, to provide compensation insurance for volunteer firemen. Such municipality or fire district are hereby authorized and empowered so to do.

Basis of payments.

Such payments of compensation insurance shall be based upon the weekly salary or compensation received by such volunteer fireman in private employment, and ascertained pursuant to the provisions of an act entitled "A further supplement to an act entitled 'An act prescribing the liability of an employer to make compensation for injuries received by an employee in the course of employment, establishing an elective schedule of compensation, and regulation procedure for the determination of liability and compensation thereunder,' approved April fourth, one thousand nine hundred and eleven," which said supplement was

Ascertaining compensation when working.

approved March twenty-seventh, one thousand nine hundred and thirteen, and the acts amendatory thereof and supplemental thereto. The premiums therefor shall be paid from the tax levy and such insurance shall protect such volunteer fireman from loss for injury suffered while engaged in the performance of their duties.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 164.

An Act to amend an act entitled "An act to amend an act entitled 'An act to amend an act entitled "An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof," approved October nineteenth, one thousand nine hundred and three,' which amendment was approved May seventh, one thousand nine hundred and seven," which amendment was itself approved March sixteenth, nineteen hundred and nine.

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

Section 91 amended.

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

District clerk.

91. Every board of education organized under the provisions of this article shall, by the majority vote of all the members of such board, appoint a district clerk, who may be elected from among said members, and shall fix his compensation and term of employment. Said district clerk, as such, may be removed by a majority vote of all the members of said board. He shall, before entering upon the duties of his office, execute and deliver to said board a bond in a sum to be fixed by said board, with surety or sureties to be approved

Bond.

by said board, conditioned for the faithful performance of the duties of his office. Said board may accept the bond or undertaking of a trust company, or surety or indemnity company, and may pay the annual premium or fee therefor as a current expense of said board. He shall record in a suitable book all proceedings of the board of education, of the annual school meetings and of special school meetings. He shall pay out by orders on the custodian of the school moneys of the school district, and in the manner prescribed by law, all school moneys of the district. He shall keep a correct and detailed account of all the expenditures of school moneys in the district, and shall report to the board at each regular meeting the amount of the total appropriations and the cash receipts for each account, the amount for which warrants have been drawn and the amount of orders for all contractual obligations since the date of his last report, the accounts against which said warrants shall have been drawn and the accounts against which said contractual obligations are chargeable, and the cash balance and free balance to the credit of each account. At each annual school meeting he shall present his record books and his accounts for public inspection, and shall make a statement of the financial condition of the district. He shall post notices of the annual and of any special meeting of the legal voters, and shall insert in said notices the object or objects for which said meeting shall be called; he shall notify all members of the board of education of all regular and special meetings of the board, and during the month of July in each year he shall present to the board of education a detailed report of the financial transactions of the board during the preceding school year, and file a copy thereof with the county superintendent of schools. The warrant or order for the balance of salary due a district clerk at the close of the school year shall not be delivered to him until written notice has been received from the county superintendent that such district clerk has filed with him such annual report.

Records, duties, etc.

Expenditures.

Orders for obligations.

Annual report.

Further duties.

When balance of salary paid.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 165.

An Act to amend an act entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three," which amendment was itself approved April nineteenth, nineteen hundred and fifteen.

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

Section 184 amended.

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

Custodian of school moneys.

184. In each school district there shall be a custodian of school moneys, who shall receive and hold in trust all school moneys belonging to such school district, whether received from the State appropriation, State school tax, district tax, appropriation, or from other sources, and shall pay out the same only on warrants signed by the president and district clerk or secretary of the board of education. Each warrant shall specify the object for which it shall be given, and shall be made payable to the order of the person entitled to receive the amount named therein; *provided,* that in the payment of teachers and other employees a payroll, certified by the president and district clerk or secretary of the board of education, stating the names of the teachers and other employees and the amount to be paid to each, may be delivered to the custodian of school moneys, accompanied by a warrant, drawn to his order, for the full amount of said payroll, which said payroll warrant shall be deposited in a separate bank account as a payroll account in which case said custodian shall deliver to said district clerk or secretary individual checks payable to the order of said teachers and other employees. Said custodian shall pay over the balance of school funds re-

Payments.

Object specified.

Proviso—

total pay roll certified.

Balance.

maining in his hands to his successor in office. He shall keep in the books provided for that purpose a record of the sums received and paid out by him. He shall make a monthly report to the board of education giving detailed account of all receipts and the amount of all warrants signed by him since the date of his last report, the accounts against which said warrants shall have been drawn, and the balance to the credit of each account. At the close of the school year he shall transmit to the board of education of the district a report showing the amounts received and disbursed by him for school purposes during said year, and shall file a duplicate of such report with the county superintendent of schools.

Records.

Monthly report.

Annual report.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 166.

An Act from the State fund a sum of money to be expended by and under the direction of the Board of Commerce and Navigation for the construction in whole or in part of such works and structures including seawalls, bulkheads and jetties and other approved devices necessary and proper to protect the riparian lands and taxable property of this State in municipalities within Monmouth county bordering on the Atlantic ocean from destruction by encroachments of the Atlantic ocean and other destruction agencies of the sea.

WHEREAS, The coast and seashore of Monmouth county of the State of New Jersey in many cases and in many locations has been or is likely to be encroached upon by the Atlantic ocean, thereby causing a great destruction of the riparian lands and to taxable property of great value from which, and from

Preamble.

riparian leases, annually, by taxation for State purposes large sums may be and are derived by the State; and

Preamble. WHEREAS, Such encroachments by the ocean can, in the judgment of the Legislature, be checked and prevented by the construction and maintenance of seawalls, bulkheads and jetties along said ocean and by other approved devices; therefore,

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

Appropriation. 1. There is hereby appropriated and directed to be paid out of the treasury of the State of New Jersey a sum or sums not to exceed in the aggregate one hundred and seventy-five thousand dollars, which when included partly or wholly in any appropriation act shall be used

How expended. and expended under the direction of the Board of Commerce and Navigation of the State of New Jersey,

Constructing jetties, etc. for the construction of such works, seawalls, bulkheads and jetties and other devices necessary and proper to protect the riparian lands of this State or property for which this State receives a revenue by taxation or for rents for riparian leases, bordering upon any municipality located in Monmouth county of this State which borders upon the Atlantic ocean, from the encroachment of the Atlantic ocean, which sum of money, or so much thereof as may be necessary, is to immediately

Plans. become available and payable. The plans for all such works or work built in whole or in part shall be approved by the Board of Commerce and Navigation of the State of New Jersey, and the selection and designation

Section to be protected. of the section or sections of the sea coast of Monmouth county to be protected shall also be determined by said board, and said board is hereby empowered to make such rules and regulations respecting the doing of such work and the inspection and approval thereof as it may deem necessary; said board is hereby authorized to assume the construction of any part of or the whole of any work or works approved by it, and provided the cost thereof does not exceed the amount set aside

Proviso. for any such work or works; *provided, however,* that no greater amount or portion of the sum of money

hereby appropriated shall be available and paid out for the purposes of such work or works in any single municipality than is appropriated by such municipality in which or upon the borders of which such work or works are to be constructed, and is available for expenditure therefor; *and provided, further, however,* that no amount greater than fifty thousand dollars shall be available for the purpose of such protective work or works within or upon the borders of any single municipality. Proviso.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 167.

An Act for the relief of persons who served in the military or naval forces of the United States in any war in which the United State was engaged.

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

1. Any soldier, as defined in this act, who served in the military or naval forces of the United States, in any war in which the United States was engaged, and who has sustained a total loss of sight as a result of said services, shall be paid out of the treasury of this State, for the term of his life, the sum of five hundred dollars annually, to be paid in monthly payments. Yearly allowance for loss of sight.

2. The evidence of such service and of such disability in each case shall be furnished to the Adjutant-General of the State of New Jersey. Said Adjutant-General shall examine the same, and upon being satisfied that such service was performed and that the said person has been rendered totally blind as a result thereof, he shall so certify to the State Comptroller, and upon receipt of same the State Comptroller shall draw his warrant on the State Treasurer in favor of the appli- Proof of disability. Certification.

cant, in the sum of five hundred dollars annually, for the time and in the manner hereinbefore provided.

"Soldier" defined.

3. The word "soldier," as used in this act, shall be taken to mean and include any officer, soldier, sailor, marine, nurse or any other person regularly enlisted or inducted, who was or is a part of the military or naval forces of the United States, who took part in any war in which the United States was engaged, and who was a resident of the State of New Jersey at the time he was commissioned, enlisted, inducted, appointed or mustered into the military or naval service of the United States, and who has been or may be given an honorable or ordinary discharge or release from such service.

Appropriation.

4. To carry out the provisions of this act, the sum of six thousand five hundred dollars ($6,500.00) is hereby appropriated, when included in any annual or supplemental appropriation bill.

Repealer.

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

6. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 168.

An Act to amend an act entitled "A supplement to an act entitled 'An act concerning idiots and lunatics' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," 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 the act to which this act is an amendment is hereby amended to read as follows:

Guardian of incompetent veterans.

1. Within fifteen days after this act shall take effect, there may be appointed in each county of this State, a person to be known as "public guardian of incompetent veterans for the county of (naming county)" who shall be appointed by the judges of the Orphans' Court of the several counties of the State, and who shall hold office for the term of five years from the date of his appointment and until his successor is appointed and qualified.

Term.

Section 3 amended.

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

Court to name guardian.

3. In all cases where application shall be made to the Orphans Court in all counties of the State for the appointment of a guardian of any person who, while in a military, naval or marine service of the United States, or after discharge therefrom, shall have been or shall be duly found and determined to be of unsound mind, whether or not such person shall have been or shall be committed or confined to an asylum, hospital or other institution for the care of the insane, and the next of kin of such person shall be unwilling, unable or unqualified for such appointment, or in case it shall appear to the said court that the best interests of such person require it, the said court may appoint the public guardian of incompetent veterans of the county wherein such person resides as his guardian.

Section 5 amended.

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

Yearly report.

5. During the month of January of each year, the public guardian of incompetent veterans shall present to the judges of the Orphans' Court of the county for which he shall be appointed, an account of his receipts and disbursements in each estate in which he is acting as such guardian, accompanied by receipts and vouchers showing all moneys received and expended by him during the preceding year, and showing the balance remaining in his hands in each of said estates, which report shall be approved by the said judges of the Orphans' Court as now required from guardians by law; *provided, however,* that upon the termination of any such guardianship by death of his ward or otherwise, the said public guardian of incompetent veterans

Proviso.

shall proceed to settle his account as such guardian in the manner prescribed by law in the case of other guardians of incompetent persons; *and provided, further,* that the Orphans' Court may, upon the application of any person in interest upon good cause shown, at any time require such guardian to settle his account in the manner prescribed by law in the case of other guardians of incompetent persons.

Proviso.

Section 6 amended.

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

Salary.

6. The public guardian of incompetent veterans shall receive such annual salary as may be fixed and determined by the board of chosen freeholders in and for the county in and for which the said guardian has been appointed, and which shall be paid by the treasurer of the county in semimonthly payments, and this said salary shall be in lieu of all other charges, compensation and commissions; nor shall the said guardian accept any money whatsoever by way of fee, compensation, gratuity or present for any of his services.

No gratuities.

Section 8 amended.

5. Section eight of the act to which this act is an amendment shall read as follows;

Duties of guardian.

8. It shall be the duty of the said guardian of incompetent veterans in each county to assist, supervise, advise and otherwise aid such persons as have hitherto been or may hereafter be appointed guardian or guardians of any incompetent veteran, and shall give such assistance in preparing and drawing of all papers, documents and other things for such incompetent veterans as may be necessary to be done, and shall further assist any such guardian or guardians of any such incompetent veterans to work in conjunction with the United States Veterans Bureau, to the end that the said incompetent veteran may be fully and completely protected.

Section 9. amended.

6. Section nine of the act to which this act is an amendment shall read as follows:

Removal of guardian.

9. The public guardian of incompetent veterans shall be subject to discharge or removal by the court which appointed him in the manner prescribed by law in the case of other guardians of incompetent persons.

7. Section ten of the act to which this act is an amendment shall read as follows: Section 10. amended.

10. All acts and parts of acts, general or special, inconsistent with the provisions of this act, are hereby repealed. Repealer.

8. Section eleven of the act to which this act is an amendment shall read as follows: Section 11. amended.

11. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 169.

An Act to regulate the taking of crustaceans, commonly known as crabs, in any of the tidal waters of the State of New Jersey, except Delaware bay.

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

1. It shall be unlawful for any person to take any crustacean, commonly known as crab, from any of the tidal waters of the State of New Jersey, except Delaware bay, by means of a line with more than ten baits attached thereto, under a penalty of twenty dollars for each offense. Catching crabs by line. Penalty.

2. This act shall be enforced by the persons authorized by and in accordance with the provisions of an act entitled "An act to provide a uniform procedure for the enforcement of all laws relating to fish, game and birds and for the recovery of penalties for violations thereof," approved March twenty-ninth, one thousand eight hundred and ninety-seven, and the amendments thereof and supplements thereto. Enforcement.

3. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 170.

An Act to amend an act entitled "An act to establish public parks in certain counties of this State and to regulate the same," constituting chapter three hundred and thirty-one of the Laws of one thousand nine hundred and twenty-six, approved March twenty-eighth one thousand nine hundred and twenty-seven.

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

Section 14 amended.

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

Bond issue authorized.

14. To meet the expenses incurred under the provisions of this act, in addition to the sum of money received from benefit assessments as herein provided and otherwise, the board of chosen freeholders of the said county shall, from time to time, on the requisition of said board of park commissioners, in the name and on the credit of the said county, borrow money by issuing the bonds of the said county to a sum in the aggregate not exceeding two million dollars, which bonds shall be issued as hereinafter provided.

Amount.

Freeholders' appropriation for parks.

2. On requisition of the said board of park commissioners the board of chosen freeholders shall have power to appropriate for said board of park commissioners such sums as said board of chosen freeholders may deem advisable, except as hereinabove provided.

Current expenses.

3. Appropriations for current expenses of said board of park commissioners and any other expenses which the board of chosen freeholders may deem proper, shall from time to time be included in the county budget.

Meeting other expenses.

4. Appropriations for other than current expenses, including, however, all expenses of the board of park commissioners incurred prior to the establishment of a park, may be provided for by the issuance of bonds or other obligations of the county in pursuance 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," constituting chapter two hundred and fifty-two of the Pamphlet Laws of one thousand nine hundred and sixteen, and the acts amendatory thereof and supplemental thereto. The chief financial officer of the county is authorized to deduct such bonds or other obligations, including the bonds or other obligations referred to in subdivision five of this act, from any annual or supplemental debt statement equal in amount to one per centum of the average assessed valuation of such county for the three preceding years.

Deducting bonds from debt statement.

Budget appropriations met by bonds.

5. In the discretion of the board of chosen freeholders, budget appropriations not exceeding one hundred thousand dollars in aggregate amount for the expenses of said board of park commissioners made prior to the establishment of a park, may be replaced by the issuance of bonds or other obligations for park purposes, as provided in the preceding section, and the proceeds of the bonds or other obligations issued for said purpose, may be reappropriated for any county purpose.

6. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 171.

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 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 13 amended.

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

Hours for voting.

13. The polls for the said election shall be opened at such time as the board of education may designate between the hours of two and nine P. M., and shall remain open at least two hours, or as much longer as may be necessary to poll the vote of the district; *provided, however,* that the polls must be open between the hours of seven o'clock P. M., and nine o'clock P. M. The board of education shall furnish suitable books in which shall be entered the names and addresses of each person voting within each of the said municipalities, and no person shall vote at such election except as provided in section twelve of this act. Each voter shall prepare his ballot and cast the same in such manner that the marking thereon shall not be exposed to the observation of any other person.

Proviso.

Names of voters entered.

Marking unseen.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 172.

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

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

Section 2 amended.

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

Who authorized to solemnize marriages.

2. The Chief Justice and each justice of the Supreme Court, the Chancellor and each Vice-Chancellor, and each judge of the Court of Common Pleas, recorder and police justice and mayor of this State, and every minister of ever religion and judges of the criminal judicial district courts in counties wherein such courts are or may be established are hereby authorized to solemnize marriages between such persons as may lawfully enter into the matrimonial relation, and every religious society, institution or organization in this State may join together in marriage such persons as are members of the said society, institution or organization or when one of such persons is a member of such society, institution or organization, according to the rules and customs of the society, institution or organization to which they or either of them belong.

Repealer.

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

Approved April 3, 1928.

CHAPTER 173.

An Act to supplement an act entitled "An act to provide means for protection against fires in townships," approved March tenth, one thousand eight hundred and seventy-nine.

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

Section 6 amended.

1. Section six of the act to which this act is a supplement be and the same is hereby supplemented to read as follows:

Annual meeting.

6. The legal voters of a district so organized shall meet annually on the third Saturday in February at three o'clock in the afternoon, and determine the amount

Purposes.

of money to be raised for the ensuing year, and elect a board of fire commissioners, to consist of five persons resident in such district, who, when elected, shall possess, within such district, all the rights and powers of the township committee under this act and shall hold office for three years and until their successors are

Proviso.

elected; *provided,* that at the first meeting of said board of fire commissioners elected after the passage of this act, the members of said board shall divide themselves

Terms.

by lot into three classes; the term of two members composing the first class shall be vacated at the expiration of the first year; the term of the two members composing the second class shall be vacated at the expiration of the second year, and the term of the one member composing the third class shall be vacated at the expiration of the third year, so that two members of said board of fire commissioners shall be elected annually, after the first election except every third year, when but one member shall be elected to hold office for three years,

Vacancies.

and if vacancies happen, by resignation or otherwise, the person or persons elected to supply such vacancies, shall be elected for the unexpired term only. In the event a vacancy happens by resignation or otherwise the board shall have the right to elect a member to fill the

vacancy until the next succeeding election. Each member of the board shall receive a salary of three dollars for each meeting attended, the gross amount of such salary not to exceed fifty dollars in any one year. The secretary shall receive as additional compensation an amount not to exceed sixty dollars, in addition to his salary for attendance at meetings and the treasurer who shall be a member of the board and appointed for a term of one year which shall receive as additional compensation the sum of one hundred dollars. The treasurer shall cause his books to be audited at least once a year within thirty days after the expiration of the fiscal year and the secretary of said board shall cause such audit to be advertised at least twice in a newspaper published in the municipality of which a district is part and in the event there is no newspaper published in said municipality then in a newspaper circulating in said district. In the event the secretary shall neglect or refuse to publish the audit within five days after the first regular meeting subsequent to the delivery of said report to said board he shall forfeit and pay the sum of one hundred dollars which shall be recovered by an action of debt by any person who shall bring suit for the same one-half of which shall go to such person and one-half to the treasury of the district. The district treasurer shall be the custodian of the moneys of the district and all moneys which the district commissioners are by law authorized to receive and disburse, shall be paid to him and disbursed by him only on the warrant of the district commissioners signed by a majority thereof. Such person shall give surety company bond to the district and only such surety authorized by the Department of Banking and Insurance to do business in this State, in such sum as the district commissioners shall approve conditioned for the faithful discharge of the duties of his office which bond shall be filed with the board of fire commissioners, the premium on said bond to be paid for by the district.

Salary of members of board of fire commissioners.

Books audited and advertised.

Penalty for not publishing audit.

Custodian of funds.

Surety.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 174.

An Act to amend an act entitled "An act to authorize the governing body of any municipality to appropriate money in aid of voluntary fire companies," approved March eighteenth, nineteen 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 an act entitled "An act to authorize the governing body of any municipality to appropriate money in aid of voluntary fire companies," approved March eighteenth, nineteen hundred and twenty-one, be and the same is hereby amended so as to read as follows:

Assistance for volunteer fire companies.

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 volunteer fire companies in any such municipalities; *provided,* the said fire company shall own and maintain its own apparatus.

Section 3 amended.

2. Section three of an act entitled "An act authorizing the governing body of any municipality to appropriate money in aid of voluntary fire companies," approved March eighteenth, nineteen hundred and twenty-one, be and the same is hereby amended so as to read as follows:

Assistance for volunteer companies of adjoining municipalities.

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 volunteer fire companies located in adjoining municipalities in the habit of responding to fires in said municipality; *provided,* the said fire company shall own and maintain its own apparatus.

Proviso.

3. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 175.

A Supplement to an act entitled "An act concerning sheriffs" (Revision of 1877).

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

Validating sheriff's sale, although not legally advertised.

1. Whenever any sale has been heretofore held by any sheriff, pursuant to any judicial proceeding, and notice thereof has been published in any newspaper not a legal newspaper, for the purpose of publication of legal notices by reason of said newspaper not having been in existence for a period of one year prior to such advertisement, all such proceedings so had by virtue of said advertisement shall be valid and effectual, and sales so made are hereby ratified, validated and confirmed.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 176.

An Act to amend an act entitled "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," which 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:*

Section 1 amended.

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

Rebate in taxation in counties of first class according to acreage.

1. Any taxing district in any county of the first class in this State in which there has been located any State or county institution or institutions occupying

more than two hundred acres and not in excess of four hundred acres of land, in the aggregate, shall have remitted or rebated by the county collector a sum equal to one-half of the county tax rate applied to the entire amount of ratables remaining subject to taxation. Any taxing district in any county of the first class in this State in which there has been located any State or county institution or institutions occupying in excess of four hundred acres of land, in the aggregate, shall have remitted or rebated by the county collector a sum equal to three-fourths of the county tax rate applied to the entire amount of ratables remaining subject to taxation.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 177.

An Act to establish boards of county sewer survey commissioners and to define their powers and duties.

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

Sewer survey commission in certain counties.

1. In any county of more than one hundred and fifty thousand population, it shall be lawful for the board of chosen freeholders of such county to elect three persons, to be known as the County Sewer Survey Commissioners, who shall hold their office for three years, from the date of their appointment, and shall serve without compensation; and if vacancies happen by resignation or otherwise, such vacancies may be filled by such board of chosen freeholders, and the persons appointed to supply such vacancies shall be appointed for the unexpired terms only; said commissioners shall consider the advisability of constructing a common sewerage system for any two or more municipalities of said county, or a system of conveying or conducting sewage, or the discharge of municipal disposal plants, to a common destination, or such other

Term.

Vacancies.

Objects of commission.

measures which shall prevent the pollution of the streams of said county, and protect the public health, and shall have authority to make maps and plans, to estimate costs, and to collect such other information in relation thereto as the said board may deem expedient, and shall, as soon as conveniently may be within the term aforesaid, make a report in writing to both the Legislature and the board of chosen freeholders of said county of a comprehensive plan for laying out, construction and maintaining of such sewage systems and disposal plants. Report.

2. Said commissioners may employ such assistants as they may deem necessary and may expend such sums therefor and in the discharge of their duties, including the actual traveling expenses of said members, as they may deem expedient, not exceeding, however, the sum of ten thousand dollars; and such expenditures shall, from time to time, be certified by said board to the said board of chosen freeholders, who, if satisfied of the correctness thereof, shall order the county collector to pay the same out of the funds appropriated for contingencies, and if no such appropriations are provided for, the boards of chosen freeholders of such counties are hereby authorized and empowered to create an emergency appropriation under the act providing for the issuance of emergency notes in order to defray the expenses authorized by this act. Assistants. Expenditures. Payments. Emergency notes issued.

3. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 178.

An Act concerning and regulating the filing of maps in the office of the clerk of the Court of Common Pleas or register of deeds in any county of this State.

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

WHEREAS, It appears in the respective counties of the State of New Jersey, that there have been filed in the office of the clerk of the Court of Common Pleas Preamble.

or the office of the register of deeds of the respective counties of this State, certain maps in conformity with the statutes in such case made and provided; and

Preamble. WHEREAS, There have heretofore been made duplicate copies of such maps which have been delineated identically with such filed maps, except for the style or title of the maps; and

Preamble. WHEREAS, The duplicate maps, so designated by a different style or title have not been filed in the offices of the clerk or registers of deeds, as aforesaid, of the respective counties; and

Preamble. WHEREAS, There have been made conveyances of lands, tenements or hereditaments or interests therein and other instruments of similar nature under which the lands intended to be conveyed or liened, have been described by reference to such unfiled map.

Filing delineated map though title differs. 1. Whenever there may now or hereafter appear on file in the office of the clerk of the Court of Common Pleas or in the office of the register of deeds in any county of this State a map filed in accordance with the statutes in such case made and provided, the governing body of any municipality within this State located in such county may provide for the filing of a duplicate of such map delineated identically with such formerly filed map even though the title or style of the map may be in different form from such filed map in such office by the approval of such municipality in the manner

Proviso. prescribed by law; *provided, however,* that such approval and filing shall not constitute a dedication of the streets

Proviso. or lot locations as thereon delineated; *and provided, further,* that the approval and filing of the map be merely for the identification of the lands theretofore conveyed or liened, which said approval for the purposes aforesaid shall be stated in the resolution adopted by such governing body approving such maps.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 179.

A Supplement to "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:*

Liability of trust company to depositor after two years for payment on forged paper.

1. No trust company shall be liable to a depositor for any payment made upon a forged or raised draft, receipt, acquittance or other order for payment or withdrawal of money from the depositor's account or standing to the depositor's credit with such trust company, if payment is made upon presentation of the Pass-Book other evidence of credit or deposit furnished by the trust company and if such payment or withdrawal is entered therein, unless within two years after such entry of payment or withdrawal, such depositor shall in writing notify the trust company that the draft, receipt, acquittance or other order for the payment or withdrawal of money upon which payment or withdrawal was made was forged or raised.

Act extends to various accounts.

2. This act shall extend to moneys standing to the credit of depositors in savings or special deposit or special interest accounts as distinguished from commercial or checking accounts.

3. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 180.

An Act to authorize the use of parks, playgrounds or other public places as playgrounds for pupils in public schools and for the public generally in municipalities and towns.

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

Use of playground.

1. It shall be lawful for the commission, board or other local authority having control of any city, town, township, village or borough park, playground or other public place or property in any municipality of this State to permit the same to be used for athletic purposes, or as playgrounds by the pupils of the public schools of such municipality and the public generally subject to such reasonable regulations as may be prescribed by said commission or other local authority, having control thereof.

Right to collect admission fees to witness contests.

2. When any park, playground or other public place or property shall be used by the pupils of the public schools of any municipality as aforesaid, the board of education of the school district co-extensive with the municipality shall have the power and authority to charge and collect a reasonable admission fee for each person entering such park, playground or other public place or property for the purpose of witnessing any athletic contest wherein the pupils of the public school or schools of the municipality may be contestants or participants, provided and only in the event that the admission fees so charged and collected are used or are to be used in the maintenance and furtherance of athletics and athletic purposes in the public schools of the municipality; *provided, however,* that the admission fees so charged or to be charged shall first be approved by the commission, board or other local authority having control of such park, playground or other public place or property in the

Use of fees.

Proviso.

municipality; *and provided however,* that such parks, playgrounds or other public places, or property shall not be used for the purpose of any athletic contest for which an admission fee is to be charged as aforesaid, for a greater period than eight (8) hours in any week, nor on more than two days in any one week; *and provided, further,* that this act shall not apply to any county park commission. Proviso. Proviso.

3. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 181.

An Act authorizing counties and municipalities to acquire land for airport purposes, and thereafter to lease the same.

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

1. The governing body of any county and/or the governing body of any municipality is hereby authorized and empowered to acquire by gift, grant, purchase, condemnation or in any other lawful manner lands and interests therein for airport purposes, and to erect thereon and maintain buildings for the aforesaid purposes. Upon such acquisition, as aforesaid, the governing body of any county and/or the governing body of any municipality is authorized to lease said land, so acquired, with or without consideration to the State of New Jersey, or any agency thereof, and in addition is authorized to lease the land so acquired, to any person, firm or corporation for a consideration and for such term of years as may be agreed upon. Acquiring property for airport. Authorized to lease airport.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 182.

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:*

Section 114 amended.

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:

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.

Penalty.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 183.

An Act to supplement an act entitled "An act respecting conveyances" (Revision of 1898), approved June fourteenth, eighteen hundred and ninety-eight.

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

Validity of seal in absence of corporate seal.

1. Every deed or instrument of the nature or description set forth in the twenty-first section of the act to which this act is supplementary, heretofore or hereafter made by a corporation, to or on which shall have been affixed, marked or printed a scroll of ink or other device by way of a seal, shall be taken and adjudged to be of the same force and effect as if it had been actually sealed with the corporate seal of such corporation, and shall be held to be as good and valid to all intents and purposes in all courts and places; and no such instrument shall be impeached or questioned for lack of a corporate seal.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 184.

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:*

Bond issue to acquire land for airport.

1. In addition to the powers conferred by the provisions of the act to which this act is a supplement, rela-

tive to the issuance of bonds, it shall be lawful for any county of the first or second class to issue bonds for the purpose of acquiring lands and thereafter equipping, maintaining and operating said lands for airport purposes. All such bonds so as aforesaid issued shall mature in annual installments commencing not more than two years from their date, and no installment shall be more than fifty per centum in excess of the amount of the smallest prior installment, and shall mature within the period declared in the ordinance or resolution authorizing them, which in no case shall exceed the period of twenty years.

Terms.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 185.

An Act to amend an act entitled "An act providing for the retirement of policemen and firemen of police and fire departments in municipalities of this State, including all police officers having supervision or regulation of traffic upon county roads, and providing a pension for such retired policemen and firemen and members of the police and fire departments and the widows, children and sole dependent parents of deceased members of said departments," approved April fifteenth, one thousand nine hundred and twenty.

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

Section 4 amended.

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

Sources from which pension fund is derived.

4. A fund shall be created in the following manner for the purpose of paying such pensions, to wit: There shall be deducted from every payment of salary to such

member of the police and fire departments in such municipality two per centum of the amount thereof; provided such member entered such service on or before the age of thirty-five years; if any member enter such service after the age of thirty-five years, then such percentage shall be increased to such an amount as shall be determined by the pension commission to correspond to the risk arising by the additional age of the member. The municipality shall raise by taxation and pay into said fund yearly an amount equal to four per centum of the total salaries paid to the members of the police and fire departments. There shall also be added to such fund the following sum: All fines imposed upon any member of the police and fire departments; all moneys given or donated to such funds; all moneys deducted from the salary of any member of the police or fire department on account of absence or loss of time and one-half of all rewards paid for any purpose, and in addition thereto one-half of the two per centum tax paid to the Commissioner of Banking and Insurance of the State of New Jersey, pursuant to the provisions of 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 said act was amended by an act entitled "An act to amend an act entitled 'An act to provide for the regulation and incorporation of insurance companies and to regulate the transaction of insurance business in this State,'" approved March twelfth, one thousand nine hundred and twenty-four, from insurance companies of other States and foreign countries on premiums of insurance against automobile liability, automobile property damage, automobile collision and automobile fire and theft insurance risks in this State. The Commissioner of Banking and Insurance shall distribute the funds so collected as follows: There shall first be deducted one per centum of said fund which shall be distributed pro rata among the several counties now or hereafter maintaining county police pension funds; payment being made to the county

Municipal contributions.

Other sources.

From insurance.

Distribution of insurance moneys.

treasurer of such counties for the use of said funds. The balance of said fund remaining in the hands of the commissioner shall then be distributed among the several municipalities now or hereafter maintaining pension funds, pursuant to the provisions of the act of which this act is amendatory, in proportion to the membership of each of such funds on December thirty-first of the year preceding such distribution, as such membership bears to the total membership of all such funds on that date.

Annual report.

Every such pension fund shall annually, on or before the first day of March, make report to the Commissioner of Banking and Insurance, subscribed and sworn to by its president and secretary or treasurer, showing the membership of the said fund on December thirty-first of the preceding year.

Widow and children one member.

For the purposes of this act a widow or dependent children or parent of a deceased member drawing a pension at the time shall be considered as one member.

Forfeit on failure to report.

Any such fund failing to make the aforesaid report to the Commissioner of Banking and Insurance in any year shall forfeit its right to share in the distribution for that year and the Commissioner of Banking and Insurance shall be relieved of any responsibility in such case.

Deficiency met by taxation.

In case there shall not be sufficient money in said pension fund created as aforesaid, the board of chosen freeholders, the common council or other governing body, as the case may be, shall include in any tax levy a sum sufficient to meet the requirements of said fund for the time being.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 186.

An Act to amend an act entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof,' approved October nineteen, one thousand nine hundred and three," which amendment was itself approved April twenty-seventh, nineteen hundred and eleven.

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

1. Amend section one hundred twenty-nine of the act of which this act is amendatory so that it shall read as follows: Section 129 amended.

129. No contract for the erection of any public school building or any part thereof shall be made until and after plans and specifications therefor have been submitted to and approved by the State Board of Education. A copy of the plans and specifications as approved shall be filed forthwith with the State Board of Education. A copy of the contracts for the erection of the whole or any part of the school building and for the furnishing thereof shall be filed with the State Board of Education within ten days after the same have been signed. No change in the plans or specifications shall be legal unless the same have been submitted to and approved by the State Board of Education. A copy of all changes as approved shall be filed forthwith with the said board; *provided,* that nothing in this or any act shall require the board of education of any school district to secure approval of its plans and specifications by, or to require any board of education or any contractor doing work in connection with school buildings to secure a building permit from, the municipality situate therein. Contract after plans approved. Copies filed. Changing plans. Proviso.

Approved April 3, 1928.

CHAPTER 187.

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

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

Buying or receiving stolen goods.

1. Any person who shall receive or buy any goods or chattels or choses in action or other valuable thing whatsoever, that shall have been stolen from any other person or taken from him by robbery or otherwise unlawfully or fraudulently obtained, or converted in any manner contrary to any of the provisions of the act to which this act is supplemental, whether such stealing or robbery shall have been committed either in the State of New Jersey or in some other jurisdiction, and whether such goods, chattels, choses in action, or other valuable thing shall be received or bought from the thief, robber, or person so obtaining, taking, or converting them, or from any other person or shall receive, harbor or conceal any thief or robber knowing him to be so, shall be guilty of a high misdemeanor; and if such person is shown to have or to have had possession of such goods, chattels, choses in action, or other valuable thing within one year from the date of such stealing, robbery or unlawful or fraudulent obtaining, such possession shall be deemed sufficient evidence to authorize conviction, unless such person show to the satisfaction of the jury either, (1) that the goods or chattels or choses in action or other valuable thing were, considering the relations of the parties thereto and the circumstances thereof, a gift, or (2) that the amount paid for the goods, chattels, choses in action, or other valuable thing represented their fair and reasonable value, or (3) that the person buying such goods, chattels, choses in action, or other valuable thing knew of his own knowledge or made inquiries sufficient

Harboring thief.

Retaining goods.

Evidence to prove authority.

to satisfy a reasonable man, that the seller was in a regular and established business for dealing in goods, chattels, choses in action, or other valuable thing of the description of the goods purchased, or (4) that the person receiving or buying such goods, chattels, choses in action, or other valuable thing, has simultaneously with the receipt or sale reported the transaction to the police authorities of the municipality in which he resides.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 188.

An Act to validate ordinances passed under the authority of an act entitled "An act authorizing and empowering townships and boroughs in this State to appoint a board of assessors to make assessments for taxes therein, and to regulate the salaries and compensation of the members thereof," approved March thirty-first, one thousand nine hundred and twenty-six, the appointment of boards of assessors pursuant thereto, and assessments of taxes made by such boards.

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

Validating appointment of assessor.

1. All ordinances heretofore passed under the authority of an act entitled "An act authorizing and empowering townships and boroughs in this State to appoint a board of assessors to make assessments for taxes therein, and to regulate the salaries and compensation of the members thereof," approved March thirty-first, one thousand nine hundred and twenty-six, and all appointments made pursuant thereto, and all assessments of taxes made by appointees under such appointments are hereby ratified, confirmed and validated, notwithstand-

ing any omission, irregularity or illegality in passing or adopting such ordinances, or in any procedure of the governing bodies of any townships or boroughs relating to such ordinances, appointments and/or assessments.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 189.

An Act to permit any officer, board, commission, committee or department or other branch of the State government to request from any proposed bidder on any public work a questionnaire and to thereafter reject bids from proposed bidders not qualifying.

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

Contractors to furnish statement of ability and experience.

1. It shall be lawful for any officer, board, commission, committee or department, or other branch of the State government to require from any person proposing to bid on public work duly advertised, a standard form of questionnaire and financial statement containing a complete statement of the person's financial ability and experience in performing public work, before furnishing such person with plans and specifications for the proposed public work advertised.

May reject bid.

2. Whenever such officer, board, commission, committee or department, or other branch of the State government is not satisfied with the sufficiency of the answers contained in such standard questionnaire and financial statement of such person, it may refuse to furnish such person with plans and specifications on public work duly advertised and the bid of any person to whom plans and specifications have not been issued may be disregarded.

"Person" defined.

3. The word "person" as used herein shall mean and include any individual, copartnership, association, cor-

poration or joint stock company, their lessees, trustees or receivers appointed by any court whatsoever.

Officers, boards, etc., not liable for rejection.

4. No action of any nature or description out of any court of competent jurisdiction shall lie against any officer, board, commission, committee, department or other branch of the State government because of such refusal to furnish such person with plans and specifications on public work duly advertised.

Repealer.

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

Approved April 3, 1928.

CHAPTER 190.

An Act to amend 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," approved April one, one thousand nine hundred and twenty-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 act is amendatory be and the same is hereby amended so that the same shall read as follows:

Distributor licensed.

2. Every distributor is hereby required within thirty days after this act shall go into effect, and thereafter before continuing in or commencing to transact the business of a distributor as herein defined, to procure a license from the Commissioner of Motor Vehicles, permitting him to continue or to commence to engage in

Validity of license.

said business within this State. Said license shall be good until revoked by the Commissioner of Motor Vehicles, who is hereby authorized to issue the same without charge. Every person engaged in the retail sale of gasoline, benzol or other products to be used by the purchaser thereof, in the propelling of motor vehicles, shall before engaging in such business, procure from the Department of Motor Vehicles a license therefor; such license shall be issued by the Commissioner of Motor Vehicles for one year from the first of January of each year, subject to such reasonable regulations as the Commissioner of Motor Vehicles shall provide. A license fee of two dollars ($2.00) shall be paid for the issuing of such license and the Commissioner of Motor Vehicles will supply a license plate similar to an automobile license plate, which the licensee shall publicly display in a manner to be regulated by the Commissioner of Motor Vehicles. Every such licensed retail dealer shall publicly display in a manner to be regulated by the Commissioner of Motor Vehicles, a sign stating the price per gallon of all fuels sold by said dealer. Such price shall include the tax imposed in this act.

Retailers licensed.

Yearly license.

Fee.

Marker displayed.

Selling prices displayed.

Section 5 amended.

2. 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:

As to fuels for manufacturing or agricultural purposes.

5. Wherever any distributor or retail dealer shall make any distribution or sale of fuels to any person, firm or corporation, upon representation that the same is to be used for the purpose of manufacture or agricultural use or for any of the vehicles enumerated in section one (1) of this act, he shall certify such sales to the Commissioner of Motor Vehicles on a form provided for such purpose. The Commissioner of Motor Vehicles may require such purchaser to certify to him under oath, on forms furnished for such purpose, the use which is to be made of such fuels, and whether any portion or the whole of such fuel so purchased is to be used in the operation of motor vehicles. Whoever shall receive any such fuels in such form and under such circumstances as shall preclude the collection of this tax from the distributors by reason of the provisions of the laws of the United States, and shall thereafter sell or

Statement.

When taxable.

use any such internal combustion engine fuels in such manner and under such circumstances as may subject such sale or use to the taxing power of this State, such person shall be considered as a distributor, and shall make the same reports, pay the same taxes, and be subject to all other provisions of this act relating to distributor of such fuels. If any portion or the whole of such fuel so purchased is taxable under this act, then the purchaser shall be charged with the tax provided in this act and shall pay the same in accordance with the provisions hereof.

Section 7 amended.

3. 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:

Penalty.

7. Any person willfully violating any of the provisions of this act, or who shall willfully make any false statement in any affidavit required herein, or who shall willfully make any false statement of the name or residence of any purchaser of fuels or the purpose for which such fuels shall be used, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than one thousand dollars ($1,000.00) or by imprisonment for not more than six months, or by both such fine and imprisonment. The license of any distributor to do business in this State, upon conviction thereof shall forthwith be revoked. Whenever any distributor or purchaser shall fail to pay any tax due under the provisions of this act within the time limited herein the Attorney-General shall enforce payment of such tax by civil action against such tax in a court of appropriate jurisdiction.

Revocation of licenses.

Enforcing payment of tax.

4. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 191.

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:*

Safety isles in municipalities.

1. The governing body of every municipality shall have the power to establish safety zones, to erect, construct and maintain platforms, commonly called "safety isles;" to erect, construct, maintain and operate standards, commonly called "silent policemen," beacon lights, guideposts or other structures, which in its judgment may be necessary for the safety and convenience of persons and vehicles using the streets in said municipality.

No safety isles erected on state highways unless permission given.

2. No safety zones or platforms, commonly called "safety isles;" or standards, commonly called "silent policemen;" beacon lights, traffic signal devices, guideposts, or other structures of any kind whatsoever shall be hereafter erected, constructed, operated, or maintained in, over, or upon any State highway of this State, without the permission of the State Highway Commission first having been obtained.

Repealer.

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

Approved April 3, 1928.

CHAPTER 192.

An Act concerning the jurisdiction of justices of the peace in certain proceedings.

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

Justices of peace without jurisdiction in recovery of support in poor cases.

1. No justice of the peace shall hereafter have jurisdiction in or concerning any complaint or proceeding instituted by any overseer of the poor or superintendent

of outdoor relief, or any other public officer having jurisdiction, which proceeding has for its object the recovery of support for any indigent wife or children, or in any other proceeding for the relief of the poor. Such complaints or proceedings shall be accountable only before a Court of Common Pleas in the county where the defendant resides, or where the complaining witness may reside; *providing, however,* that nothing herein contained shall effect the jurisdiction of any recorder's court or police court magistrate, or any court created under an act to create criminal judicial districts in counties of this State and to establish therein criminal courts of record and to regulate the jurisdiction, duties and powers of such courts, approved March twenty-fifth, one thousand nine hundred and twenty-six; *providing, however,* that nothing herein contained shall deprive any justice of the peace of jurisdiction over any cause or proceeding now pending and undisposed of before said justice of the peace.

Proceedings in Common Pleas.

Proviso.

Proviso.

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

Repealer.

3. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 193.

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.

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

1. Within five days of the receipt within this State by any distributor, as defined in the act of which this act

Distributor to report to commissioner.

is a supplement, of any fuels, as defined in said act, for sale, use or distribution in this State, such distributor shall render a report to the Commissioner of Motor Vehicles, on forms to be furnished by him, stating the number of gallons of such fuels so received by him.

Tax payable. Upon making said report, said distributor shall pay to the Commissioner of Motor Vehicles a tax of two cents a gallon upon each gallon of such fuels so reported, said tax to be disposed of in accordance with the provisions of the act of which this act is a supplement, said tax shall be in addition to any motor vehicle license fee now or hereafter assessed in this State; *provided, however,* said commissioner, for cause shown, may extend in the case of any distributor the time for the filing of said report and the payment of said tax for a period not to exceed sixty days from the date of such receipt of said fuels by the distributor.

Proviso.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 194.

An Act to amend an act entitled "An act relating to undersheriffs in the several counties of this State," approved March first, one thousand nine hundred and twenty-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 hereby is amended to read as follows:

Undersheriffs. 1. It shall be lawful for the sheriffs in all counties of this State to select and appoint an undersheriff or undersheriffs, not more than two in number, who shall hold office during the pleasure of the sheriff making the appointment or his successor in office. Said undersheriffs

shall be included in the unclassified service of the Civil Service. This act shall apply to undersheriffs now or hereafter in office; *provided,* that in counties bordering on the Atlantic ocean, and having a population of between fifty and one hundred thousand, it shall be lawful for the sheriffs to select and appoint an undersheriff or undersheriffs not more than four in number.

Act applies.

Proviso—in counties along ocean.

Approved April 3, 1928.

CHAPTER 195.

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:*

1. The vacation of any road or portion thereof, owned by any county or under the control of any board of chosen freeholders may be effected by resolution of such board, upon notice to the clerk of the municipality or municipalities wherein such road or portion thereof is located.

Vacation of roads.

Approved April 3, 1928.

CHAPTER 196.

An Act relating to the first assistant or deputies authorized by law to be appointed by the different county clerks, registers of deeds and mortgages and surrogates of the counties of the State.

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

1. All first assistant or deputies authorized by law to be appointed by the county clerks, registers of deeds

In case of vacancy, deputy to continue.

and mortgages or surrogates of the different counties of this State shall continue in office after the expiration of the term of office, death or resignation of any such county clerk, register of deeds and mortgages or surrogate of any county of this State, and in case any vacancy should occur in any of said county offices through death, resignation or expiration of the terms of office of any county clerk, register of deeds and mortgages or surrogate, such first assistant or deputies shall officiate and have the same powers and perform all the duties which are now or shall hereafter be imposed or conferred by law upon the different county clerks, registers of deeds and mortgages or surrogates of the counties respectively, until such vacancy shall be filled either by appointment or election, as is now provided by law; *provided, however,* that no additional compensation shall be paid such first assistants or deputies by the county, except as is now provided by law.

Powers and duties.

Proviso.

Repealer.

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

Approved April 3, 1928.

CHAPTER 197.

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 36 amended.

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

Reserve fund.

36. The managers of every savings bank, as soon as practicable, shall invest the moneys deposited with them in the securities named in the thirty-third section, except

that for the purpose of meeting current payments and expenses in excess of the receipts, there may be kept an available fund of not exceeding ten per centum of the whole amount of deposits with such bank; and the same may be kept on hand or on deposit in any solvent bank or trust company in this State, organized under the laws of this State or of the United States; or the same may be deposited on call, at interest, in such solvent trust company or bank incorporated under the laws of this State or of the States of New York or Pennsylvania, or in such solvent national bank located in the State of New York or in the State of Pennsylvania, as a majority of the managers of such bank may direct, by resolution adopted at a regular or special meeting, and duly recorded on their minutes; or such available fund, or any part thereof, may be loaned upon pledge of the securities, or any of them, named in section thirty-three of this act, but not in excess of eighty per centum of the market value of such securities so pledged; and should any of the securities so held in pledge depreciate in value after making any loan thereon, the managers shall require the immediate payment of such loan, or a part thereof, or additional security therefor, so that the amount loaned shall at no time exceed eighty per centum of the cash market value of the securities pledged for the same; or part of such available fund, not exceeding one-half thereof, may be temporarily employed in the purchase of notes, drafts, bills of exchange or acceptances, which have a maturity at the time of purchase of not more than three months, exclusive of days of grace, and which are of the kind made eligible by law for rediscount with Federal reserve banks organized under the act of the Congress of the United States entitled "An act to provide for the establishment of Federal reserve banks, to furnish an elastic currency, to afford means of rediscounting commercial paper, to establish a more effective supervision of banking in the United States, and for other purposes," approved December twenty-third, one thousand nine hundred and thirteen, and the supplements and amendments thereto, *provided,* the same are indorsed or accepted by a bank or trust company in which such savings bank is herein permitted to deposit

Where kept.

May be loaned.

Limit of loan.

In case of depreciation.

Use of part of fund.

Proviso.

Proviso. funds; *provided, further,* that the aggregate amount of the liability of any such bank or trust company to any such savings bank as indorser and acceptor shall not exceed ten per centum of the paid-up capital and surplus of such bank or trust company.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 198.

An Act amendatory of and supplemental to an act entitled "An act relative to the cancellation of mortgages given to individuals and to corporations other than building and loan associations," 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:*

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

Canceling of record. 1. No mortgage other than one held by a corporation shall be canceled of record by the county clerk or register of deeds and mortgages of any county in this State unless the said mortgage shall be produced to said clerk or register canceled or with a receipt thereon signed by the mortgagee, or his agent or attorney, or his executors, administrators or assigns.

Receipt.

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

Authorization to cancel. 2. No mortgage held by any corporation, other than a building and loan association of this State, shall be canceled of record by the county clerk or register of deeds and mortgages of any county in this State unless there shall be endorsed upon said mortgage an authorization to cancel the same, over the signatures of the president or vice-president and secretary or treasurer or

cashier of said corporation, or any one of their respective assistants, with the seal of said corporation affixed thereto.

Sections 4 and 5 added.

3. Two new paragraphs are added as follows to the act of which this is amendatory:

Canceling by certificate of discharge.

4. Any and all mortgages may be canceled by a certificate of discharge, as heretofore.

Validating certain cancellations.

5. The cancellation of all mortgages by a certificate of discharge, duly executed and recorded, shall be valid and effectual, notwithstanding the provisions of the act to which this is an amendment, have not been observed.

Approved April 3, 1928.

CHAPTER 199.

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.

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

Rural mail carriers exempt from gasoline tax.

1. In addition to the exemptions provided by the provisions of the act to which this act is a supplement rural free delivery carriers of mail 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, on all gasoline up to and including fifteen hundred gallons when used in such service.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 200.

An Act to amend an act entitled "An act to provide for the appointment of an Interstate Bridge and Tunnel Commission, and to define its powers and duties," approved February fourteenth, one thousand nine hundred and eighteen.

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

Authority to dispose of property not needed.

1. The New Jersey Interstate Bridge and Tunnel Commission is hereby authorized and empowered to join in and execute a deed or deeds for the sale and conveyance of any interest the State of New Jersey may have in and to any lands heretofore acquired in the State of New York, pursuant to the provisions of chapter 178 of the Laws of 1919, of the State of New York, and acts amendatory thereof and supplementary thereto, provided such commission, with the concurrence of the New York State Bridge and Tunnel Commission, shall determine and certify that such lands or interest therein are no longer necessary for the construction and operation of the Holland tunnel.

Validity of conveyance.

Any such conveyance executed by the president and secretary of the New Jersey Interstate Bridge and Tunnel Commission shall be ample for the purposes of conveyance of title thereto.

Division of proceeds.

Any and all proceeds from the public sale of any of such premises or interest in such premises, shall be shared equally by the State of New Jersey and the State of New York, and shall be added to the operating revenues of said tunnel and shall be accounted for as such by the said commission.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 201.

An Act to amend an act entitled "An act to create criminal judicial districts in counties of this State and to establish therein criminal courts of record and to regulate the jurisdiction, duties and powers of such courts," 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:*

1. 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 said court in any such criminal judicial district shall have, possess and exercise exclusive jurisdiction to try and determine all cases of assault, assault and battery, desertion and nonsupport, malicious mischief, larceny and embezzlement where the amount alleged to have been taken is not more than two hundred dollars; overdrawing bank account and obtaining money or property under false pretenses where the amount alleged to be taken is not more than two hundred dollars; receiving stolen property, where the property alleged to have been received is not more than two hundred dollars in value, and other criminal offenses, the penalty for the violation of which does not exceed a fine of five hundred dollars, imprisonment for a term not exceeding one year, or both, where any of the specified crimes are committed within the limits of the criminal judicial district in which any such criminal court is established, providing the person or persons charged with any such offense shall in writing waive indictment and trial by jury. Said court shall also have, possess and exercise exclusive jurisdiction to try and determine cases for violation of acts entitled "An act concerning disorderly persons," and "An act for the settlement and relief of the poor," and "An act for the maintenance of bastard children," **Offenses whereof the court has jurisdiction.** **Disorderly acts.** **Bastardy.**

Automobile, fish and game.

and the various supplements thereto, and of all violations of municipal ordinances wherein the offense is also a violation of said acts, together with concurrent jurisdiction as to all violations of the motor vehicle and fish and game statutes and excepting as aforesaid, municipal ordinances and regulations.

Repealer.

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

3. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 202.

An Act to amend an act entitled "An act to authorize fire commissioners of township fire districts in this State to purchase apparatus and appliances for the extinguishment of fires and erect houses for the housing of the same and to provide means for the payment thereof," approved March sixteenth, one thousand nine hundred and sixteen, as amended at chapter 220 of the Pamphlet Laws of 1927, which amendment was approved March twenty-eighth, one thousand nine hundred and twenty-seven.

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

Section 3 amended.

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

Notice of election on bond issue.

The said township board of fire commissioners shall cause a resolution to issue such bonds to be submitted to the legal voters of such township fire district. This resolution shall be written or printed on notices, which notices shall also contain a statement of the time and place where the meeting of such legal voters shall be held and the purpose and object thereof. The time and

place for the holding of such election shall be the same as (the annual meeting for the election of fire commissioners and for the appropriation of moneys for fire purposes of said district) or at a special election to be called for said purpose. Not less than ten notices of such meeting shall be posted by the clerk of the fire commissioners at least ten days before the date of such meeting in such manner in such places as he shall deem best for the purpose of best giving notice of said meeting, and the board of fire commissioners and the clerk shall at their option also cause notices or a notice to be printed as an advertisement in a paper published in said district, if there be such, and if not, in a paper published within the county where said district is located and circulating in said district. In the event, however, that a special meeting is called, the time and place for holding of such election shall be set out by not less than ten notices of such meeting, which notices shall be posted by the clerk of the fire commissioners at least twenty-one days before the date of such meeting, and, in addition, the clerk of said board shall cause notices or a notice to be printed as an advertisement in the newspaper published in said district, if there be such, and if not, in a newspaper published within the township where said district is located, which publication shall be made at least twice before said election is held.

Notice in case of special election.

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

Section 6 amended.

Whenever such bonds shall have been authorized by said legal voters as aforesaid, and the same shall have been issued, the clerk of the board of fire commissioners shall, each and every year, issue to the assessor of the taxing district in which such fire district shall be situate an order directing him to assess upon the owners of property in said township fire district, and their estates and the taxable property therein, an amount sufficient to pay the bond or bonds maturing in each year, together with the interest accruing upon all the unpaid bonds of such township fire district, which order so issued as aforesaid shall be duly executed by the assessor. The money so assessed shall be assessed and levied by the

Provision for principal and interest.

Collection.

assessor and collected by the collector of said taxing district, who shall, on or before the first day of July next thereafter, pay the full amount so ordered to be assessed, levied and collected to the treasurer of said board of fire commissioners, who shall pay the principal and interest as they become due and payable. And if there be no funds available to pay any outstanding bond, or the interest due thereon, or the interest due upon any outstanding bonds, the fire commissioners aforesaid are hereby authorized and empowered to borrow money upon the promissory note of the fire district signed by the president and secretary of such fire commissioners.

Right to borrow to meet obligations.

3. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 203.

An Act to amend an act entitled "An act to establish a public record office," approved March twenty-sixth, one thousand nine hundred and twenty.

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:

Duties of director.

3. The said office through its director, shall examine into the condition of the records, books, pamphlets, documents, manuscripts, archives, maps and papers kept, filed or recorded or hereafter to be kept, filed or recorded, in the several public offices of the counties, cities, townships, boroughs and other municipal corporations of the State, and all other public records, books, pamphlets, documents, manuscripts, archives, maps and papers heretofore or hereafter required by law to be kept by any public body, board, institution or society created under any law of the State in said counties, cities, town-

ships, boroughs or other municipal corporations; *provided, however,* that any public official may prescribe such system of indexing, and establish such rules and regulations concerning the care and preservation of such records as to him shall seem advisable and proper in any department which he shall be in charge of. Proviso. Indexing.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 204.

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, 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. Where in any borough in this State with a population of less than ten thousand inhabitants the construction of a sewer system, including a sewage disposal plant, or in conjunction with the Passaic Valley Trunk Sewer, has heretofore been commenced, and no provision has been or shall hereafter be made for assessing any part of the cost of such disposal plant or Passaic Valley Trunk Sewer on property specially benefited, it shall be lawful for the chief financial officer of said borough to deduct, in any annual or supplemental debt statement filed, pursuant to the act to which this is a supplement, indebtedness authorized or to be authorized, for the completion of said sewer system, including a sewerage disposal plant, or in conjunction with the Passaic Valley Trunk Sewer to an amount at any one Borough may deduct indebtedness for sewer system. Amount.

time outstanding not exceeding three per centum of the average assessed valuation of taxable real property, including improvements, of such borough for the years one thousand nine hundred and twenty-five, one thousand nine hundred and twenty-six and one thousand nine hundred and twenty-seven.

Act effective.

2. This act shall be inoperative after December thirty-first, one thousand nine hundred and thirty.

Approved April 3, 1928.

CHAPTER 205.

An Act concerning the restoration and the mutilation or destruction of public records.

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

Returning public records.

1. Whoever is entitled by law to the custody of public records shall demand the same from any person in whose possession they may be, and the said records forthwith shall be delivered to the officer charged by law with their custody.

Penalty for retaining or destroying records.

2. Whoever unlawfully keeps in his possession any public record, or alters, defaces, mutilates or destroys with malicious intent any public record shall be guilty of a high misdemeanor.

3. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 206.

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:*

Naming normal schools.

1. Whenever it shall appear advisable to the Commissioner of Education that there be a change in name of any or all of the existing State normal schools, he is hereby empowered with the consent of the State Board of Education to make such change, and such revised appellation shall be as effective for all uses and purposes in designating any such State normal school as that by which it was formerly known. The Commissioner of Education, with the consent of the State Board of Education, may also designate the name to be given to any additional State Normal School which may hereafter be authorized.

Approved April 3, 1928.

CHAPTER 207.

An Act to amend an act entitled "A supplement to an act entitled 'An act concerning trust companies' (Revision, 1899)."

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

Section 1 amended.

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

Trust company merging with bank surrenders charter.

1. When two-thirds in interest of the stockholders of any trust company, incorporated or organized by authority of this State, shall have heretofore given or shall hereafter give their consent, in writing, to become or to consolidate with an association for carrying on the business of banking under the laws of the United States, and the directors of said trust company shall file in the Department of Banking and Insurance a certificate under their hands that such consent has been so given, and that said directors intend to act in pursuance thereof, said trust company shall be deemed and taken to have surrendered its charter; *provided, nevertheless,* that every such trust company shall be continued a body corporate for the term of three years after the time of such surrender, for the purpose of prosecuting and defending suits by or against it, and closing its concerns, but not for any other business or purposes whatsoever; the board of directors for the time being of said new or consolidated national bank shall act and be deemed and taken to be the directors of such corporation while closing its concern during said last-named period; *provided, further,* that all rights, privileges, choses in action, property, real and personal, and all trust powers, duties, designations and appointments made or contained by or in any deed, will, instrument, order or decree, executed or made before the filing of such certificate, shall vest in, devolve upon, and inure to the benefit of said new or consolidated national bank.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 208.

An Act to amend an act entitled "A supplement to 'An act concerning banks and banking' (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:*

Section 1 amended.

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

Bank consolidating with another bank surrenders charter.

1. That when two-thirds in interest of the stockholders of any bank, incorporated or organized by authority of this State, shall have heretofore given or shall hereafter give their consent, in writing, to become or to consolidate with an association for carrying on the business of banking under the laws of the United States, and the directors of said bank shall file in the Department of Banking and Insurance a certificate under their hands that such consent has been so given, and that said directors intend to act in pursuance thereof, said bank shall be deemed and taken to have surrendered its charter; *provided,* nevertheless, that every such bank shall be continued a body corporate for the term of three years after the time of such surrender, for the purpose of prosecuting and defending suits by or against it, and closing its concerns, but not for any other business or purposes whatsoever; the board of directors for the time being of said new or consolidated national bank shall act as and be deemed and taken to be the directors of such corporation while closing its concerns during said last-named period.

Proviso.

Section 4 amended.

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

Property of bank consolidating vested in new organization.

4. When the charter of such bank shall be surrendered to the State, as hereinabove provided, and any such bank

shall have been organized as or consolidated with a banking association under the laws of the United States, or have become capable in law as a new or consolidated national bank to take and hold property, all the assets, real and personal, choses in action and all rights and privileges of every nature and description, of any such bank shall immediately, by act of law and without any conveyance or transfer, be vested in and become the property of the said association, formed or consolidated as aforesaid under the laws of the United States, to be held by said association or its stockholders in as ample and beneficial manner for all purposes as the same can, by virtue of the laws of the United States, be held and enjoyed; but nothing in this section shall be so construed as to impair the obligation existing in the first section of this act.

Obligations not impaired.

3. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 209.

An Act to amend an act entitled "An act relative to courtesy," approved March fourteenth, 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:

Widower's dower.

1. That the widower, whether alien or not, of any person dying intestate or otherwise, shall be endowed for the term of his natural life of the one full and equal half part of all the lands, tenements and other real estate, whereof his wife, or any other to her use, was seized of an estate of inheritance, at any time during the cover-

ture, whether issue be born or not, to which he shall not have relinquished or released his right of curtesy by deed executed and acknowledged in the manner provided by law for that purpose.

2. This act shall take effect January first, one thousand nine hundred and twenty-nine. Act effective.

Approved April 3, 1928.

CHAPTER 210.

An Act authorizing, under certain circumstances, the payment of the proceeds of the sale of lands which had been paid into the Court of Chancery or are held by executors, trustees or other persons subject to the provisions of a will or deed relating to said lands, to the person or persons having a vested interest therein.

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

1. Whenever it shall appear to the satisfaction of the Chancellor that any lands or interest in lands have been sold by any executor, trustees or any duly appointed or otherwise legally authorized person, and that the proceeds of such sale have either been paid into the Court of Chancery, to be kept at interest, or are held by said executor, trustee or other person, subject to the provisions of the last will and testament or deed relating to said lands by which the same had been devised or conveyed to such executor, trustee or other person, and that the only persons whose interests in said proceeds of sale are not vested, but are either prospective or contingent, are persons not in esse, and that with the exception of such persons not yet in esse, the persons owning vested interests are entitled to the entire proceeds of said sale, it shall be lawful for the Chancellor to decree that the said proceeds of the sale be paid to the person or persons owning such vested interest or interests, upon the execu- Bond given to protect interest of persons not in esse.

tion by him or them of a proper bond or bonds to the Chancellor or the State of New Jersey, to be approved by the Chancellor, which bond or bonds shall, at the discretion of the Chancellor, be with or without sureties, and shall provide that upon coming into being of any person or persons not in esse at the time of the making of said decree, who might have an interest in the said lands or in the proceeds of said sale, the said person or persons to whom the proceeds of the sale have been so paid will repay into the Court of Chancery the proceeds of said sale, or such part thereof as he or they may be decreed to pay by the order of said court.

Approved April 3, 1928.

CHAPTER 211.

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

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 extinguish and obliterate 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 ancestors and predecessors in title, and their privies, and no application shall be entertained to reopen the same after three months from the date thereof and then only upon the grounds of lack of jurisdiction or fraud in the conduct of the suit. After bill in equity has been filed, redemption shall be made in said cause only and the court shall, upon application at any time after bill filed, allow costs, which shall include 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.

Fee vested in purchaser.

As to fees and costs.

Municipal liens paid.

Proviso.

This provision 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, and to discourage

Act liberally construed.

barring the right of redemption by act of the purchaser in serving notices to redeem and filing and recording the proceedings as otherwise provided.

Repealer.

Proviso.

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 P. L. 1925, page 480, 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, and this act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 212.

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.

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

Section 11 amended.

1. Amend section eleven of the act to which this act is an amendment so as to read as follows:

Must have license to carry pistol.

11. No person shall, without license therefor issued, as provided in the statute referred to in the preceding section, carry a pistol or revolver in any vehicle or concealed on or about his person, except in his dwelling house or place of business or on land possessed by him;

Proviso—certain officers excepted.

provided, however, that nothing in this act contained shall be construed in any way to apply to the United States marshal or his deputies, the sheriff, or the undersheriffs of any county, nor to the regularly employed members of any police department nor to any special

policemen appointed by the governing body of any municipality of this State, nor to any prosecutor or assistant prosecutor of any county, regular fish and game wardens, constable, railway police, canal police, steamboat police, and prosecutor's detectives; nor to any member of the State Police, nor to any motor vehicle inspector, nor to any officer of the Society for the Prevention of Cruelty to Animals, nor to any prison or jail wardens or their deputies, nor to guards while in the employ of a railway express company, nor to guards while in the employ of any banking or building and loan institution of this State, nor to any court attendant engaged in attending the Circuit Court, Court of Oyer and Terminer, Court of Common Pleas or General Court of Quarter Sessions, justices of the peace; nor to the members of the Army, Navy or Marine Corps of the United States or of the National Guard when on duty; nor to duly authorized military organizations when under orders; nor to members thereof when going to or from places of meeting of their respective organizations, carrying the weapons prescribed for such drill, exercise or parade; *and provided, further,* nothing in this act contained shall be construed to apply to any person having a written permit to carry any revolver, pistol or other firearm, when such permit has been obtained pursuant to the provisions of this act; nor to public utility corporations in the transportation of explosives; *provided, however,* that nothing herein contained shall prevent any person from keeping or carrying about his or her place of business, dwelling house or premises, any such revolver, pistol, firearm or other weapon, or from carrying the same from any place of purchase to his or her dwelling house or place of business, or from his or her dwelling house or place of business to any place where repairing is done to have the same repaired and returned or to carry a gun, rifle or knife in the woods or fields or upon the waters of the State for the purpose of hunting or target practice. Whenever the words "pistol" or "revolver" are used in this act such words shall include a shotgun, rifle or other firearm with over-all length less than twenty-six inches.

Proviso.

Proviso.

Definition of pistol.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 213.

An Act authorizing cities of the first class of the State of New Jersey to lease lands.

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

Lease of municipal property.

1. Every city of the first class of this State may lease to any person or persons any land or building of the municipality not needed for public use for a fixed term not exceeding fifty (50) years.

Repealer.

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

Approved April 3, 1928.

CHAPTER 214.

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

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

As to lots excepted in deed.

1. In all cases where, heretofore or hereafter, a deed of conveyance of real estate shall have been made, by a general description, by metes and bounds, or otherwise, and said deed shall contain a clause excepting all lots or parts of the land described in such deed, which may have been theretofore sold and/or conveyed, or other words indicating that some parts of the land described in such deed had been theretofore sold or/and conveyed, or that only such portion of the lands described in such deed then remaining unsold and/or conveyed were intended to

be conveyed by such deed, or a general exception or reservation as to the conveyance of any portion of said land by prior owner or owners; such exception or reservation shall be void and of no effect, against subsequent bona fide purchasers and mortgagees in good faith, for a valuable consideration, not having any other notice of any conveyance or conveyances made by such prior owner or owners, in addition to the notice contained in the deed containing such exceptions, unless the deed or deeds of conveyance made by such prior owner or owners, and to which such exception or reservation may refer, shall be recorded in the clerk's office, or the register of deeds office in counties where such offices are established, of the county where such lands are situate, within five years of the date of record of such deed or deeds containing the exception or reservation aforesaid.

Exceptions void unless recorded.

When and where recorded.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 215.

An Act to amend an act entitled "An act to amend an act entitled 'An act respecting municipal police departments lawfully established in this State and regulating the tenure and terms of office of officers and men employed in said departments,' approved April twenty-first, nineteen hundred and fifteen," and the several amendments thereof and the supplements thereto.

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

1. That section two of the act of which this is amendatory and the several amendments thereof and supplements thereto be and the same is hereby amended so that it shall read as follows:

Section 2 amended.

Qualifications for policemen.

2. No person shall be appointed an officer or member of the police force of any municipality who has been convicted of a crime involving moral turpitude, or who is less than twenty-one or more than thirty-five years of age at the time of his appointment; *provided, however,* that the age limit of anyone appointed on the police force of any municipality as a medical officer or a surgical officer shall not be more than forty years of age at the time of his appointment.

Proviso.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 216.

An Act empowering executors and trustees, under certain circumstances, to sell real estate.

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

Sale of property held in trust.

1. Whenever by any last will and testament, lands and real estate are devised to any executor or executors, trustee or trustees, in trust for any person or persons for life or until the happening of some event in such will named, and it shall on hearing be made to appear to the Chancellor, upon petition of such executor or executors, trustee or trustees named in said will, or the survivor or survivors of them, or by any duly appointed person or persons standing and acting in their place, or by any cestuis que trust, that the land devised as aforesaid is occupied by a building or buildings that does not produce an income proportionate to the value of the land, and that it would be to the advantage of the person or persons for whose benefit said lands are held in trust, that the same should be sold, as well as to the advantage of the remaindermen, it shall be lawful for the Chancellor to order and direct such executor or executors, trustee or trustees, or the survivor of them, to sell and convey the said lands and real estate for such order

direct, and such sale shall, to the extent set forth in the decree, be free, clear and discharged of any interest of any person claiming under said last will and testament or codicil thereto; and the proceeds arising from any such sale, after paying all taxes or assessments, together with the costs and expenses attending said sale, shall be held by said executor or executors, trustee or trustees, and the survivor of them, subject to the provisions of the trust created by said last will and testament or codicil; *provided, further, however,* that said sale is not inconsistent with the intent of the said last will and testament. Effect of sale. Proviso.

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

Approved April 3, 1928.

CHAPTER 217.

An Act authorizing the commission appointed pursuant to an act entitled "An act authorizing the acquisition and maintaining by the State of New Jersey, in conjunction with the State of Pennsylvania, of toll bridges across the Delaware river, and providing for free travel across the same," approved April first, one thousand nine hundred and twelve, and constituting Chapter two hundred and ninety-seven of the Laws of that year, to provide for the construction and maintenance of free bridges across the Delaware river between the Commonwealth of Pennsylvania and this State.

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

1. The commission created by the act entitled "An act authorizing the acquisition and maintenance by the State of New Jersey, in conjunction with the State of Pennsylvania, of toll bridges across the Delaware river, Joint commission on free bridges across Delaware river.

and providing for free travel across the same," approved April first, one thousand nine hundred and twelve, is hereby authorized to provide for the construction and maintenance of free bridges across the Delaware river between the Commonwealth of Pennsylvania and this State, and for that purpose to act in conjunction with a similar commission appointed for that purpose by the said Commonwealth of Pennsylvania, which commission of said Commonwealth of Pennsylvania and said State of New Jersey shall be known as the "Joint Commission" of said two States, whenever referred to in this act.

Officers, engineers, etc.

2. The said "Joint Commission" is hereby authorized and empowered to appoint a treasurer, who may or may not be a member of the said commission, a secretary, and such engineering, architectural, and construction experts, inspectors, and other employees, as in the opinion of the "Joint Commission" may be necessary, all of whom shall do such work as the "Joint Commission" shall direct. The "Joint Commission" shall fix the compensation of the respective persons so appointed.

Compensation.

Plans prepared.

3. The said "Joint Commission" is hereby authorized and empowered to have prepared the necessary and proper plans and specifications for the construction of any bridge across the Delaware river as shall be decided upon, and to select the location for the same, determine the size, type, and method of construction thereof; to plan and fix its boundaries and the approaches thereto and to make all necessary estimates of the probable cost of its construction and the acquisition of ground for its site and approaches; to proceed to acquire the ground for the sites of the abutments and the approaches to such bridge in the manner hereinafter provided; to enter into necessary contracts to build and equip any such bridge and the approaches thereto; to obtain such consent as may be necessary of the Government of the United States and the approval of the Secretary of War; and to cause a survey and map to be made of all lands, structures, rights of way, franchises, easements, and other interests in land lying within the Commonwealth, including lands under water and riparian land owned by any

Site.

Consent of Federal authorities.

Surveys and maps.

person, corporation, or municipality, the acquisition of which may be deemed necessary for the construction of such bridge and to cause such maps and surveys to be filed in its office.

Acquisition of property by condemnation.

4. The commission appointed under the provisions of the act to which this act is a supplement, may acquire any land, or interest in land, necessary for the construction of any such bridge, in accordance with the provisions of an act entitled "An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use (Revision of 1900)," approved March twentieth, one thousand nine hundred, and the acts amendatory thereof and supplemental thereto.

Extent of authority.

5. The commission appointed under the provisions of the act to which this act is a supplement shall not proceed to exercise or carry out any authority or power herein given to bind this State, beyond the extent to which this State shall have appropriated or made available, moneys for said purpose, which moneys, when appropriated, may be withdrawn from the treasury of this State by the commission created by the act to which this act is a supplement, in such manner as shall be approved by the Comptroller of the Treasury.

Withdrawal of moneys.

Co-operation by Pennsylvania

6. The commission appointed under the act to which this act is a supplement shall not proceed to exercise or carry out any authority or power herein conferred until the Commonwealth of Pennsylvania has, or shall, by appropriate legislation, fix and vest like powers in said "Joint Commission" and make an appropriation equal to the appropriation made, or to be made, by this State, for the purpose of providing for the cost of acquiring land for the approaches to and erection and construction of the approaches and the construction of any bridge hereunder.

Partial payments.

7. All contracts or contract let by the "Joint Commission" shall provide for payments as the work advances, but the total payments to the contractor or contractors at any time before the final completion and acceptance of the work contracted for shall not exceed ninety per centum of the cost of the work done under any contract.

Public service facilities installed.

8. The said "Joint Commission," in its discretion, is hereby authorized and empowered to provide and equip any such bridge, and the approaches appurtenant thereto, with such conduits, pipes, supplies, and other appliances, as may be necessary or convenient for the installation, maintenance, and operation of telegraph, telephone, electric light or power, and other public service facilities, and to enter into leases or contracts with public service companies to install such facilities and for the maintenance, operation and use thereof, and to fix, collect, and receive suitable charges, rents, rentals or tolls for the privilege of leasing, operating, using or maintaining such facilities.

Rental.

Use of motor busses.

9. The said "Joint Commission" is hereby authorized and empowered, in its discretion, to provide for and regulate the operation of motor busses or similar vehicles on or across any such bridge.

Maintenance.

10. Any such bridge, upon its completion, shall be maintained, repaired, and operated in the same manner as interstate toll bridges between the Commonwealth of Pennsylvania and the State of New Jersey heretofore acquired are now by law maintained, repaired and operated.

Section of river where bridge may be constructed.

11. *Provided, however,* that this act shall apply only to the construction of bridges at points located on the section of the Delaware river lying to the northward of the present stone arch railroad bridge of the Pennsylvania Railroad Company, extending across said Delaware river, between the city of Trenton, Mercer county, New Jersey, and the borough of Morrisville, Bucks county, Pennsylvania.

12. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 218.

An Act to amend a supplement to an act entitled "An act creating a Department of State Police, providing for the appointment of a superintendent thereof, together with the officers and men who shall constitute the force, defining their powers and duties, and making an appropriation for the expenses connected therewith," passed March twenty-ninth, one thousand nine hundred and twenty-one, 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:*

Section 1 amended.

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

Medical attendant.

1. The superintendent shall have authority to appoint annually, for a term of one year, a medical attendant at a compensation of one thousand dollars per annum for his services; which attendant shall, during his term, be a member of the staff of the New Jersey State Police and shall be subject to the orders of the Superintendent of the New Jersey State Police, and shall be removed by him for cause after charges have been preferred and a hearing granted.

Section 5 amended.

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

Cooks and helpers.

5. The Superintendent of State Police shall be authorized to employ civilian cooks and cooks' helpers to conduct the mess at such salary as he may have to expend for such services, and the said superintendent shall be further authorized to make special and short time employment of such expert services as may become neces-

Employ experts.

sary from time to time in the proper fulfillment of the purposes of this act, and the said superintendent shall be further authorized to employ such civilian specialists as may be required to carry out the purposes of this act, subject to the approval of the State House Commission as to the compensation thereof.

3. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 219.

An Act to amend an act entitled "An act creating a Department of State Police, providing for the appointment of a superintendent thereof, together with the officers and men who shall constitute the force, defining their powers and duties, and making an appropriation for the expenses connected therewith," passed March twenty-ninth, one thousand nine hundred and twenty-one, amended March seventeenth, one thousand nine hundred and twenty-two.

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

Section 2 amended.

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

Deputy.

Salary.

2. The Superintendent of State Police shall have authority to appoint a deputy superintendent, at an annual salary of three thousand five hundred dollars, payable monthy.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 220.

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

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

Additional wardens.

1. The Board of Fish and Game Commissioners of this State are hereby authorized when in their judgment it shall become necessary to appoint any number of fish and game wardens, not to exceed six, in addition to the number of wardens now allowed by law. The Fish and Game Commissioners may also designate two fish and game wardens from the whole number of wardens to be assistant fish and game protectors in addition to the number of assistant fish and game protectors now allowed by law. Such additional wardens and assistant protectors when so appointed as aforesaid, shall be entitled to the same compensation, including expenses, shall have the same powers and duties, and shall qualify in the same manner as now provided by law in the case of fish and game wardens heretofore appointed.

Assistant protectors.

Powers and duties.

Repealer.

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

Approved April 3, 1928.

CHAPTER 221.

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, nineteen hundred and two.

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

Section 88 amended.

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

Illegal to do business unless authorized.

88. No person or firm nor any company organized under the laws of this State or of any other State or foreign country, himself, itself or themselves, or by his, its or their brokers, agents, solicitors, surveyors, canvassers or other representatives of whatever designation, nor any such broker, agent, solicitor, surveyor, canvasser or other representative, shall solicit, negotiate or effect any contract of insurance of any kind, including all kinds of insurance described in this act, or sign, deliver or transmit, by mail or otherwise, any policy, certificate of membership or certificate of renewal thereof, or receive any premium, commission, fee or other payment thereon, on any property or thing, or on the life, health or safety of any person, or maintain or operate any office in this State for the transaction of the business of insurance, or in any manner, directly or indirectly, transact the business of insurance of any kind whatsoever, within this State, unless such company, person or firm, shall be authorized to do the same under the provisions of the laws of this State. Any person, firm or company violating any of the provisions of this section shall be guilty of a misdemeanor.

Penalty.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 222.

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.

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

1. Any insurance company authorized to make insurance against bodily injury or death by accident and upon the health of persons in this State may make such insurance on the group plan at special rates for groups covering not less than twenty-five employees, written under a policy issued to the employer, the premium for which is to be paid by the employer, by the employees, or by the employees and employer jointly, such insurance to cover all of his employees or all of any class or classes thereof, determined by conditions pertaining to the employment, for amounts of insurance based on some plan which will preclude individual selection, for the benefit of persons other than the employer; *provided, however,* that when the premium is to be paid by the employer and employees jointly or by the employees and the benefits are offered to eligible employees, not less than seventy-five per centum of such employees may be so insured. For the purposes of this act the members of any labor union, or of any association formed for some lawful purpose other than procuring insurance under this act, who are actively engaged in the same occupation shall be considered employees of such union or association.

Insurance by group plan.

Payment of premiums.

Proviso.

Who deemed employees.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 223.

An Act regulating the days of employment of uniformed members of paid police departments in municipalities of this State, now or hereafter having a population in excess of twenty thousand inhabitants, including all paid uniformed police officers having supervision or regulation of traffic upon county roads, parks and parkways.

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

Police on duty six days a week.

1. The days of employment of uniformed members of any paid police department in any municipality of this State, now or hereafter having a population in excess of twenty thousand inhabitants, including all paid uniformed police officers having supervision or regulation of traffic upon county roads, parks and parkways, shall not exceed six days in any one week; *provided, however,* that in case of an emergency the officer, board or other official having charge or control of all such police departments shall have full authority to summon and keep on duty any and all such officers during the period of any such emergency.

Proviso—in emergencies.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 224.

An Act to amend an act entitled "A supplement to an act entitled 'An act prescribing the liability of an employer to make compensation for injuries received by an employee in the course of employment, establishing an elective schedule for compensation, and regulating procedure for the determination of liability and compensation thereunder,' approved April fourth, one thousand nine hundred and eleven," approved March thirty-first, one thousand nine hundred and twenty-seven.

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

1. Paragraph seventeen of the act referred to in the title of this act is hereby amended to read as follows: Section 17 amended.

17. The Commissioner of Labor and the deputy commissioners may make such rules and regulations for the conduct of such hearing not inconsistent with the provisions of this act or of the act to which this act is a supplement, as may, in his judgment, be necessary. The official conducting any hearing under this act may, in his discretion allow to the party in whose favor judgment is entered, costs of witness fees and a reasonable attorney fee, not exceeding twenty per centum of the judgment; and a reasonable fee not exceeding fifty dollars ($50) for any one witness, or one hundred fifty dollars ($150) in any one case, for medical witnesses residing in the State of New Jersey, when in his judgment, the services of an attorney and medical witnesses, were necessary for the proper presentation of the case. When, however, prior to any hearing compensation has been offered or paid, the reasonable allowance for attorney fee shall be based upon only that part of the judgment or award in excess of the amount of compensation theretofore of-

Rules and regulations.

Allowance for costs at hearing.

Witness.

Medical testimony.

Attorney's fee.

Proviso.

fered or paid; *provided, however,* that when the amount of the judgment, or when that part of the judgment or award in excess of compensation theretofore offered or paid, is less than two hundred dollars ($200) then an attorney fee may be allowed not in excess of fifty dollars ($50).

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 225.

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

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

Section 1 amended.

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

Right of guardian to compromise claim.

1. In any case where an infant or minor under the age of twenty-one years shall be entitled to receive a distributive share of or compensation by virtue of the provisions of the act to which this act is a supplement any duly authorized guardian of the person and property of and for such infant or minor appointed by the surrogate or the Orphans' Court of the county in which said infant or minor resides shall be authorized and empowered to act for such infant or minor to the same extent as a duly appointed next friend or guardian ad litem appointed by any court of law of this State and

any such guardian appointed by the surrogate or Orphans' Court shall have the right and authority to compromise and make composition in behalf of such infant or minor of any disputed claim for compensation arising under the provisions of the act to which this act is a supplement; *provided,* the terms of such compromise or composition shall be approved by an order of the Workmen's Compensation Bureau upon presentation of the facts and terms thereof to said bureau, before the same shall become effective. Proviso.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 226.

An Act to annex to the borough of Wenonah part of the township of Deptford, in the county of Gloucester.

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

1. All that part of the township of Deptford in the county of Gloucester, lying within the following described boundary:

Boundaries of part of township of Deptford annexed to borough of Wenonah.

Beginning at a point in the center line of the Woodbury-Gloucester road four hundred sixty-six and one-half feet northwardly from its intersection with the center line of Mantua avenue and extending thence along the line of lands formerly owned by The Mantua Land and Improvement Company, the following courses deflected from true meridian, (1) north fifty-eight degrees and two minutes west, six hundred ninety-seven feet, (2) north thirty-eight degrees and seven minutes east, five hundred thirteen feet, (3) north fifty-three degrees and five minutes west, six hundred ninety-three feet, (4) south thirty-seven degrees and thirty-three minutes west, four hundred seventy-five feet, (5) north fifty-six degrees and thirty-seven minutes west, six hundred and six-tenths feet, (6) north ten degrees and eighteen

minutes east, three hundred seventy-six feet, (7) north twelve degrees and thirty minutes west, one thousand four hundred seventy-two and ninety-six hundredths feet to a stone, (8) north sixty-six degrees and two minutes east, one thousand one hundred ninety-five feet to the center line of the aforesaid road, thence along the center line of said road, (9) south twelve degrees and fifty-three minutes east, three thousand five hundred thirty-one and ninety-two hundredths feet to the place of beginning, be and the same is hereby set off from the township of Deptford, county of Gloucester, and annexed to the borough of Wenonah, in the county of Gloucester.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 227.

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

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

Section 24 amended.

1. Amend section twenty-four of the act to which this is an amendment so that it shall read as follows:

Expenses of county superintendent of schools met.

24. A county superintendent of schools shall receive, in addition to his salary, the actual expenses incurred by him in the performance of his official duties, which expenses shall be paid by the collector of the county on the order of the Commissioner of Education; *provided,* that no such order shall be drawn in favor of any county superintendent of schools, until he shall have furnished to the Commissioner of Education an itemized statement with proper vouchers, certified under the oath or affirma-

Proviso.

tion, of expenses he has incurred, nor unless he shall have, during the period in which such expenses have been incurred, faithfully performed all the duties imposed upon him by this act. Payment of such expenses shall be made quarter-yearly; *provided, however,* that said incidental expenses incurred shall not exceed two hundred and twenty-five dollars each quarter. Payments. Proviso.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 228.

An Act to amend an act entitled "An act creating a Department of State Police, providing for the appointment of a superintendent thereof, together with the officers and men who shall constitute the force, defining their powers and duties, and making an appropriation for the expenses connected therewith," passed March twenty-ninth, one thousand nine hundred and twenty-one, amended March seventeenth, one thousand nine hundred and twenty-two, amended March thirty-first, one thousand nine hundred and twenty-six.

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 that the same shall read as follows: Section 3 amended.

3-(A). The Department of State Police shall consist of a Headquarters and Central Bureau of Identification and Information, composed of the following personnel: One captain; two lieutenants; one sergeant major; one supply sergeant; one first sergeant; twelve sergeants; fourteen corporals; two troopers and ten recruits; and three troops, which shall each be composed of the fol- Organization. Headquarters troops.

lowing personnel: One captain; two lieutenants; one first sergeant; seven sergeants; seven corporals; sixty troopers.

Salaries of State Police.

3-(B). The personnel herein provided shall receive pay as follows: A recruit shall receive an annual salary of six hundred dollars, payable monthly, while in training and until the end of the three months' training period, and for the fourth, fifth and sixth months of his service with said department he shall receive the proportionate part of an annual salary of nine hundred dollars, payable monthly, and at the beginning of his seventh month of service and thereafter, his compensation shall be determined on the basis of an annual salary of twelve hundred dollars, payable monthly; a trooper shall receive an annual salary of one thousand two hundred dollars, payable monthly; a corporal shall receive an annual salary of one thousand three hundred dollars, payable monthly; a sergeant shall receive an annual salary of one thousand four hundred dollars, payable monthly; a first sergeant shall receive an annual salary of one thousand five hundred dollars, payable monthly; a sergeant major shall receive an annual salary of one thousand five hundred dollars, payable monthly; a supply sergeant shall receive an annual salary of one thousand five hundred dollars, payable monthly; a lieutenant shall receive an annual salary of two thousand dollars, payable monthly; a captain shall receive an annual salary of two thousand four hundred dollars, payable monthly.

Increases of salary.

All the troopers constituting the State Police as enumerated in this section shall receive an increase of two hundred dollars per year after the completion of two years, four years and six years of continuous service and until the seventh year, when the aggregate increase of six hundred dollars per annum shall have been reached.

Appointments and removals.

3-(C). All of the officers and troopers of the State Police force enumerated in this section shall be appointed or reappointed by the Superintendent of State Police for a period of two years, and shall be removable by him after charges have been preferred and a hearing granted; *provided*, that no person shall be appointed a member of the State Police unless he shall be a citizen

Proviso.

of the United States, preferably a resident of the State of New Jersey, of good health, good moral character, between the ages of twenty-one and forty years; *and provided,* that no one shall be appointed a member of the State Police who has not established satisfactory evidence of his qualifications by passing a physical and mental examination based upon the standard provided by the rules and regulations of the United States Army; *and provided,* that voluntary withdrawal from the State Police force, without the consent of the superintendent, shall be a misdemeanor, and that troopers removed from the State Police for cause, after a hearing, shall be ineligible for reappointment.

Proviso.

Proviso.

2. For the purpose of carrying out the provisions of this act, the sum of two hundred thousand dollars, or so much thereof as may be necessary, is hereby appropriated, but shall become available only whenever the same is included in any annual or supplemental appropriation bill.

Appropriation.

3. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 229.

An Act to amend an act entitled "A supplement to an act entitled 'An act concerning municipalities,' approved March twenty-seven, one thousand nine hundred seventeen" (Chapter 152, Laws of 1917, pages 319-463), which supplement was approved March seventeen, 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 of which this act is amendatory be and the same is hereby amended so that it shall read as follows:

Section 1 amended.

1. Every municipality may, by ordinance, authorize its chief executive officer, mayor, or chairman of the township committee to enter into a contract with the

Municipalities may contract with counties in road work.

county in which said municipality is situate providing for the improvement of either county or municipal roads, which improvement may include the expense of removing any obstruction in said road or the relocation of any track or tracks of any street railway, and providing for the municipality to pay such proportion of the cost of the construction of curbs, gutters, pavements, removal of obstructions and relocation of street railway tracks, the improvement of the surface and of the roadway by grading and paving the roadway thereof, either from curb to curb or to such an extent and of such material and of straightening, widening and realignment of said roadway as may be agreed upon by contract between the said municipality and the said county in which said municipality is situate, and which contract shall state the share of the cost of said improvement of the exact amount of said cost, if the same has been ascertained, to be paid by the municipality and by the county.

Relocating car tracks.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 230.

An Act to amend 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.

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

Amount available.

1. There shall be set aside annually on the first day of October or as soon thereafter as available from the net receipts of the motor vehicle fund the sum of ten hundred and fifty thousand dollars which shall be used

to meet the State's share of the cost of the work hereinafter prescribed. Payments from this fund shall be made in the same way as other payments from the motor vehicle fund. The State Highway Commission shall reserve each year a sum of fifty thousand dollars to meet the State's share in each county until the first day of January. Any amount thus reserved that has not been applied for on said date shall be distributed among other applicants, in the discretion of said State Highway Commission for the work contemplated by this act.

Reservation for each county.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 231.

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 fifty-five of an act entitled "An act relating to courts having criminal jurisdiction and regulating proceedings in criminal cases" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight, be and the same is hereby amended to read as follows:

Section 55 amended.

55. After conviction and sentence the court before which such conviction was had upon the application of the defendant for a new trial shall have power at any time within the period of six months from the date of the entry of such conviction, to open and vacate the same and grant a new trial and discharge the defendant from custody upon bail, pending such new trial, and may also at any time within the period of thirty days from the date judgment is entered, but not thereafter, upon appli-

Application for new trial.

Court may vacate judgment.

cation of the defendant, or on its own motion, open and vacate the judgment entered on any conviction and resentence the defendant, as right and justice may seem to require and discharge the defendant from custody upon bail, pending such resentence; provided, no writ of error is pending to review such judgment.

Proviso.

This act shall include convictions heretofore had in any court.

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

Repealer.

Approved April 3, 1928.

CHAPTER 232.

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, 1898), approved June fourteenth, one thousand eight hundred and ninety-eight," which supplement was approved March nineteenth, one thousand nine hundred twenty-seven.

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

Section 1 amended.

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

Imposing sentence.

1. In all criminal cases where sentence is by law to be imposed, it shall be the duty of the trial court to impose sentence upon the defendant within the following periods:

Within 30 days.

Where there has been a trial and a verdict of a jury or determination of a court sitting without a jury, it shall be the duty of the court to impose sentence within thirty days after the rendition of such verdict or determination.

Within 40 days.

Where there has been a plea of guilty or other plea upon which sentence may be imposed, it shall

be the duty of the court to impose such sentence within forty days after acceptance of such plea. Where a sentence has been opened and vacated, it shall be the duty of the court, except where a new trial is granted, to resentence the defendant within ten days after the said sentence was so opened and vacated. Nothing in this section contained shall be construed to in anywise affect or repeal the provisions of section one hundred and forty-four of the act to which this act is a supplement.

Resentencing within 10 days.

Section 144 not affected.

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

Repealer.

Approved April 3, 1928.

CHAPTER 233.

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

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

1. No member or officer of the police force or police department appointed and established in any county under the provisions of the act to which this act is a supplement, shall be removed from said police force or department of police, except after trial and conviction by the board of park commissioners of such county, or a member or members thereof, of the violation of proper rules and regulations adopted or to be adopted in any such county, for the appointment, control and management of members of said police force or department of police, and for the securing of proper discipline and efficiency among the members of the said police force or department of police.

Removal of park police.

Trial.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 234.

An Act to amend an act concerning general assignments (Revision of one thousand eight hundred and ninety-nine).

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

Section 6 amended.

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

Exceptions may be filed.

6. It shall be lawful for the said assignee, or any creditor or other person interested by himself or attorney, at any time within sixty days after the said list and statement shall have been filed and notice thereof shall have been mailed to the creditors, as directed in the fourth section of this act, to file in said Orphans' Court exceptions to the allowance or rejection by the assignee of any claim or demand of any creditor exhibited as aforesaid, and said court shall cause a notice to be served on said creditor, in such mode as the said court may direct, and said court shall then proceed to hear the proofs and allegations of the parties at the term at which such exceptions shall have been filed, or at any subsequent term, and adjudicate thereon; and in case of such hearing before the Orphans' Court the evidence and proceedings before the Orphans' Court, upon the application of either party, shall be reduced to writing by the register of the court or by a stenographer, under the direction of said court, appointed by said court for that purpose.

Action by court.

Taking evidence.

Section 7 repealed.

2. Section seven of the act of which this act is amendatory be and the same hereby is repealed.

Section 12 amended.

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

Rent a preferred claim.

12. In case of any such general assignment where the assignor shall be a tenant, all the goods and chattels of such tenant on the premises, in the possession of such tenant, shall be subject to a lien for the payment of the

rent due to his landlord; and the said claim for rent in favor of the landlord, not exceeding one year's rent, shall be first paid and satisfied by the assignee out of the goods and chattels of the said tenant which were on the demised premises at the time of the assignment.

Section 16 amended.

4. 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:

Transfer of property within two months of assignment to give preference void.

16. If any person being insolvent or in contemplation of insolvency shall, within two months before the making of the general assignment for the benefit of creditors, regulated by the provisions of this act, and in contemplation of making a general assignment, mortgage, pledge assign, pay or transfer any of his property, or procure or suffer any of his property to be seized, attached or levied upon, or any lien or encumbrance to be placed or acquired thereon by legal process or otherwise, with a view to giving a preference to any creditor or person having a claim against him, or who is under any liability for him, the said mortgage, pledge, assignment, payment, transfer, seizure, attachment, levy, lien or encumbrance shall be void as against the assignee named in such general assignment for the benefit of creditors and his successors in trust, and the assignee may recover the property given by way of preference or the value thereof from the person so receiving the same or so benefited thereby.

Property may be recovered.

Section 22 repealed.

5. Section twenty-two of the act of which this act is amendatory be and the same hereby is repealed.

Legality of assignments.

6. Any and all assignments for the benefit of creditors not made in accordance with the provisions of the act to which this act is amendatory shall be null and void.

Constitutionality of act.

7. 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 part of any section or provision of this act.

Repealer.

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

9. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 235.

An Act to amend an act to prohibit sales of merchandise, goods and chattels in bulk in fraud of creditors. (L. 1915, c. 208.)

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:

Defining sellers and purchasers.

3. Sellers and purchasers under this act shall include corporations, associations, copartnerships, individuals, assignees for the benefit of creditors; but nothing contained in this act shall apply to sales made under any order of a court or to any sales made by executors, administrators, receivers or any public officer in his official capacity or by any officer of a court.

Exceptions.

Repealer.

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

3. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 236.

An Act to amend 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:*

Section 12 amended.

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

Management.

12. The affairs of every trust company shall be managed by a board of not less than five directors, who shall be elected annually by the stockholders at their annual meeting as hereinafter provided. A majority of the board of directors shall constitute a quorum for the transaction of business; *provided,* that when the number of directors shall exceed nine they may designate by resolution nine members, any five of whom shall constitute a quorum for the transaction of the business of the board. If so provided in the certificate of incorporation or by-laws, an executive committee may be from time to time appointed by the directors from among their members, which committee, subject to the provisions of the certificate of incorporation or by-laws, may exercise the powers of the directors in the management of the business, affairs and property of the corporation during the intervals between the meetings of the directors. The annual meeting of the stockholders shall be held at the principal place of business of the trust company on the second Tuesday of January of each year, at an hour to be fixed by the by-laws. Notice of such annual meeting shall be published once at least ten days before the date of the meeting in a newspaper published in the place where the principal place of business of the trust company is located; or if there is no newspaper published at such place, then in one published at the place nearest thereto in the same county. At all meetings of stockholders for the election of directors, each share shall entitle the owner to one vote for each director, and a stockholder may vote at any meeting of the corporation by a proxy in writing signed by him. Every director must own and hold in his own name not less than five hundred dollars par value unpledged shares of the capital stock of such trust company. The directors shall annually choose a president, and at least one vice-president from their own number, and shall appoint a secretary, a treasurer and other officers, agents and employees, who shall be chosen in such manner and hold office for such terms as the by-laws may prescribe; they may also elect or appoint one or more vice-presidents who need not be directors but every such vice-

Quorum.

Proviso.

Executive committee.

Powers.

Annual meeting.

Notice of.

Voting.

Director's holding.

Officers.

president shall own and hold in his own name not less than five hundred dollars par value unpledged shares of the capital stock of such trust company. Each director of every trust company, when elected, shall take an oath that he will, so far as the duty devolves on him, diligently and honestly administer the affairs of such trust company, and will not knowingly violate or knowingly permit to be violated, any of the provisions of this act, and that he is the owner in good faith, and in his own right, of the number of shares of stock required by this section, subscribed by him or standing in his name on the books of the trust company, and that the same is not hypothecated, or in any way pledged, as security for any loan or debt. Such oath, subscribed by the director making it, and certified by the officer before whom it is taken, shall be immediately transmitted to the Commissioner of Banking and Insurance and shall be filed and preserved in his office.

Oath.

Oath filed with commissioner of banking.

Validating election of vice-president.

2. The election or appointment of any vice-president of any trust company, who, at the time of such election or appointment was not a director thereof, is hereby validated and confirmed, provided such vice-president owns and holds in his own name not less than five hundred dollars par value unpledged shares of the capital stock of the trust company of which he is vice-president.

Repealer.

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

4. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 237.

An Act to amend an act entitled "A supplement to an act entitled 'An act to establish a Department of Agriculture, and to prescribe its powers and duties,' approved March twenty-ninth, one thousand nine hundred and sixteen, and the amendments thereof and supplements thereto," approved March twenty-first, one thousand nine hundred and twenty-one.

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

1. Section thirteen of the act to which this act is amendatory be and the same is hereby amended so that the same shall read as follows: Section 13 amended.

13. Any person convicted of violating any of the provisions of this act shall for the first offense be liable to a penalty not exceeding fifty dollars, and for any subsequent offense shall be liable to a penalty not exceeding one hundred dollars. An action for the recovery of a penalty for the violation of any of the provisions of this act shall be in the nature of an action in debt and the same may be instituted and the penalty recovered either in the District Court of any city or judicial district or in the small cause court of any county or before the police magistrate or the recorder of any city, town, township, borough or village. Jurisdiction is hereby conferred upon the District Court, and the small cause court, and on the police court and the recorder's court of any city, town, township, borough or village of this State to hear and determine actions instituted under this act, it being the intent hereof to confer jurisdiction upon the said small cause court, the police court, and the recorder's court in jurisdictions where a District Court exists, notwithstanding any law of this State providing that no justice of the peace or small cause court shall have jurisdiction over any case or proceeding cognizable before a

Penalty.

Recovery of penalty.

Jurisdiction.

District Court where the defendant or defendants reside within any city or judicial district where a District Court is established and notwithstanding any law of the State prohibiting any justice of the peace resident within the limits of any city or judicial district where a District Court is established from exercising any civil jurisdiction.

Section 14 amended.

2. Section 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:

"Person" defined.

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

"Farm products."

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

3. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 238.

A Supplement to an act entitled "An act relating to the propagation, planting, preservation, and gathering of clams and oysters in the tidal waters of this State, and enlarging and defining the powers and duties of the Board of Shell Fisheries," approved March twenty-fourth, one thousand nine hundred and seventeen.

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

Penalty for violations of act relating to clams and oysters.

1. Any person or persons violating any of the provisions of this act which regulate the taking, planting or cultivating of clams or oysters in the Delaware river, Delaware bay or Maurice river cove, in this State, shall

be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding one thousand dollars or imprisonment in the State Prison for not exceeding three years, or both, at the discretion of the court.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 239.

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:*

Public school teachers must be residents of United States.

1. All permanent teachers employed in any of the free public schools in the State of New Jersey for nine months in each year shall be citizens of the United States of America. No person shall hereafter be employed or appointed a permanent teacher in any of the free public schools in this State who is not at the time of such employment or appointment such citizen of the United States of America and all permanent teachers employed at the time of the passage of this act who are not such citizens shall be required to become citizens of the United States of America and their failure to comply with the provisions of this act shall be sufficient cause for their dismissal; *provided, however,* this act shall not apply to a teacher of foreign languages unless such teacher has been a resident of the United States for ten or more years.

Alien teachers must become citizens.

Proviso.

Approved April 3, 1928.

CHAPTER 240.

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 5, Art. XVI, amended.

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

Procedure to effect removal of police.

5. No person, whether officer or employee in any such police department, shall be removed from office or employment therein, except after just cause as hereinabove provided, and then only after written charge or charges of the cause or causes of complaint shall have been preferred against such officer or employee, signed by the

Charges.

person or persons making such charge or charges and filed in the office of the municipal officer, officers or board having charge of the department in which the complaint arises, and after the charge or charges shall have been publicly examined into by the appropriate board or authority upon reasonable notice to the person charged; it being the intent of this act to give every person against whom a charge or charges for any cause may be pre-

Fair trial.

ferred under this act, a fair trial upon said charge or charges, and every reasonable opportunity to make his defense, if any he has or chooses to make; and the officer, board or authority having power to hear and determine

Witnesses, subpœnas.

such charge or charges shall have power to issue a subpœna ad testificandum, or subpœna duces tecum, to any person within this State, to appear before the aforesaid officer, board or authority above referred to, to give testimony or information required for the purpose above mentioned; the subpœnas herein provided for may be served by any police officer or constable of the said

Serving subpœnas.

municipality; and in case any person summoned shall refuse to obey such subpœna, or to give testimony, or to answer questions as required, or to produce any books,

papers or documents as required, any justice of the Supreme Court of this State may, upon application made to him and upon proof being made of such refusal, make an order awarding process of subpœna or subpœna duces tecum, out of the said court for such witness to appear and testify before such officer, board or authority and may make an order or orders that any party give testimony and answer questions as required, and produce books, papers or documents as required; and upon filing such order in the clerk's office of the said Supreme Court, it shall be the duty of the said clerk, under the seal of said court, to issue process of subpœna to appear before said officer, board or authority at a time and place named therein, and so from day to day until the examination of such person shall be completed; and said subpœna may contain a direction that such witness bring with him such examination any books, papers or documents therein mentioned, and it shall also be the duty of said clerk to issue, under the seal of said court, such other or further order in reference to the examination, appearance, production of books, papers or documents before said officers, board or authority as said justice shall direct; and in case any person so summoned by subpœna issued by said clerk as aforesaid, shall refuse to obey such subpœna or any direction therein, or to give testimony, or to answer questions as required, or to produce any books, papers or documents as required; or in case any such person shall refuse to obey any order made by said justice as aforesaid, it shall be lawful for the aforesaid officer, board or authority, upon affidavits proving the facts, to apply to said justice of the Supreme Court for an attachment against such person as for a contempt; and it shall be the duty of such judge to hear such application, and if satisfactory proof be made of such refusal, to issue an attachment, directed to any constable or police officer of such municipality, for the arrest of such person, and, upon his being brought before him, to proceed to a hearing of the case; and the said judge shall have power to enforce, by imprisonment in the county jail, obedience to such subpœna, and the answering of any question that may be proper, and the pro-

Enforcement of process.

Producing records.

Attachment.

duction of any book, paper or document that the witness would be compelled to produce in a court of law, and also to compel such witness to pay the costs of the said proceeding, to be taxed by the judge; and any person who shall willfully and corruptly testify falsely to any material matter, upon oath or affirmation administered by said officer or member of said board of authority, shall be guilty of perjury.

False oath perjury.

Section 5, Art. XVII, amended.

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

Procedure to effect removal

5. No person, whether officer or member in any such paid fire department, shall be removed from office or employment therein, except after just cause, as hereinabove provided, and then only after written charge or charges of the cause or causes of complaint shall have been preferred against such officer or member, signed by the person or persons making such charge or charges and filed in the office of the municipal officer, officers or board having charge of the department in which the complaint arises, and after the charge or charges shall have been publicly examined into by the appropriate board or authority, upon reasonable notice to the person charged; it being the intent of this act to give every person against whom a charge or charges for any cause may be preferred under this act, a fair trial upon said charge or charges, and every reasonable opportunity to make his defense, if any he has or chooses to make; and the officer, board or authority having power to hear and determine such charge or charges shall have power to issue a subpœna ad testificandum, or subpœna duces tecum, to any person within this State, to appear before the aforesaid officer, board or authority above referred to, to give testimony or information required for the purpose above mentioned: the subpœnas herein provided for may be served by any police officer or constable of the said municipality; and in case any person summoned shall refuse to obey such subpœna, or to give testimony, or to answer questions as required, or to produce any books, papers or documents as required, any justice of the Supreme Court of this State may, upon application made to him and upon proof being made of such refusal,

Charges.

Fair trial.

Witnesses, subpœnas.

Serving subpœnas.

make an order awarding process of subpœna, or subpœna duces tecum, out of the said court for such witness to appear and testify before such officer, board or authority, and may make an order or orders that any party give testimony and answer questions as required, and produce books, papers or documents as required; and upon filing such order in the clerk's office of the said Supreme Court, it shall be the duty of the said clerk, under the seal of said court, to issue process of subpœna to appear before said officer, board or authority at a time and place named therein, and so from day to day until the examination of such person shall be completed; and said subpœna may contain a direction that such witness bring with him to such examination any books, papers or documents therein mentioned, and it shall also be the duty of said clerk to issue, under the seal of said court, such other or further order in reference to the examination, appearance, production of books, papers or documents before said officer, board or authority as said justice shall direct; and in case any person so summoned by subpœna issued by said clerk as aforesaid, shall refuse to obey such subpœna or any direction therein, or to give testimony, or to answer questions as required, or to produce any books, papers or documents as required; or in case any such person shall refuse to obey any order made by said justice as aforesaid, it shall be lawful for the aforesaid officer, board or authority, upon affidavits proving the facts, to apply to said justice of the Supreme Court for an attachment against such person as for a contempt; and it shall be the duty of such judge to hear such application, and if satisfactory proof be made of such refusal, to issue an attachment directed to any constable or police officer of such municipality, for the arrest of such person, and, upon his being brought before him, to proceed to a hearing of the case; and the said judge shall have power to enforce, by imprisonment in the county jail, obedience to such subpœna, and the answering 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, and also to compel such witness to pay the costs of the said proceeding, to be taxed by the judge; and

Enforcement of process.

Producing records.

Attachment.

False oath perjury.

any person who shall willfully and corruptly testify falsely to any material matter, upon oath or affirmation administered by said officer or member of said board or authority, shall be guilty of perjury.

Repealer.

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

4. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 241.

An Act to amend an act entitled "An act to amend the law relating to the property of married women" (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four.

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

Section 4 amended.

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

Earnings of married woman her personal property.

4. The wages and earnings of any married woman, acquired or gained by her after the passing of this act, in any employment, occupation, or trade in which she is employed, and all investments of such wages, earnings, money or property, shall be her sole and separate property, as though she were a single woman. All work and labor performed by a married woman for third persons shall, unless there is an agreement on her part to the contrary, be deemed to be performed on her separate account.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 242.

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 this act and penalties for said violations," approved April eighth, one thousand nine hundred and twenty-one, approved March twelfth, one thousand nine hundred and twenty-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 act is amendatory be and the same is hereby amended so that the same shall read as follows:

Exceptions.

2. Automobile fire engines and such self-propelling vehicles as are used either for the conveyancing of persons for hire, pleasure, or business, or for the transportation of freight, such as steam road rollers, and traction engines, are excepted from the provisions of this act. No fee shall be charged for the registration of motor vehicles owned by the United States, the State of New Jersey, or by any city, borough, incorporated town, township, or county, duly authorized volunteer fire department, hospital, humane society, any anticruelty society in the State, or by the American Red Cross, providing such vehicles are not used for pleasure or hire, but all such vehicles shall be registered and shall display number plates as is provided for in this act; *provided, however,* that motor vehicles that are not of the commercial type may be used in the delivery of mail on rural free delivery routes and shall not be classed or considered as commercial cars.

Free registration in certain cases.

Proviso.

Rural mail routes.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 243.

An Act to amend an act entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three," which amendment was itself approved April eleventh, nineteen hundred and ten.

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

Section 95 amended.

1. Amend section ninety-five of the act of which this act is amendatory so as to read as follows:

Purposes for which special tax may be raised.

95. The legal voters of each township, incorporated town or borough school district may, at any annual or special meeting of said legal voters, by the vote of a majority of those voting upon the proposition, raise by a special district tax such sum or sums as a majority of said legal voters voting upon such proposition may agree upon for any or all of the following purposes: To enable the board of education to purchase or take and condemn land for school purposes; to build, enlarge, repair or furnish a schoolhouse, or to pay a debt incurred therefor; for industrial schools, for manual training and for the current expenses of the schools, in which term shall be included principals', teachers', janitors', and medical inspectors' salaries, fuel, textbooks, school supplies, flags, transportation of pupils, tuition of pupils attending schools in other districts with the consent of the board of education, school libraries, compensation of the district clerk, of the custodian of the school moneys, and of truant officers, truant schools, insurance and the incidental expenses of the schools; *provided,* that when any meeting shall be held as aforesaid it shall not be lawful for such meeting to order a greater sum of money raised by special tax than shall have been mentioned and designated in the notices calling such meeting.

Enumerated.

Proviso.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 244.

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

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

Beginning assessments for street improvements before work completed.

1. Whenever proceedings have been commenced under this act by a municipality for the laying out, opening, or establishing of a new street, road, avenue, alley, or other public highway, or portion thereof, or the widening, straightening, extending, altering, or changing in any manner the location of a street, road, avenue, alley, or other public highway, or portion thereof, and the municipality has become vested with the title to the land and real estate, or right or interest therein, required for such purposes, under the provisions of the act to which this act is a supplement, such proceeding shall be deemed to be a local improvement, and assessments for benefits may be made immediately thereupon, and the officer or board charged with the assessment for benefits, or a majority of such board, shall make an assessment of the benefits conferred upon any lands or real estate, by reason of such improvement, after hearings are held, upon notice in the same way and manner as provided for in Article XX of the act to which this act is a supplement in the case of assessments for benefits and awards for incidental damages where no lands are to be taken and the procedure after said assessment shall be the same as provided for in said Article XX of the act to which this act is a supplement.

Hearings.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 245.

An Act to repeal certain statutes or parts thereof.

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

Sundry acts repealed.

1. From and after the time when this act shall take effect the following statutes and parts of statutes be and the same hereby are repealed:

CENSUS.

(1876, c. 32, p. 55.) (Rev. 1877, p. 1273.)

Census.

"A further supplement to 'An act in relation to the census or enumeration of the inhabitants of this State,' approved March twenty-fourth, eighteen hundred and fifty-five," approved March sixteenth, one thousand eight hundred and seventy-six (except section three of said act).

ELECTIONS.

(1879, c. 23, p. 36.)

Assembly districts.

"An act to repeal all the acts respecting the apportionment of the several assembly districts of the State of New Jersey, which were approved during the year one thousand eight hundred and seventy-eight, and to revive and re-establish the apportionment of the several assembly districts of the State of New Jersey as the same existed on the first day of January, one thousand eight hundred and seventy-eight," passed February twenty-fifth, one thousand eight hundred and seventy-nine (except sections one to nine inclusive of said act).

FOOD, DRUGS AND DAIRY PRODUCTS.

(1901, c. 85, p. 186.)

Foods, etc.

"An act to secure the purity of foods, beverages, confectionery, condiments, drugs and medicines and to prevent deception in the distribution and sales thereof," ap-

proved March twenty-first, one thousand nine hundred and one (except section twenty-two of said act).

(1905, c. 245, p. 475.)

"A further 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,' approved March twenty-first, anno domini one thousand nine hundred and one," approved May twenty-second, one thousand nine hundred and five (except section ten of said act). Foods, etc.

NEWSPAPERS.

(1919, c. 52, p. 98.)

"An act to amend an act entitled 'An act to regulate the price to be paid for official advertising,' approved April eighth, one thousand nine hundred and nine," approved April seventh, one thousand nine hundred and nineteen (except section two of said act). Official advertising.

PHARMACY, PRACTICE OF.

(1879, c. 157, p. 252.)

"Supplement to an act entitled 'An act to regulate the practice of pharmacy,' approved March ninth, one thousand eight hundred and seventy-seven," approved March fourteenth, one thousand eight hundred and seventy-nine (except section five of said act). Pharmacy.

SCHOOLS.

(1878, c. 35, p. 41.)

"A supplement to an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, eighteen hundred and seventy-four," approved March fourth, one thousand eight hundred and seventy-eight (except section two of said act). Schools.

(1889, c. 222, p. 353.)

"A further supplement to an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hun- Schools.

dred and seventy-four," approved May sixth, one thousand eight hundred and eighty-nine (except section seven of said act).

(1893, c. 49, p. 98.)

Schools. "An act to amend an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March seventh, one thousand eight hundred and ninety-three (except sections one and two of said act).

(1894, c. 335, p. 506.)

Schools. "An act to amend an act entitled 'An act to establish a system of public instruction (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved May twenty-fifth, one thousand eight hundred and ninety-four (except sections twenty-eight and twenty-nine of said act).

(1896, c. 150, p. 217.)

Schools. "An act to amend an act entitled 'An act to amend an act entitled "An act to establish a system of public instruction" (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four,' which amendatory act was approved May twenty-fifth, one thousand eight hundred and ninety-four," approved March thirty-first, one thousand eight hundred and ninety-six (except sections four and five of said act).

(1897, c. 178, p. 347.)

Schools. "A supplement to an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, eighteen hundred and ninety-four" (seventy-four), approved May fourth, one thousand eight hundred and ninety-seven (except section two of said act).

SURVEYS.

(1894, c. 72, p. 124.)

Geological survey. "A further supplement to an act entitled 'An act to complete the geological survey of the State,' approved

March thirtieth, one thousand eight hundred and sixty-four," approved April twenty-fourth, one thousand eight hundred and ninety-four (except section two of said act).

Construing act.

2. This act shall take effect immediately, and the repeal of the above entitled acts, or parts thereof, shall not be construed to revive any act, which may have been repealed by any of the acts hereby repealed.

Approved April 3, 1928.

CHAPTER 246.

An Act to repeal certain acts and parts of acts.

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

Sundry acts relative to fish and game repealed.

1. From and after the time when this act shall take effect the following acts and parts of acts be and the same hereby are repealed:

FISH AND GAME.

(Rev. of 1846, c. 3, p. 12.) (Rev. 1877, p. 448.)

"An act for the preservation of deer and other game, and to prevent trespassing with guns," approved April sixteenth, one thousand eight hundred and forty-six.

(1852, c. 18, p. 38.) (Rev. 1877, p. 449.)

"Supplement to the act entitled 'An act for the preservation of deer and other game, and to prevent trespassing with guns,' approved April sixteenth, eighteen hundred and forty-six," approved February fourteenth, one thousand eight hundred and fifty-two.

(1855, c. 58, p. 132.) (Rev. 1877, p. 458.)

"An act for the preservation of terrapin," approved March two, one thousand eight hundred and fifty-five.

(1859, c. 222, p. 636.) (Rev. 1877, p. 449.)

"A supplement to the act entitled 'An act for the preservation of deer and other game, and to prevent

trespassing with guns,' approved April sixteenth, eighteen hundred and forty-six," approved March twenty-third, one thousand eight hundred and fifty-nine.

(1866, c. 277, p. 681.) (Rev. 1877, p. 450.)

"Supplement to the act entitled 'An act for the preservation of deer and other game, and to prevent trespassing with guns,' approved April sixteenth, eighteen hundred and forty-six," approved March twenty-sixth, one thousand eight hundred and sixty-six.

(1867, c. 196, p. 430.) (Rev. 1877. p. 450.)

"A further supplement to 'An act for the preservation of deer and other game and to prevent trespassing with guns,' approved April sixteenth, anno domini eighteen hundred and forty-six," approved March twenty-seventh, one thousand eight hundred and sixty-seven.

(1870, c. 397, p. 835.) (Rev. 1877, p. 450.)

"A further supplement to 'An act for the preservation of deer and other game,' approved April sixteenth, eighteen hundred and forty-six," approved March seventeenth, one thousand eight hundred and seventy.

(1873, c. 313, p. 58.) (Rev. 1877, p. 450.)

"A supplement to an act for the preservation of deer and other game, approved April sixteenth, one thousand eight hundred and forty-six," approved March twenty-first, one thousand eight hundred and seventy-three.

(1873, c. 598, p. 151.) (Rev. 1877, p. 450.)

"A further supplement to 'An act for the preservation of deer and other game and to prevent trespassing with guns,' approved April sixteenth, one thousand eight hundred and forty-six," approved April fourth, one thousand eight hundred and seventy-three.

(1874, c. 317, p. 61.) (Rev. 1877, p. 455.)

"An act for the protection of fisheries in this State," approved March twenty-first, one thousand eight hundred and seventy-four.

(1874, c. 525, p. 137.) (Rev. 1877, p. 451.)

"An act to amend and consolidate the several acts relating to game and game fish," approved March twenty-seventh, one thousand eight hundred and seventy-four.

(1875, c. 141, p. 30.) (Rev. 1877, p. 454.)

"A supplement to an act entitled 'An act to amend and consolidate the several acts relating to game and game fish,' approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March seventeenth, one thousand eight hundred and seventy-five.

(1875, c. 345, p. 60.)

"An act for the preservation of fish in certain waters within the State of New Jersey," approved April eighth, one thousand eight hundred and seventy-five.

(1876, c. 30, p. 53.) (Rev. 1877, p. 454.)

"A supplement to an act entitled 'An act to amend and consolidate the several acts relating to game and game fish,' approved March twenty-seventh, eighteen hundred and seventy-four," approved March sixteenth, one thousand eight hundred and seventy-six.

(1876, c. 100, p. 127.) (Rev. 1877, p. 456.)

"An act for the preservation of fish," approved April thirteenth, one thousand eight hundred and seventy-six.

(1876, c. 116, p. 157.) (Rev. 1877, p. 455.)

"Supplement to an act entitled 'An act to amend and consolidate the several acts relating to game and game fish,' approved April fifteenth, one thousand eight hundred and seventy-six."

(1876, c. 146, p. 237.) (Rev. 1877, p. 1339.)

"An act for the protection of black bass in the rivers of New Jersey," approved April twenty-first, one thousand eight hundred and seventy-six.

(1877, c. 46, p. 64.) (Rev. 1877, p. 1340.)

"A further supplement to an act entitled 'An act to amend and consolidate the several acts relating to game

and game fish,' approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March eighth, one thousand eight hundred and seventy-seven.

(1877, c. 60, p. 84.) (Rev. 1877, p. 1339.)

"A supplement to an act entitled 'An act for the preservation of fish,' approved the thirteenth day of April, one thousand eight hundred and seventy-six," approved March eighth, one thousand eight hundred and seventy-seven.

(1877, c. 123, p. 187.) (Rev. 1877, p. 1340.)

"Supplement to an act entitled 'An act to amend and consolidate the several acts relating to game and game fish,' prescribing a method of procedure for the better enforcement of the game laws of this State," approved March ninth, one thousand eight hundred and seventy-seven.

(1878, c. 184, p. 293.)

"An act for the protection of game and game fish," approved April fourth, one thousand eight hundred and seventy-eight.

(1878, c. 206, p. 320.)

"An act to provide for the better protection of the fishing interests of this State," approved April fifth, one thousand eight hundred and seventy-eight.

(1878, c. 221, p. 333.)

"A further supplement to an act entitled 'An act to amend and consolidate the several acts relating to game and game fish,' approved March twenty-seventh, eighteen hundred and seventy-four," approved April fifth, one thousand eight hundred and seventy-eight.

(1878, c. 256, p. 396.)

"An act for the preservation of fish," approved April fifth, one thousand eight hundred and seventy-eight.

(1879, c. 75, p. 112.)

"Supplement to an act entitled 'An act for the preservation of fish,' approved April third, one thousand

eight hundred and seventy-eight," approved March eleventh, one thousand eight hundred and seventy-nine.

(1879, c. 109, p. 194.)

"A supplement to an act entitled 'An act for the preservation of deer and other game, and to prevent trespassing with guns,' approved March fourteenth, one thousand eight hundred and seventy-nine."

(1879, c. 124, p. 210.)

"A supplement to an act entitled 'An act for the preservation of fish,' approved April fifth, one thousand eight hundred and seventy-eight," approved March fourteenth, one thousand eight hundred and seventy-nine.

(1879, c. 158, p. 255.)

"An act for the further protection of fisheries," approved March fourteenth, one thousand eight hundred and seventy-nine.

(1880, c. 60, p. 81.)

"Supplement to an act entitled 'An act to amend and consolidate the several acts relating to game and game fish,' approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March third, one thousand eight hundred and eighty.

(1880, c. 107, p. 138.)

"Supplement to an act for the preservation of fish, approved April thirteenth, one thousand eight hundred and seventy-six," approved March tenth, one thousand eight hundred and eighty.

(1880, c. 134, p. 174.)

"A supplement to an act entitled 'An act to amend and consolidate the several acts relating to game and game fish,' approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March tenth, one thousand eight hundred and eighty.

(1881, c. 111, p. 126.)

"A further supplement to an act entitled 'An act to amend and consolidate the several acts relating to game

and game fish,' approved March twenty-seventh, one thousand eight hundred and seventy-four, and the supplement thereto, approved March eighth, one thousand eight hundred and seventy-seven," approved March seventeenth, one thousand eight hundred and eighty-one.

(1881, c. 173, p. 216.)

"An act to amend and to partially consolidate the several game laws of this State," approved March twenty-fourth, one thousand eight hundred and eighty-one.

(1881, c. 186, p. 234.)

"An act for the protection of fish," approved March twenty-fifth, one thousand eight hundred and eighty-one.

(1882, c. 41, p. 44.)

"Supplement to an act regulating fisheries," approved March third, one thousand eight hundred and eighty-two, effective July fourth.

(1882, c. 87, p. 109.)

"A supplement to an act entitled 'An act for the preservation of fish,' approved April fifth, one thousand eight hundred and seventy-eight," approved March seventeenth, one thousand eight hundred and eighty-two.

(1883, c. 16, p. 24.)

"Supplement to 'An act to amend an act to partially consolidate the several game laws of this State,' approved February eighth, one thousand eight hundred and eighty-three."

(1883, c. 83, p. 99.)

"An act permitting the catching of fish by set lines and fish weirs in those tributaries of the Delaware river above tidewater which are obstructed by dams," approved March thirteenth, one thousand eight hundred and eighty-three.

(1883, c. 110, p. 127.)

"A supplement to an act entitled 'An act for the preservation of fish,' approved April fifth, one thousand eight hundred and seventy-eight," approved March

twenty-second, one thousand eight hundred and eighty-three.

(1884, c. 40, p. 70.)

"A supplement to 'An act for the preservation of fish,' approved April fifth, eighteen hundred and seventy-eight," approved March tenth, one thousand eight hundred and eighty-four.

(1884, c. 114, p. 176.)

"An act to empower fish wardens to enforce game laws," approved April fourteenth, one thousand eight hundred and eighty-four.

(1885, c. 3, p. 13.)

"A supplement to an act entitled 'An act for the protection of game fish, approved April fourth, one thousand eight hundred and seventy-eight, and other game laws of this State, providing for the payment of fines into the county treasuries," approved January twenty-eighth, one thousand eight hundred and eighty-five.

(1885, c. 56, p. 65.)

"A further supplement to an act entitled 'An act to amend and consolidate the several acts relating to game and game fish, approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March ninth, one thousand eight hundred and eighty-five.

(1885, c. 81, p. 96.)

"A further supplement to an act entitled 'An act for the protection of fisheries in this State,' approved March twenty-first, one thousand eight hundred and seventy-four," passed March sixteenth, one thousand eight hundred and eighty-five.

(1885, c. 84, p. 98.)

"An act to provide a uniform method of procedure for the recovery of penalties for the violation of the several laws relating to game and game fish," passed March sixteenth, one thousand eight hundred and eighty-five.

(1885, c. 145, p. 181.)

"A supplement to an act entitled 'An act for the preservation of fish,' approved April thirteenth, one thousand eight hundred and seventy-six," passed March thirty-first, one thousand eight hundred and eighty-five.

(1885, c. 180, p. 238.)

"An act to amend an act entitled 'An act to empower fish wardens to enforce game laws," approved April tenth, one thousand eight hundred and eighty-five.

(1886, c. 17, p. 26.)

"An act to amend an act entitled 'Supplement to an act regulating fisheries,' approved March third, one thousand eight hundred and eighty-two," approved February fifteenth, one thousand eight hundred and eighty-six.

(1886, c. 40, p. 52.)

"A further supplement to an act entitled 'An act to amend and consolidate the several acts relating to game and game fish,' approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March first, one thousand eight hundred and eighty-six.

(1886, c. 85, p. 113.)

"An act for the protection and to limit the time and manner of killing European pheasants and other game birds of foreign origin," approved March twenty-second, one thousand eight hundred and eighty-six, effective July fourth.

(1886, c. 88, p. 118.)

"A further supplement to the act entitled 'An act to amend and consolidate the several acts relating to game and game fish,' approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March twenty-second, one thousand eight hundred and eighty-six.

(1886, c. 181, p. 242.)

"A supplement to an act to repeal the first section of an act entitled 'An act for the protection of fish,' approved April sixteenth, one thousand eight hundred and

eighty-four," passed April sixteenth, one thousand eight hundred and eighty-six.

(1886, c. 184, p. 252.)

"A supplement to the act entitled 'An act for the protection of fisheries in this State, approved March twenty-first, one thousand eight hundred and seventy-four," approved April twentieth, one thousand eight hundred and eighty-six.

(1886, c. 206, p. 311.)

"An act to amend an act entitled 'An act for the protection of fish,' approved March twenty-fifth, one thousand eight hundred and eighty-one," approved April twenty-eighth, one thousand eight hundred and eighty-six.

(1886, c. 208, p. 312.)

"An act for the preservation of squirrels," approved April twenty-eighth, one thousand eight hundred and eighty-six.

(1886, c. 262, p. 388.)

"A supplement to 'An act for the preservation of fish,' approved April fifth, one thousand eight hundred and seventy-eight," passed June first, one thousand eight hundred and eighty-six.

(1887, c. 42, p. 55.)

"A further supplement to an act to repeal the first section of an act entitled 'An act for the protection of fish,' approved April sixteenth, one thousand eight hundred and eighty-four," approved March twenty-eighth, one thousand eight hundred and eighty-seven.

(1887, c. 82, p. 114.)

"An act to amend an act entitled 'A supplement to an act entitled 'An act for the preservation of fish,' approved April fifth, one thousand eight hundred and seventy-eight, which said supplement was approved March seventeenth, one thousand eight hundred and eighty-two," approved April first, one thousand eight hundred and eighty-seven.

(1888, c. 34, p. 47.)

"An act to amend an act entitled 'An act to amend an act entitled "A supplement to an act entitled 'An act for the preservation of fish,'" approved April fifth, one thousand eight hundred and seventy-eight, which said supplement was approved March seventeenth, one thousand eight hundred and eighty-two,' approved April first, one thousand eight hundred and eighty-even," approved February fifteenth, one thousand eight hundred and eighty-eight.

(1888, c. 54, p. 577.)

"An act for the preservation of fish in the Hackensack river and its tributaries or branches, within the counties of Bergen and Hudson," passed February twenty-first, one thousand eight hundred and eighty-eight.

(1888, c. 74, p. 106.)

"A supplement to an act entitled 'An act to amend and consolidate the several acts relating to game and game fish,' approved March twenty-seventh, one thousand eight hundred and seventy-four," approved February twenty-eighth, one thousand eight hundred and eighty-eight.

(1888, c. 252, p. 368.)

"An act to divide the counties of this State into two sections, to be known as game sections, and to fix the time for shooting certain game birds and animals therein," approved April second, one thousand eight hundred and eighty-eight.

(1888, c. 298, p. 450.)

"An act relative to fishing in the river Delaware," approved April seventeenth, one thousand eight hundred and eighty-eight.

(1889, c. 13, p. 25.)

"A further supplement to the act entitled 'An act for the protection of game and game fish,' approved April fourth, one thousand eight hundred and seventy-eight," approved February twenty-fifth, one thousand eight hundred and eighty-nine.

(1889, c. 113, p. 162.)

"Supplement to an act entitled 'An act to consolidate the several acts relating to game and fish in this State,' " approved April third, one thousand eight hundred and eighty-nine.

(1889, c. 290, p. 455.)

"A further supplement to 'An act to amend and consolidate the several acts relating to game and game fish,' approved March twenty-seventh, one thousand eight hundred and seventy-four," approved May thirteenth, one thousand eight hundred and eighty-nine.

(1891, c. 143, p. 277.)

"Supplement to an act entitled 'An act to consolidate the several acts relating to game and fish in this State,' " approved April second, one thousand eight hundred and ninety-one.

(1891, c. 149, p. 301.)

"A further supplement to an act entitled 'An act to consolidate the several acts relating to game and fish in this State,' " approved April second, one thousand eight hundred and ninety-one.

(1891, c. 186, p. 361.)

"A supplement to an act entitled 'An act to provide for the better protection of the fishing interests of this State,' approved April fifth, one thousand eight hundred and seventy-eight, approved April fourteenth, one thousand eight hundred and ninety-one.

(1891, c. 193, p. 370.)

"A further supplement to an act entitled 'An act to amend and consolidate the several acts relating to game and game fish,' approved March twenty-seventh, one thousand eight hundred and seventy-four," approved April fourteenth, one thousand eight hundred and ninety-one.

(1891, c. 216, p. 410.)

"Supplement to an act entitled 'An act for the preservation of fish in the Hackensack river and its

tributaries or branches within the counties of Bergen and Hudson,' approved February twenty-first, one thousand eight hundred and eighty-eight," approved April fourteenth, one thousand eight hundred and ninety-one.

(1892, c. 150, p. 259.)

"A supplement to an act entitled 'An act for the protection and to limit the time and manner of killing European pheasants and other game birds of foreign origin,' approved March twenty-second, one thousand eight hundred and eighty-six," approved March twenty-fourth, one thousand eight hundred and ninety-two.

(1893, c. 27, p. 44.)

"An act for the protection of certain kinds of birds, animals and fish, and to provide a procedure to recover penalties for the violation thereof," approved February twenty-eighth, one thousand eight hundred and ninety-three.

(1894, c. 100, p. 154.)

"A supplement to an act entitled 'An act for the protection of certain kinds of birds, animals and fish, and to provide a procedure to recover penalties for the violation thereof,' approved February twenty-eighth, one thousand eight hundred and ninety-three," approved April twenty-sixth, one thousand eight hundred and ninety-four.

(1894, c. 313, p. 470.)

"A supplement to an act entitled 'An act for the protection of certain kinds of birds, animals and fish, and to provide a procedure to recover penalties for the violation thereof,' approved February twenty-eighth, one thousand eight hundred and ninety-three," approved May twenty-second, one thousand eight hundred and ninety-four.

(1894, c. 314, p. 471.)

"Supplement to an act entitled 'An act for the protection of certain kinds of birds, animals and fish, and to provide a procedure to recover penalties for the

violation thereof,' approved February twenty-eighth, one thousand eight hundred and ninety-three," approved May twenty-second, one thousand eight hundred and ninety-four.

TRESPASSES (FOR TAKING FISH).

(1894, c. 49, p. 61.)

"An act concerning trespassing on private lands," approved April twelfth, one thousand eight hundred and ninety-four.

2. This act shall take effect immediately, and the repeal of the above entitled acts, or parts thereof, shall not be construed to revive any act which may have been repealed by any of the acts hereby repealed. Repealer does not revive act.

Approved April 3, 1928.

CHAPTER 247.

An Act to repeal certain acts and parts of acts.

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

1. From and after the time when this act shall take effect the following acts and parts of acts be and the same hereby are repealed: Sundry acts repealed.

AGRICULTURE.

(1884, c, 208, p. 318.)

"A supplement to the supplement to an act entitled 'An act to provide for the establishment of an agricultural experiment station,' approved March ninth, one thousand eight hundred and eighty-one," approved May ninth, one thousand eight hundred and eighty-four. Experiment station.

(1894, c. 117, p. 176.)

"A further supplement to an act entitled 'An act to provide for the establishment of an agricultural experi- Experiment station.

ment station,' approved March tenth, one thousand eight hundred and eighty," approved May first, one thousand eight hundred and ninety-four.

(1895, c. 77, p. 154.)

Experiment station.

"A supplement to an act entitled 'An act to provide for the establishment of an agricultural experiment station,' approved March tenth, one thousand eight hundred and eighty," approved March fifth, one thousand eight hundred and ninety-five.

(1916, c. 16, p. 41.)

Chickens and eggs.

"An act empowering the Department of Poultry Husbandry at the Agricultural Experiment Station to conduct egg-laying and breeding tests, at Vineland, Cumberland county," approved March first, one thousand nine hundred and sixteen.

ATTACHMENT.

(1874, c. 471, p. 117.) (Rev. 1877, p. 1265.)

Absent debtors.

"A further supplement to an act for the relief of creditors against absconding and absent debtors," approved March twenty-seventh, one thousand eight hundred and seventy-four.

(1876, c. 61, p. 75.) (Rev. 1877, p. 1265.)

Absent debtors.

"A further supplement to an act entitled 'An act for the relief of creditors against absconding and absent debtors," approved April sixteenth, eighteen hundred and forty-six," approved April fifth, one thousand eight hundred and seventy-six.

(1886, c. 37, p. 50.)

Absent debtors.

"An act to amend an act entitled 'A further supplement to the act entitled "An act for the relief of creditors against absconding and absent debtors," approved April sixteenth, one thousand eight hundred and forty-six,' which further supplement was approved April fifth, one thousand eight hundred and seventy-six," approved February twenty-six, one thousand eight hundred and eighty-six.

ATTORNEY-GENERAL AND PUBLIC PROSECUTOR.

(1882, c. 150, p. 214.)

"A supplement to an act entitled 'An act to define the duties and fix the salary of the attorney-general,' approved February twenty-fourth, one thousand eight hundred and fifty-four," approved March thirty-first, one thousand eight hundred and eighty-two. Attorney-General.

(1887, c. 138, p. 173.)

"A supplement to an act entitled 'An act to fix the minimum of salary of the prosecutors of the pleas in the counties of the third class in this State,' approved April twentieth, one thousand eight hundred and eighty-five," approved April twenty-first, one thousand eight hundred and eighty-seven. Prosecutors in counties of third class.

(1918, c. 88, p. 223.)

"An act fixing the compensation of prosecutors of the pleas in counties of this State bordering on the Atlantic ocean having a population of more than seventy-five thousand," approved February nineteenth, one thousand nine hundred and eighteen. Prosecutors in counties along ocean.

BOTTLES, BOXES, CANS, BASKETS AND OTHER PACKAGES.

(1891, c. 257, p. 480.)

"An act in relation to milk cans," approved April sixteenth, one thousand eight hundred and ninety-one. Milk cans.

BUILDING AND LOAN ASSOCIATIONS.

(Rev. 1877, p, 92.)

"An act to encourage the establishment of mutual loan, homestead and building associations" (Revision), approved April ninth, one thousand eight hundred and seventy-five. Building and loan associations.

(1876, c. 11, p. 22.) (Rev. 1877, p. 1272.)

"An act to amend 'An act to encourage the establishment of mutual loan, homestead and building associations' (Revision), approved April ninth, eighteen hun- Building and loan associations.

dred and seventy-five," approved February twenty-ninth, one thousand eight hundred and seventy-six.

(1876, c. 23, p. 32.) (Rev. 1877, p. 1272.)

Building and loan associations.

"A supplement to an act entitled 'An act to encourage the establishment of mutual loan, homestead and building associations' (Revision), approved April ninth, eighteen hundred and seventy-five," approved March fifteenth, one thousand eight hundred and seventy-six.

(1876, c. 151, p. 243.) (Rev. 1877, p. 1272.)

Building and loan associations.

"Supplement to an act entitled 'An act to encourage the establishment of mutual loan, homestead and building associations,' approved April ninth, eighteen hundred and seventy-five," approved April twenty-first, one thousand eight hundred and seventy-six.

(1887, c. 46, p. 62.)

Building and loan associations.

"A further supplement to an act entitled 'An act to encourage the establishment of mutual loan, homestead and building associations' (Revision), approved April ninth, one thousand eight hundred and seventy-five," approved March twenty-ninth, one thousand eight hundred and eighty-seven.

(1890, c. 246, p. 420.)

Building and loan associations.

"A supplement to an act entitled 'An act to encourage the establishment of mutual loan, homestead and building associations' (Revision), approved April ninth, one thousand eight hundred and seventy-five," approved June ninth, one thousand eight hundred and ninety.

(1899, c. 160, p. 357.)

Building and loan associations.

"A supplement to an act entitled 'An act to encourage the establishment of mutual loan, homestead and building associations' (Revision), approved April ninth, one thousand eight hundred and seventy-five," approved March twenty-fourth, one thousand eight hundred and ninety-nine.

(1902, c. 219, p. 672.)

Building and loan associations.

"An act to regulate the salaries, commissions, fees and other compensation paid by loan, homestead and build-

ing associations," approved April ninth, one thousand nine hundred and two.

CENSUS.

(1903, c. 222, p. 487.)

"A supplement to an act entitled 'An act to provide for the census or renumeration of the inhabitants of this State,' approved April seventh, one thousand eight hundred and eighty-five," approved April eighth, one thousand nine hundred and three. Census.

(1915, c. 293, p. 533.)

"A supplement to an act entitled 'An act to provide for the census or enumeration of the inhabitants of this State,' approved April twelfth, one thousand nine hundred and five," approved April fourteenth, one thousand nine hundred and fifteen. Census.

CERTIORARI.

(1895, c. 139, p. 296.)

"An act concerning proceedings to review judgments or other judicial proceedings of any city judge, police court or other inferior court had for or on account of alleged violation of city ordinances of city boards of health," approved March fourteenth, one thousand eight hundred and ninety-five. Certiorari.

CHANCERY.

(1891, c. 19, p. 30.)

"An act to authorize and empower the Chancellor to fix and determine the salary or compensation to be paid to the several sergeants-at-arms at the several chancery chambers," approved February eighteenth, one thousand eight hundred and ninety-one. Sergeant-at-arms of chancery.

(1896, c. 142, p. 200.)

"A further supplement to an act entitled 'An act respecting the court of chancery,' approved March twenty-seventh, one thousand eight hundred and seventy-five," approved March thirtieth, one thousand eight hundred and ninety-six. Chancery.

(1901, c. 52, p. 91.)

Chancery. "A further supplement to an act entitled 'An act respecting the Court of Chancery,' approved March twenty-seventh, one thousand eight hundred and seventy-five," approved March nineteenth, one thousand nine hundred and one.

CONSTABLES.

(1879, c. 18, p. 29.)

Constables. "A supplement to an act entitled 'An act respecting constables,' approved April sixteenth, one thousand eight hundred and forty-six," approved February nineteenth, one thousand eight hundred and seventy-nine.

CORONERS.

(1877, c. 21, p. 38.) (Rev. 1877, p. 1281.)

Coroners. "A further supplement to an act entitled 'An act respecting coroners,' approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March first, one thousand eight hundred and seventy-seven.

(1885, c. 234, p. 304.)

Shipwrecked bodies. "An act for the purchase of ground for the burial of dead bodies thrown upon the shores of this State by shipwreck," approved April twenty-eighth, one thousand eight hundred and eighty-five.

CORPORATIONS.

(1879, c. 36, p. 62.)

Foundries, etc. "An act respecting foundries and machine companies," approved February twenty-seventh, one thousand eight hundred and seventy-nine.

(1889, c. 47, p. 69.)

Water companies. "An act to authorize water companies in this State, having a less capital stock than twenty thousand dollars, to increase their capital stock to fifty thousand dollars," approved March nineteenth, one thousand eight hundred and eighty-nine.

COURTS.

(1889, c. 228, p. 361.)

"A further supplement to an act entitled 'A further supplement to an act entitled "An act to provide for the support of the government of this State, and to fix the salaries of public officers," approved April fourth, one thousand eight hundred and forty-five,' which said supplement was approved April second, one thousand eight hundred and seventy-three," approved May sixth, one thousand eight hundred and eighty-nine. Salaries.

(1890, c. 2, p. 12.)

"A further supplement to an act entitled 'An act to provide for the support of the government of this State and to fix the salaries of public officers,' approved April fourth, one thousand eight hundred and forty-five," passed February eighteenth, one thousand eight hundred and ninety. Salaries.

(1896, c. 102, p. 149.)

"An act to reduce the number of judges of the inferior Courts of Common Pleas, Courts of Oyer and Terminer and general jail delivery, Orphans' Courts, Courts of General Quarter Sessions of the Peace and Special Sessions in the several counties of this State, and to fix the salaries and provide for the appointment of the judges of said courts," approved March twenty-sixth, one thousand eight hundred and ninety-six. County judges.

(1899, c. 159, p. 356.)

"An act authorizing the appointment in counties of the first class in this State of an interpreter of the Polish and Russian languages to the Court of Common Pleas, Circuit Court, Orphans' Court, Court of General Quarter Sessions of the Peace, Court of Special Sessions and the public offices connected therewith, and fixing the salary of such interpreters," approved March twenty-fourth, one thousand eight hundred and ninety-nine. Interpreters.

(1900, c. 19, p. 35.)

"A supplement to an act entitled 'An act to reduce the number of judges of the inferior Courts of Common County judges.

Pleas, Courts of Oyer and Terminer and general jail delivery, Orphans' Courts, Courts of General Quarter Sessions of the Peace and Special Sessions in the several counties of this State, and to fix the salaries and to provide for the appointment of the judges of said courts,' approved March twenty-sixth, one thousand eight hundred and ninety-six," approved March seventh, one thousand nine hundred.

CRIMINAL PROCEDURE.

(1898, c. 26, p. 46.)

Crimes. "A supplement to an act entitled 'An act regulating proceedings in criminal cases' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March seventh, one thousand eight hundred and ninety-eight.

(1911, c. 225, p. 493.)

Probation officers. "An act to amend an act entitled 'An act to provide for the appointment of probation officers and to define their duties and powers,' approved April second, one thousand nine hundred and six," approved April twenty-seventh, one thousand nine hundred and eleven.

(1913, c. 89, p. 140.)

Probation officers. "A supplement to an act entitled 'An act to provide for the appointment of probation officers and to define their duties and powers,' approved April second, one thousand nine hundred and six," approved March eighteenth, one thousand nine hundred and thirteen.

(1917, c. 167, p. 496.)

Probation officers. "A further supplement to an act entitled 'An act to provide for the appointment of probation officers and to define their duties and powers,' approved April second, one thousand nine hundred and six," approved March twenty-seventh, one thousand nine hundred and seventeen.

DEAF-MUTES, BLIND AND FEEBLE-MINDED.

(1896, c. 95, p. 138.)

Deaf and dumb.

"A further supplement to an act entitled 'A bill providing for the founding of a State institution for the instruction and maintenance of indigent deaf-mutes, to be known as the State Institution for the Deaf and Dumb, approved March thirty-first, one thousand eight hundred and eighty-two," approved March twenty-fifth, one thousand eight hundred and ninety-six.

(1918, c. 4, p. 59.)

Deaf, dumb, blind.

"A supplement to an act entitled 'An act for the instruction and maintenance of indigent deaf and dumb, blind and feeble-minded persons, inhabitants of this State,' approved March twelfth, one thousand eight hundred and seventy-three," approved February fourth, one thousand nine hundred and eighteen.

(1918, c. 6, p. 61.)

Feeble-minded.

"A supplement to an act entitled 'An act to provide for the establishment of a State institution for feeble-minded,' approved March twenty-seventh, one thousand eight hundred and eighty-eight, the title of which said act was amended by act approved April fifth, one thousand nine hundred and fifteen," approved February fourth, one thousand nine hundred and eighteen.

DENTISTRY.

(1911, c. 226, p. 495.)

Dentistry.

"An act to amend an act entitled 'An act to regulate the practice of dentistry in the State of New Jersey, and to repeal certain acts now relating to the same,' approved March seventeenth, one thousand eight hundred and ninety-eight," approved April twenty-seventh, one thousand nine hundred and eleven.

DISORDERLY PERSONS.

(1901, c. 175, p. 368.)

Disorderly persons.

"An act to amend an act entitled 'An act concerning disorderly persons,' approved April ninth, one thousand

eight hundred and seventy-five," approved March twenty-second, one thousand nine hundred and one.

(1901, c. 201, p. 405.)

Disorderly persons.

"An act to amend an act entitled 'An act concerning disorderly persons,' approved April ninth, one thousand eight hundred and seventy-five," approved March twenty-second, one thousand nine hundred and one.

ELECTIONS.

(1871, c. 281, p. 45.) (Rev. 1877, p. 368.)

Assembly districts.

"An act to reapportion the several Assembly districts of the State of New Jersey," approved March twenty-second, one thousand eight hundred and seventy-one.

(1872, c. 390, p. 56.) (Rev. 1877, p. 372.)

Elections.

"A further supplement to the act entitled 'An act to regulate elections,' approved April sixteenth, anno domini one thousand eight hundred and forty-six," approved March twenty-seventh, one thousand eight hundred and seventy-two.

(1878, c. 235, p. 349.)

Elections.

"A further supplement to an act entitled 'An act to regulate elections,' approved April eighteenth, eighteen hundred and seventy-six," approved April fifth, one thousand eight hundred and seventy-eight.

(1879, c. 160, p. 258.)

Assembly districts.

"An act to amend an act entitled 'An act to repeal all the acts respecting the apportionment of the several Assembly districts of the State of New Jersey, which were approved during the year one thousand eight hundred and seventy-eight, and to revive and re-establish the apportionment of the several Assembly districts of the State of New Jersey as the same existed on the first day of January, one thousand eight hundred and seventy-eight,' passed February twenty-fifth, one thousand eight hundred and seventy-nine," approved March fourteenth, one thousand eight hundred and seventy-nine.

(1880, c. 176, p. 264.)

"A further supplement to the act entitled 'An act to regulate elections,' approved April eighteenth, one thousand eight hundred and seventy-six, respecting the dividing of wards and townships into election districts," approved March twelfth, one thousand eight hundred and eighty. Elections.

(1881, c. 129, p. 146.)

"An act to reapportion the several Assembly districts of the State of New Jersey," passed March twenty-first, one thousand eight hundred and eighty-one. Assembly districts.

(1883, c. 127, p. 158.)

"An act to prevent fraudulent voting at elections," approved March twenty-third, one thousand eight hundred and eighty-three. Elections.

(1889, c. 81, p. 115.)

"An act to amend an act entitled 'An act to reapportion the several Assembly districts of the State of New Jersey,' passed March twenty-first, one thousand eight hundred and eighty-one," approved March twenty-seventh, one thousand eight hundred and eighty-nine. Assembly districts.

(1901, c. 155, p. 324.)

"A supplement to an act entitled 'An act to regulate elections' (Revision of 1898), approved April fourth, one thousand eight hundred and ninety-eight," approved March twenty-second, one thousand nine hundred and one. Elections.

(1911, c. 194, p. 372.)

"An act to apportion the members of the General Assembly among the several counties of the State," approved April twenty-first, one thousand nine hundred and eleven. Assembly districts.

EMPLOYMENT AGENCIES.

(1911, c. 42, p. 64.)

"An act to amend an act entitled 'An act to regulate the keeping of employment agencies in this State,' approved May twenty-eighth, one thousand nine hundred Employment agencies.

and seven," approved March seventeenth, one thousand nine hundred and eleven.

EXPLOSIVES.

(1911, c. 227, p. 497.)

Explosives. "An act to regulate the manufacture, storage and sale of explosives, and providing penalties for violations of this act," approved April twenty-seventh, one thousand nine hundred and eleven.

FISH AND GAME.

(1889, c. 225, p. 358.)

Pheasants and foreign game. "A supplement to an act entitled 'An act for the protection, and to limit the time and manner of killing European pheasants and other game birds of foreign origin,' approved March twenty-second, one thousand eight hundred and eighty-six," approved May sixth, one thousand eight hundred and eighty-nine.

(1901, c. 90, p. 205.)

Sturgeon. "An act to authorize the Board of Fish and Game Commissioners of this State to co-operate with the State of Pennsylvania in assisting to restore the sturgeon fisheries in the Delaware river and bay, and making an appropriation therefor," approved March twenty-first, one thousand nine hundred and one, effective July fourth.

(1904, c. 234, p. 408.)

Sturgeon. "An act to regulate fishing for sturgeon in the Delaware bay, river and their tributaries," approved April fifth, one thousand nine hundred and four.

(1911, c. 246, p. 527.)

Fish and game. "Supplement to an act entitled 'An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture and provide open and close seasons for such capture and possession' (Revision of 1903), approved April fourteenth, one thousand nine hundred and three," approved April twenty-seventh, one thousand nine hundred and eleven.

(1911, c. 301, p. 657.)

"A supplement to an act entitled 'An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture and possession' (Revision of 1903), approved April fourteenth, one thousand nine hundred and three," approved May first, one thousand nine hundred and eleven. Fish and game.

(1912, c. 97, p. 139.)

"An act amending 'A supplement to an act entitled "An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture and possession" (Revision of 1903), approved April fourteenth, one thousand nine hundred and three,' approved May first, one thousand nine hundred and eleven," approved March twentieth, one thousand nine hundred and twelve. Fish and game.

(1912, c. 194, p. 297.)

"An act to authorize the Board of Fish and Game Commissioners to appoint ten additional fish and game wardens," approved March twenty-seventh, one thousand nine hundred and twelve. Fish and game wardens.

(1913, c. 157, p. 262.)

"Supplement to an act entitled 'An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture and provide open and close seasons for such capture and possession' (Revision of 1903), approved April fourteenth, one thousand nine hundred and nine, approved March twenty-seventh, one thousand nine hundred and thirteen, the title whereof was amended by Laws of one one thousand nine hundred and thirteen, Special Session, chapter six, page eight hundred and thirteen, to read 'Supplement to an act entitled "An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture and provide open and closed seasons for such capture and possession" (Revision of 1903), approved April fourteenth, one thousand nine hundred and three,' " which amendatory act was approved May twenty-seventh, one thousand nine hundred and thirteen. Fish and game.

(1913, Spl. Sess., c. 6, p. 812.)

Fish and game.

"An act to amend an act entitled 'Supplement to an act entitled "An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture and provide open and close seasons for such capture and possession" (Revision of 1903), approved April fourteenth, one thousand nine hundred and nine,' approved March twenty-seventh, nineteen hundred and thirteen," approved May twenty-seventh, one thousand nine hundred and thirteen.

FOOD, DRUGS AND DAIRY PRODUCTS.

(1878, c. 203, p. 317.)

Dairies.

"An act for the protection of dairymen, and to prevent deception in sales of butter," approved April fifth, one thousand eight hundred and seventy-eight.

(1888, c. 238, p. 349.)

Vinegar.

"An act in relation to the manufacture and sale of vinegar," approved March thirtieth, one thousand eight hundred and eighty-eight.

(1902, c. 183, p. 579.)

Food, drugs, etc.

"A supplement to the 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,' approved March twenty-first, anno domini one thousand nine hundred and one," approved April fourth, one thousand nine hundred and two.

(1903, c. 126, p. 210.)

Food, drugs, etc.

"A supplement to the 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,' approved March twenty-first, one thousand nine hundred and one," approved April seventh, one thousand nine hundred and three.

(1904, c. 171, p. 308.)

Food, drugs, etc.

"An act to amend an act entitled 'An act to secure the purity of foods, beverages, confectionery, condiments, drugs and medicines, and to prevent deception in the dis-

tribution and sales thereof,' approved the twenty-first day of March, in the year one thousand nine hundred and one," approved March twenty-ninth, one thousand nine hundred and four.

(1904, c. 204, p. 365.)

"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,' approved March twenty-first, one thousand nine hundred and one," approved March thirtieth, one thousand nine hundred and four. Food, drugs, etc.

(1904, c. 211, p. 374.)

"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,' approved March twenty-first, one thousand nine hundred and one," approved March thirtieth, one thousand nine hundred and four. Food, drugs, etc.

(1905, c. 132, p. 245.)

"An act to amend an act entitled 'An act to secure the purity of foods, beverages, confectionery, condiments, drugs and medicines, and to prevent deception in the distribution and sales thereof,' approved March twenty-first, one thousand nine hundred and one," approved April twelfth, one thousand nine hundred and five. Food, drugs, etc.

(1906, c. 58, p. 84.)

"An act to amend an act entitled 'An act to secure the purity of foods, beverages, confectionery, condiments, drugs and medicines, and to prevent deception in the distribution and sales thereof,' approved March twenty-first, nineteen hundred and one," approved March thirtieth, one thousand nine hundred and six. Food, drugs, etc.

(1906, c. 214, p. 411.)

"An act to amend an act entitled 'A supplement to the 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," approved March twenty-first, anno domini one thousand nine hundred and one,' which said supplement Food, drugs, etc.

was approved April fourth, one thousand nine hundred and two," approved May third, one thousand nine hundred and six.

(1906, c. 313, p. 686.)

Food, drugs, etc.

"An act to amend an act entitled 'An act to secure the purity of foods, beverages, confectionery, condiments, drugs and medicines, and to prevent deception in the distribution and sales thereof,' approved March twenty-first, one thousand nine hundred and one," approved June thirteenth, one thousand nine hundred and six.

(1908, c. 252, p. 532.)

Food, drugs, etc.

"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,' approved March twenty-first, nineteen hundred and one," approved April fourteenth, one thousand nine hundred and eight.

HEALTH.

(1894, c. 226, p. 344.)

Health.

"An act to reorganize boards of health in cities of the first class in this State," approved May fifteenth, one thousand eight hundred and ninety-four.

JURIES.

(1888, c. 228, p. 327.)

Jurors.

"A supplement to the act entitled 'An act concerning jurors,' approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March thirtieth, one thousand eight hundred and eighty-eight.

LABOR.

(1851, p. 321.) (Rev. 1877, p. 485.)

Labor.

"An act to limit the hours of labor, and to prevent the employment of children in factories under ten years of age," approved March eighteenth, one thousand eight hundred and fifty-one.

(1852, c. 30, p. 63.) (Rev. 1877, p. 485.)

"A supplement to an act entitled 'An act to limit the hours of labor, and to prevent the employment of children in factories under ten years of age," approved February nineteenth, one thousand eight hundred and fifty two. Labor.

(1876, c. 189, p. 306.) (Rev. 1877, p. 485.)

"Supplement to an act entitled 'An act to limit the hours of labor, and to prevent the employment of children, in factories, under ten years of age,' approved March eighteenth, eighteen hundred and fifty-one," approved April twenty-first, one thousand eight hundred and seventy-six. Labor.

(1882, c. 159, p. 227.)

"An act for the preservation of health of female employees," approved March thirty-first, one thousand eight hundred and eighty-two. Health of female workers.

(1889, c. 108, p. 157.)

"A further supplement to an act entitled 'An act to limit the age and employment hours of children, minors and women, and to appoint an inspector for the enforcement of the same,' approved March fifth, one thousand eight hundred and eighty-three," approved April third, one thousand eight hundred and eighty-nine. Labor.

(1903, c. 66, p. 102.)

"A supplement to an act entitled 'An act to limit the age and employment hours of labor of children, minors and women, and to appoint an inspector for the enforcement of the same,' approved March fifth, one thousand eight hundred and eighty-three," approved March twenty-fifth, one thousand nine hundred and three. Labor.

LANDLORD AND TENANT.

(1899, c. 35, p. 48.)

"An act respecting actions between landlord and tenant," approved March fifteenth, one thousand eight hundred and ninety-nine. Landlords and tenants.

LEARNING, SOCIETIES TO PROMOTE.

(1876, c. 141, p. 235.) (Rev. 1877, p. 969.)

Church seminaries. "An act to authorize the corporations of theological seminaries in this State to increase the number of their trustees," approved April twentieth, one thousand eight hundred and seventy-six.

LEGAL HOLIDAYS.

(1876, c. 58, p. 73.) (Rev. 1877, p. 481.)

Holidays. "An act in relation to legal holidays," approved April fourth, one thousand eight hundred and seventy-six.

(1886, c. 260, p. 386.)

Holidays. "An act establishing legal holidays, and regulating the maturity of commercial paper with respect thereto," passed June first, one thousand eight hundred and eighty-six.

(1887, c. 114, p. 147.)

Holidays. "A supplement to an act entitled 'An act establishing legal holidays and regulating the maturity of commercial paper with respect thereto,' approved June first, one thousand eight hundred and eighty-six," approved April eighth, one thousand eight hundred and eighty-seven.

(1907, c. 244, p. 585.)

Good Friday. "An act to create a public holiday to be known as "Good Friday," approved June twelfth, one thousand nine hundred and seven.

(1909, c. 261, 471.)

Holidays. "A supplement to an act entitled 'An act in relation to legal holidays' (Revision of 1876), approved April third, one thousand eight hundred and seventy-six," approved April twenty-first, one thousand nine hundred and nine.

MECHANICS' LIEN.

(1891, c. 225, p. 418.)

Mechanics' lien. "An act to secure the payment of laborers, mechanics, merchants, traders and persons employed upon or fur-

nishing materials toward the performing of any work in public improvement in cities of this State," approved April fourteenth, one thousand eight hundred and ninety-one.

(1915, c. 86, p. 138.)

"An act to amend an act entitled 'A supplement to an act entitled "An act to secure the payment of laborers, mechanics, merchants, traders, and persons employed upon, or furnishing materials toward the performing of any work in public improvements in cities, towns, townships and other municipalities in this State," approved March thirtieth, one thousand eight hundred and ninety-two,' which supplement was approved June fourteenth, nineteen hundred and eleven," approved March twenty-fourth, one thousand nine hundred and fifteen. Mechanics' lien.

MORGUES AND MORGUE KEEPERS.

(1878, c. 250, p. 386.)

"An act to authorize the appointment of morgue keepers by the director of the board of chosen freeholders," approved April fifth, one thousand eight hundred and seventy-eight. Morgues.

MORTGAGES.

(1879, c. 30, p. 55.)

"A supplement to an act entitled 'An act concerning mortgages," approved March twenty-seventh, one thousand eight hundred and seventy-four" (Revision), approved February twenty-sixth, one thousand eight hundred and seventy-nine. Mortgages.

(1893, c. 48, p. 97.)

"A further supplement to an act entitled 'An act concerning mortgages,' approved March twenty-seventh, one thousand eight hundred and seventy-four," passed March seventh, one thousand eight hundred and ninety-three. Mortgages.

NAVIGATION AND HARBOR MASTERS.

(1873, c. 494, p. 123.) (Rev. 1877, p. 731.)

Buoys and beacons.

"An act for the protection of buoys and beacons," approved April third, one thousand eight hundred and seventy-three.

NEWSPAPERS.

(1863, c. 92, p. 180.) (Rev. 1877, p. 413.)

Legal advertising.

"A supplement to an act entitled 'An act to establish a uniform rate of charges for legal advertising in New Jersey,' approved March twentieth, eighteen hundred and fifty-seven," approved March sixth, one thousand eight hundred and sixty-three.

(1891, c. 223, p. 416.)

Legal advertising.

"An act to regulate the price of legal advertising," approved April fourteenth, one thousand eight hundred and ninety-one.

(1895, c. 344, p. 691.)

Legal advertising.

"A supplement to an act entitled 'An act to regulate and establish a uniform rate of charges for legal advertising in New Jersey,' approved March twentieth, one thousand eight hundred and fifty-seven," approved March twenty-fifth, one thousand eight hundred and ninety-five.

(1898, c. 187, p. 436.)

Legal advertising.

"An act to amend an act entitled 'A supplement to an act entitled "An act to regulate and establish a uniform rate of charges for legal advertising in New Jersey," approved March twentieth, one thousand eight hundred and fifty-seven,' which supplement was approved March twenty-fifth, one thousand eight hundred and ninety-five," approved May eighteenth, one thousand eight hundred and ninety-eight.

PHARMACY, PRACTICE OF.

(1877, c. 133, p. 211.) (Rev. 1877, p. 816.)

Pharmacy.

"An act to regulate the practice of pharmacy," approved March ninth, one thousand eight hundred and seventy-seven.

(1886, c. 123, p. 171.)

Pharmacy.

"An act to regulate the practice of pharmacy in the State of New Jersey," approved April fifth, one thousand eight hundred and eighty-six.

(1895, c. 189, p. 360.)

Pharmacy.

"An act to amend an act entitled 'An act to regulate the practice of pharmacy in the State of New Jersey,' approved April fifth, one thousand eight hundred and eighty-six," approved March twentieth, one thousand eight hundred and ninety-five.

PILOTS.

(1884, c. 39, p. 69.)

Pilots.

"An act in relation to apprentices in the service of pilots for the ports of Jersey City, Newark and Perth Amboy by way of Sandy Hook," approved March tenth, one thousand eight hundred and eighty-four.

PRACTICE.

(1799, c. 748, p. 433.) (Rev. 1877, p. 896.)

Aid poor in suits.

"An act to assist poor persons in the prosecution of their suits," passed January twenty-eighth, one thousand seven hundred and ninety-nine.

(1889, c. 183, p. 294.)

Serving notice of application to court.

"An act in relation to service of notice of application to any court or justice or judge thereof, in any proceedings or under any statute of this State, where no provision of law exists for such notice or the time or mode of service thereof, and validating notices of such application heretofore made," approved April eighteenth, one thousand eight hundred and eighty-nine.

(1889, c. 273, p. 423.)

Practice of law.

"A supplement to an act entitled 'An act regulating the practice of the courts of law,' approved March twenty-seventh, one thousand eight hundred and seventy-four, which supplement was approved March twenty-second, one thousand eight hundred and eighty-one," approved May ninth, one thousand eight hundred and eighty-nine.

(1900, c. 48, p. 72.)

Causes. "An act respecting the entitling of causes in the courts of this State," approved March nineteenth, one thousand nine hundred.

(1902, c. 251, p. 709.)

Contracts. "An act concerning contracts," approved April tenth, one thousand nine hundred and two.

PUBLIC PRINTING.

(1878, c. 127, p. 196.)

Printing. "An act relative to the public printing," approved March twenty-eighth, one thousand eight hundred and seventy-eight.

(1879, c. 208, p. 350.)

Printing. "An act relative to public printing," approved March fourteenth, one thousand eight hundred and seventy-nine.

(1880, c. 124, 160.)

Printing. "An act relative to public printing," approved March tenth, one thousand eight hundred and eighty.

(1881, c. 86, p. 89.)

Printing. "An act relative to public printing," approved March tenth, one thousand eight hundred and eighty-one.

(1882, c. 130, p. 170.)

Printing. "An act relative to public printing," approved March twenty-fourth, one thousand eight hundred and eighty-two.

PUBLIC UTILITIES COMMISSION.

(1918, c. 123, p. 284.)

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

RAILROADS AND CANALS.

(1880, c. 65, p. 85.)

"An act to regulate the rate of passenger fares on railroads doing business under special charters granted by the Legislature of this State," approved March third, one thousand eight hundred and eighty. Railroad fares.

RIPARIAN RIGHTS.

(1888, c. 212, p. 292.)

"A further supplement to the act entitled 'An act to ascertain the rights of the State and of riparian owners in the lands lying under water in the bay of New York and elsewhere in the State' (Revision), approved April eleventh, one thousand eight hundred and sixty-four," passed March twenty-seventh, one thousand eight hundred and eighty-eight. Riparian rights.

(1892, c. 50, p. 84.)

"An act to reorganize the Board of Riparian Commissioners of this State," approved March tenth, one thousand eight hundred and ninety-two. Riparian board.

SALARIES.

(1870, c. 264, p. 30.) (Rev. 1877, p. 1038.)

"A further supplement to the act entitled 'An act to provide for the support of the government of this State, and to fix the salaries of public officers," approved March sixteenth, one thousand eight hundred and seventy. Salaries.

(1873, c. 604, p. 158.) (Rev. 1877, p. 585.)

"A further supplement to an act entitled 'An act to regulate the State Library,' " approved April fourth, one thousand eight hundred and seventy-three. Library.

(1882, c. 153, p. 216.)

"An act respecting the time of payment of the salaries of the Chancellor and the justices of the Supreme Court," approved March thirty-first, one thousand eight hundred and eighty-two. Chancellor and justices.

(1913, c. 1, p. 11.)

Officers of legislature.

"An act to amend an act entitled 'An act to provide for officers of the Senate and General Assembly and to fix their compensation,' approved June eleventh, one thousand eight hundred and ninety-five," approved January twentieth, one thousand nine hundred and thirteen.

(1913, c. 93, p. 144.)

Chancellor and justices.

"An act fixing and regulating the compensation of the Chancellor, the Chief Justice and the associate justices of the Supreme Court," approved March nineteenth, one thousand nine hundred and thirteen.

(1913, c. 213, p. 379.)

Vice-Chancellors.

"An act fixing and regulating the compensation of the Vice-Chancellors of the Court of Chancery," approved April first, one thousand nine hundred and thirteen.

(1914, c. 15, p. 28.)

Officers of legislature.

"An act to amend an act entitled 'An act to amend an act entitled "An act to provide for officers of the Senate and General Assembly and to fix their compensation," approved June eleventh, one thousand eight hundred and ninety-five,' approved January twentieth, one thousand nine hundred and thirteen," approved March thirteenth, one thousand nine hundred and fourteen.

(1916, c. 4, p. 15.)

Officers of legislature.

"An act to amend an act entitled 'An act to provide for officers of the Senate and General Assembly and to fix their compensation,' approved June eleventh, one thousand eight hundred and ninety-five," approved February eighteenth, one thousand nine hundred and sixteen.

(1916, c. 29, p. 54.)

Officers of legislature.

"An act to further amend an act entitled 'An act to provide for officers of the Senate and General Assembly and to fix their compensation,' approved June eleventh, one thousand eight hundred and ninety-five," approved March eighth, one thousand nine hundred and sixteen.

(1920, c. 127, p. 264.)

Chancellor and justices.

"An act fixing the compensation of the Chancellor, the Chief Justice of the Supreme Court and associate jus-

tices of the Supreme Court of this State, and regulating the payment thereof," approved April seventh, one thousand nine hundred and twenty.

(1920, c. 128, p. 265.)

Vice-Chancellors.

"An act to amend an act entitled 'An act fixing and regulating the compensation of the Vice-Chancellors of the Court of Chancery," approved April seventh, one thousand nine hundred and twenty.

SALE OF LAND.

(1875, c. 384, p. 89.) (Rev. 1877, p. 1049.)

Sales of land.

"An act amendatory of the act entitled 'An act relative to sales of land under a public statute or by virtue of any judicial proceeding,' approved March twenty-seventh, eighteen hundred and seventy-four," approved April ninth, one thousand eight hundred and seventy-five.

(1886, c. 71, p. 92.)

Sales of land.

"A supplement to an act entitled 'An act relative to sales of lands under a public statute or by virtue of any judicial proceedings' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March sixteenth, one thousand eight hundred and eighty-six.

SCHOOLS.

(1874, Revision.) (Rev. 1877, p. 1071.)

Schools.

"An act to establish a system of public instruction" (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four.

(1874, c. 355, p. 63.) (Rev. 1877, p. 1089.)

"A supplement to the act entitled 'An act to make free the public schools of the State,' and supplemental to the act entitled 'An act to establish a system of public instruction,' approved March twenty-first, one thousand eight hundred and sixty-seven," approved March twenty-first, one thousand eight hundred and seventy-four.

(1875, c. 346, p. 63.) (Rev. 1877, p. 1089.)

Schools.

"A supplement to the act entitled 'An act to establish a system of public instruction,' approved March twenty-

first, eighteen hundred and sixty-seven," approved April eighth, one thousand eight hundred and seventy-five.

(1875, c. 383, p. 88.) (Rev. 1877, p. 1087.)

Schools. "A supplement to the act entitled 'An act to establish a system of public instruction,' approved March twenty-seventh, eighteen hundred and seventy-four," approved April ninth, one thousand eight hundred and seventy-five.

(1875, c. 443, p. 105.) (Rev. 1877, p. 1088.)

School attendance. "A supplement to the act entitled 'An act relative to the attendance of children at school,' approved March twenty-seventh, one thousand eight hundred and seventy-four," approved April ninth, one thousand eight hundred and seventy-five.

(1876, c. 13, p. 24.) (Rev. 1877, p. 1088.)

Schools. "A supplement to the act entitled 'An act to establish a system of public instruction," approved March seventh, one thousand eight hundred and seventy-six.

(1876, c. 180, p. 290.) (Rev. 1877, p. 718.)

Cities. "An act concerning cities," approved April twenty-first, one thousand eight hundred and seventy-six.

(1877, c. 48, p. 66.) (Rev. 1877, p. 1088.)

Schools. "A supplement to the act entitled 'An act to establish a system of public instruction,' approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March eighth, one thousand eight hundred and seventy-seven.

(1877, c. 96, p. 149.) (Rev. 1877, p. 1374.)

School boards. "An act respecting reports of boards having the control and management of public schools in cities," approved March ninth, one thousand eight hundred and seventy-seven.

(1878, c. 86, p. 147.)

Schools. "An act relating to boards of education in cities," approved March twentieth, one thousand eight hundred and seventy-eight.

(1878, c. 100, p. 166.)

"Supplement to an act entitled 'An act to establish a system of public instruction,' approved March twenty-seventh, eighteen hundred and seventy-four," approved March twenty-first, one thousand eight hundred and seventy-eight. Schools.

(1878, c. 103, p. 168.)

"Supplement to an act entitled 'An act to establish a system of public instruction,' approved March twenty-seventh, eighteen hundred and seventy-four," approved March twenty-first, one thousand eight hundred and seventy-eight. Schools.

(1878, c. 168, p. 255.)

"An act to enable the several townships of this State, in certain cases, to provide additional public school buildings for the free instruction of the children of such townships," approved April second, one thousand eight hundred and seventy-eight. Township schools.

(1878, c. 197, p. 312.)

"An act to increase the efficiency of the Department of Public Instruction," approved April fifth, one thousand eight hundred and seventy-eight. Department.

(1878, c. 242, p. 364.)

"A supplement to an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, eighteen hundred and seventy-four," approved April fifth, one thousand eight hundred and seventy-eight. Schools.

(1879, c. 107, p. 191.)

"An act concerning the erection of school houses in cities of a certain class," approved March fourteenth, one thousand eight hundred and seventy-nine. Schoolhouses.

(1879, c. 144, p. 233.)

"An act fixing the amount to be expended by boards of education in certain cities of this State for permanent improvements in any one year," approved March fourteenth, one thousand eight hundred and seventy-nine. City schools.

(1879, c. 178, p. 293.)

Schools. "An act to amend section eighty-six of the act entitled 'An act to establish a system of public instruction," approved March fourteenth, one thousand eight hundred and seventy-nine.

(1879, c. 183, p. 311.)

Education. "An act relative to public instruction," approved March fourteenth, one thousand eight hundred and seventy-nine.

(1880, c. 135, p. 175.)

School census. "An act relative to the taking of the census of school children," approved March tenth, one thousand eight hundred and eighty.

(1880, c. 158, p. 225.)

Township schools. "An act for building schoolhouses in townships," approved March eleventh, one thousand eight hundred and eighty, the title whereof was amended by Laws of one thousand eight hundred and eighty-eight, chapter fifty-nine, page ninety-three, to read, "An act to authorize the purchase or acquirement of lands for school purposes and the construction of schoolhouses," which amendatory act was approved February twenty-second, one thousand eight hundred and eighty-eight.

(1880, c. 181, p. 272.)

School bonds. "An act to provide for a reduction in the rate of interest on school district bonds," approved March twelfth, one thousand eight hundred and eighty.

(1880, c. 207, p. 310.)

Education. "An act relative to boards of education in cities," approved March twelfth, one thousand eight hundred and eighty.

(1881, c. 68, p. 69.)

Town schools. "An act to authorize incorporated towns to build and furnish schoolhouses in special cases," approved March third, one thousand eight hundred and eighty-one.

(1881, c. 106, p. 119.)

Schools. "An act to amend an act entitled 'An act to establish a

system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March sixteenth, one thousand eight hundred and eighty-one.

(1881, c. 149, p. 186.)

"A supplement to an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," passed March twenty-third, one thousand eight hundred and eighty-one. Schools.

(1881, c. 180, p. 229.)

"An act to amend an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March twenty-fifth, one thousand eight hundred and eighty-one. Schools.

(1881, c. 227, p. 296.)

"An act to amend an act entitled 'An act to establish a system of public instruction,' approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March twenty-fifth, one thousand eight hundred and eighty-one. Schools.

(1882, c. 17, p. 20.)

"An act to amend an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved February twenty-first, one thousand eight hundred and eighty-two. Schools.

(1882, c. 113, p. 150.)

"An act to authorize the erection of schoolhouses in the cities of this State," approved March twenty-second, one thousand eight hundred and eighty-two. City schools.

(1882, c. 149, p. 213.)

"An act to regulate the management and custody of securities and moneys belonging to the sinking fund and interest accounts of the school districts of this State," approved March twenty-ninth, one thousand eight hundred and eighty-two. Funds of school districts.

(1882, c. 179, p. 248.)

City schools. "An act to authorize the construction of schoolhouses in the cities of this State," approved March thirty-first, one thousand eight hundred and eighty-two.

(1882, c. 181, p. 250.)

Schoolhouses. "An act to enable cities to provide additional school accommodations, where the same are necessary, and to borrow money for the purpose," approved March thirty-first, one thousand eight hundred and eighty-two.

(1883, c. 31, p. 37.)

Third class cities. "An act concerning cities of the third class," approved February twentieth, one thousand eight hundred and eighty-three.

(1883, c. 94, p. 110.)

School fund. "An act relative to the management of the moneys of the school fund," passed March twenty-second, one thousand eight hundred and eighty-three.

(1883, c. 138, p. 185.)

Schools. "An act to amend an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March twenty-third, one thousand eight hundred and eighty-three, effective July fourth.

(1884, c. 66, p. 98.)

Schools. "An act to amend an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March twenty-fifth, one thousand eight hundred and eighty-four.

(1884, c. 201, p. 297.)

Schools. "An act to amend an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved May ninth, one thousand eight hundred and eighty-four.

(1885, c. 71, p. 81.)

"An act to amend an act entitled 'An act to establish a system of public instruction,' approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March eleventh, one thousand eight hundred and eighty-five, effective July fourth. Schools.

(1885, c. 74, p. 84.)

"A further supplement to an act entitled 'An act to establish a system of public instruction,' approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March eleventh, one thousand eight hundred and eighty-five. Schools.

(1885, c. 113, p. 134.)

"Supplement to an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, eighteen hundred and seventy-four," passed March twenty-fifth, one thousand eight hundred and eighty-five. Schools.

(1885, c. 141, p. 178.)

"An act for the construction of an act to establish a system of public instruction" (Revision), approved March twenty-seventh, eighteen hundred and seventy-four, approved March thirty-first, one thousand eight hundred and eighty-five. Schools.

(1885, c. 151, p. 187.)

"An act to provide for boards of education in the cities of this State," approved April first, one thousand eight hundred and eighty-five. Cities.

(1885, c. 217, p. 280.)

"A supplement to an act to establish a system of public instruction, approved April ninth, one thousand eight hundred and seventy-five," approved April twentieth, one thousand eight hundred and eighty-five, effective September first. Schools.

(1885, c. 221, p. 287.)

"An act to authorize the building of additions to schoolhouses, and the construction of new schoolhouses Township schools.

in townships of this State," approved April twentieth, one thousand eight hundred and eighty-five.

(1885, c. 222, p. 288.)

City schools. "An act authorizing boards of education in cities to increase the amount of taxes for school purposes in certain cases," approved April twentieth, one thousand eight hundred and eighty-five.

(1886, c. 15, p. 23.)

School bonds. "An act to provide for the issue of bonds by school districts to take up matured or maturing bonds," approved February fifteenth, one thousand eight hundred and eighty-six.

(1886, c. 23, p. 32.)

School bonds. "An act to authorize the cities of this State to issue bonds for certain purposes," approved February twentieth, one thousand eight hundred and eighty-six.

(1886, c. 45, p. 57.)

School fund. "An act to authorize the Treasurer of this State to invest the 'fund for the support of the public schools' of this State," approved March first, one thousand eight hundred and eighty-six.

(1886, c. 72, p. 93.)

Schools. "A supplement to an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March sixteenth, one thousand eight hundred and eighty-six.

(1886, c. 80, p. 101.)

Township schools. "An act to amend an act entitled 'An act for building schoolhouses in townships,' approved March eleventh, one thousand eight hundred and eighty," approved March twenty-second, one thousand eight hundred and eighty-six.

(1886, c. 119, p. 167.)

Schools. "An act to amend an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and

seventy-four," approved April fifth, one thousand eight hundred and eighty-six.

(1886, c. 230, p. 338.)

School laws.

"An act extending the provisions of the general school laws of this State to school districts now subject to special or local laws," passed May fourth, one thousand eight hundred and eighty-six.

(1887, c. 32, p. 46.)

School districts.

"An act regulating consolidated school districts and the election of the boards of trustees therein," approved March twenty-third, one thousand eight hundred and eighty-seven.

(1887, c. 116, p. 149.)

Voting at school elections.

"An act giving the right of suffrage to all persons, whether male or female, in any school meeting in any school district of the State," approved April eighth, one thousand eight hundred and eighty-seven.

(1887, c. 135, p. 170.)

School buildings.

"An act to enable cities to purchase lands, erect, furnish and fit up a building or buildings for public school purposes," approved April twentieth, one thousand eight hundred and eighty-seven.

(1887, c. 161, p. 218.)

School bonds.

"An act to enable cities to borrow money for the purpose of paying for schools already erected or in process of erection, and to issue bonds for the same, and to take up bonds already issued in payment or part payment for the same," approved April twenty-first, one thousand eight hundred and eighty-seven, effective July fourth.

(1887, c. 163, p. 220.)

Schools.

"A supplement to an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved April twenty-first, one thousand eight hundred and eighty-seven.

(1888, c. 58, p. 92.)

Schools.

"A supplement to an act entitled 'An act to establish

a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved February twenty-second, one thousand eight hundred and eighty-eight.

(1888, c. 59, p. 93.)

Township schools.

"An act to amend an act entitled 'An act for building schoolhouses in townships,' approved March eleventh, one thousand eight hundred and eighty," approved February twenty-second, one thousand eight hundred and eighty-eight.

(1888, c. 132, p. 177.)

Schools.

"An act to amend an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March twentieth, one thousand eight hundred and eighty-eight.

(1888, c. 198, p. 255.)

School trustees.

"An act regulating the number of school trustees to be elected in the respective school districts in this State, being a supplement to an act entitled 'An act to establish a system of public instruction,' approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March twenty-sixth, one thousand eight hundred and eighty-eight.

(1889, c. 5, p. 15.)

Schools.

"Supplement to an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, eighteen hundred and seventy-four," approved February fourteenth, one thousand eight hundred and eighty-nine.

(1889, c. 38, p. 55.)

Schools.

"A supplement to an act entitled 'An act to establish a system of public instruction,' approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March eighteen, one thousand eight hundred and eighty-nine.

(1889, c. 84, p. 132.)

Voting by ballot.

"An act to authorize and require the legal voters of

the several school districts in this State to vote by ballot at their annual and special school meetings," approved April first, one thousand eight hundred and eighty-nine.

(1889, c. 122, p. 173.)

Schools.

"An act to amend an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved April fourth, one thousand eight hundred and eighty-nine.

(1889, c. 165, p. 270.)

Schools.

"An act to amend an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved April sixteenth, one thousand eight hundred and eighty-nine.

(1889, c. 193, p. 307.)

Department.

"An act to amend an act entitled 'An act to increase the efficiency of the Department of Public Instruction,' approved April fifth, one thousand eight hundred and seventy-eight," approved April eighteenth, one thousand eight hundred and eighty-nine.

(1889, c. 221, p. 352.)

Schools.

"An act to amend an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-ninth, one thousand eight hundred and seventy-four," approved May sixth, one thousand eight hundred and eighty-nine, effective July fourth.

(1890, c. 93, p. 145.)

School trustees.

"An act to amend an act entitled 'An act regulating the number of school trustees to be elected in the respective school districts in this State, being a supplement to an act entitled "An act to establish a system of public instruction," approved March twenty-seventh, one thousand eight hundred and seventy-four,' which act to be amended was approved March twenty-sixth, one thousand eight hundred and eighty-eight," approved March thirty-first, one thousand eight hundred and ninety.

(1890, c. 121, p. 180.)

Schools. "Supplement to an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved April seventh, one thousand eight hundred and ninety.

(1890, c. 127, p. 187.)

Schools. "An act to amend an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved April seventh, one thousand eight hundred and ninety.

(1890, c. 177, p. 282.)

Flag. "An act providing for the purchase and display of United States flags in connection with the public school buildings of the State," approved May fifth, one thousand eight hundred and ninety.

(1890, c. 179, p. 284.)

City schools. "An act in relation to expenditures for public school purposes in cities in this States," approved May fifth, one thousand eight hundred and ninety.

(1890, c. 237, p. 411.)

Schoolhouses. "An act to authorize the purchase of lands and the erection of schoolhouses thereon, in cities of the second class," approved June third, one thousand eight hundred and ninety.

(1890, c. 276, p. 456.)

City superintendent. "An act to enable boards of education of cities of the second class to appoint city superintendents of schools," approved June thirteenth, one thousand eight hundred and ninety.

(1891, c. 26, p. 63.)

City superintendent. "An act to amend an act entitled 'An act to enable boards of education of cities of the second class to appoint city superintendents of schools,' approved June thirteenth, one thousand eight hundred and ninety," approved February twenty-fifth, one thousand eight hundred and ninety-one.

(1891, c. 69, p. 114.)

Teachers' libraries.

"An act to provide for the establishment of libraries of professional books in the several counties of this State for the use of teachers of the public schools therein," approved March ninth, one thousand eight hundred and ninety-one.

(1891, c. 101, p. 167.)

Schools.

"A supplement to an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March seventeenth, one thousand eight hundred and ninety-one.

(1891, c. 165, p. 319.)

Schools.

"An act to amend the first section of an act entitled 'A supplement to an act entitled "An act to establish a system of public instruction" (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four,' which act was approved April twenty-first, one thousand eight hundred and eighty-seven," approved April third, one thousand eight hundred and ninety-one.

(1891, c. 191, p. 369.)

Schools.

"A supplement to an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved April fourteenth, one thousand eight hundred and ninety-one.

(1891, c. 199, p. 375.)

Schoolhouses.

"An act to enable cities of the second class in this State to reconstruct old schoolhouses and purchase additional land and construct new schoolhouses thereon," approved April fourteenth, one thousand eight hundred and ninety-one.

(1892, c. 14, p. 25.)

School.

"A further supplement to an act entitled 'An act to establish a system of public instruction,' approved March twenty-seventh, eighteen hundred and seventy-four," approved February seventeen, one thousand eight hundred and ninety-two.

(1892, c. 34, p. 51.)

Schools. "A supplement to an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March seventh, one thousand eight hundred and ninety-two.

(1892, c. 49, p. 82.)

School board. "An act to provide for the establishment of a commission of public instruction in cities of the second class in this State, whose population now exceeds or may hereafter exceed fifty thousand," passed March tenth, one thousand eight hundred and ninety-two.

(1892, c. 228, p. 364.)

School. "An act to amend an act entitled 'An act to amend an act entitled "An act to establish a system of public instruction" (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four, which was approved May sixth, one thousand eight hundred and eighty-nine," approved March twenty-ninth, one thousand eight hundred and ninety-two.

(1892, c. 282, p. 439.)

City schools. "An act concerning the repair of schoolhouses in cities of this State," approved April eighth, one thousand eight hundred and ninety-two, effective July fourth.

(1893, c. 10, p. 22.)

Paying teachers. "An act in relation to the manner of paying teachers in the public schools of certain cities in this State, and giving the common council or other governing body power in relation thereto," approved February twentieth, one thousand eight hundred and ninety-three.

(1893, c. 109, p. 194.)

Schools. "An act to amend an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March tenth, one thousand eight hundred and ninety-three.

(1893, c. 145, p. 261.)

"An act to enable cities to purchase lands, erect, furnish and fit up a building or buildings for public school purposes," approved March fourteenth, one thousand eight hundred and ninety-three. Schoolhouses.

(1893, c. 176, p. 325.)

"An act to amend an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March fifteenth, one thousand eight hundred and ninety-three. Schools.

(1894, c. 27, p. 33.)

"An act to encourage and promote patriotism," approved April third, one thousand eight hundred and ninety-four. Patriotism.

(1894, c. 34, p. 40.)

"An act to amend an act entitled 'An act providing for the purchase and display of the United States flags in connection with the public school buildings of the State,' approved May fifth, one thousand eight hundred and ninety," approved April fourth, one thousand eight hundred and ninety-four. Flag.

(1894, c. 67, p. 119.)

"A supplement to an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved April twenty-fourth, one thousand eight hundred and ninety-four. Schools.

(1894, c. 71, p. 123.)

"A supplement to an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved April twenty-fourth, one thousand eight hundred and ninety-four. Schools.

(1894, c. 91, p. 144.)

"A supplement to an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and Schools.

seventy-four," approved April twenty-fifth, one thousand eight hundred and ninety-four.

(1894, c. 102, p. 156.)

Schools.

"A supplement to an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved April thirtieth, one thousand eight hundred and ninety-four.

(1894, c. 187, p. 289.)

Textbooks.

"An act to provide that school trustees and boards of education in every school district of this State shall furnish free textbooks and all necessary supplies to all scholars attending the public schools," approved May fourteenth, one thousand eight hundred and ninety-four.

(1894, c. 189, p. 292.)

Schools.

"A supplement to an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved May fourteenth, one thousand eight hundred and ninety-four.

(1894, c. 285, p. 423.)

Township schools.

"An act in relation to the payment of moneys by certain townships in this State appropriated for the support of public schools," approved May seventeenth, one thousand eight hundred and ninety-four.

(1894, c. 292, p. 435.)

School buildings in cities of first class.

"An act relative to the construction, repair and management of buildings used in connection with the school department in cities of the first class," approved May seventeenth, one thousand eight hundred and ninety-four.

(1894, c. 309, p. 462.)

Schools.

"An act to amend an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved May twenty-second, one thousand eight hundred and ninety-four.

(1894, c. 324, p. 484.)

Bonding for schools.

"An act concerning the power of boards of education to borrow money, issue bonds or incur indebtedness for the purchase of lands or the erection of school buildings," passed May twenty-third, one thousand eight hundred and ninety-four.

(1894, c. 334, p. 504.)

Schools.

"A further supplement to an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," passed May twenty-fifth one thousand eight hundred and ninety-four.

(1894, c. 336, p. 519.)

Schools.

"A further supplement to an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved May twenty-fifth, one thousand eight hundred and ninety-four.

(1895, c. 6, p. 61.)

High school in cities of first class.

"An act concerning cities of the first class in this State, and providing for the purchase of lands and the construction and repair of buildings for high school purposes in such cities," approved February eleventh, one thousand eight hundred and ninety-five, effective May fifteenth, one thousand eight hundred and ninety-five.

(1895, c. 29, p. 90.)

Schoolhouses.

"An amendment to an act entitled 'An act to authorize the purchase or acquirement of lands for school purposes and the construction of schoolhouses,' being the title of the act as amended by chapter fifty-nine of the Laws of one thousand eight hundred and eighty-eight, approved February twenty-second, one thousand eight hundred and eighty-eight," approved February nineteenth, one thousand eight hundred and ninety-five.

(1895, c. 51, p. 116.)

Schools.

"An act to amend an act entitled 'An act to establish a system of public instruction' (Revision), approved

March twenty-seventh, one thousand eight hundred and seventy-four," approved February twenty-fifth, one thousand eight hundred and ninety-five.

(1895, c. 68, p. 140.)

Schools.

"Supplement to an act entitled 'An act to amend an act entitled "An act to establish a system of public instruction" (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four,' and which supplement was approved May twenty-fifth, one one thousand eight hundred and ninety-four, approved February twenty-seventh, one thousand eight hundred and ninety-five.

(1895, c. 81, p. 160.)

Schools.

"A supplement to an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March fifth, one thousand eight hundred and ninety-five.

(1895, c. 169, p. 336.)

Schoolhouses in cities of second class.

"An act to enable cities of the second class in this State to reconstruct old schoolhouses or to purchase additional land and construct new schoolhouses thereon to take the place thereof, and to issue bonds of such city for the payment of such expenditures," approved March nineteenth, one thousand eight hundred and ninety-five.

(1895, c. 170, p. 337.)

Schools.

"A further supplement to an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March nineteenth, one thousand eight hundred and ninety-five.

(1895, c. 172, p. 339.)

Schools.

"An act to amend an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March nineteenth, one thousand eight hundred and ninety-five.

(1895, c. 267, p. 503.)

"A supplement to an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March twenty-second, one thousand eight hundred and ninety-five. Schools.

(1895, c. 271, p. 557.)

"An act to enable cities of the third class to purchase lands and erect school buildings thereon," approved March twenty-second, one thousand eight hundred and ninety-five. School buildings in cities of third class.

(1895, c. 288, p. 581.)

"An act to authorize cities to issue bonds for the construction of public schools," approved March twenty-second, one thousand eight hundred and ninety-five. School buildings in cities.

(1895, c. 330, p. 656.)

"A supplement to an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March twenty-fifth, one thousand eight hundred and ninety-five. Schools.

(1895, c. 339, p. 686.)

"An act to amend an act entitled 'An act concerning the power of boards of education to borrow money, issue bonds, or incur indebtedness for the purchase of land or the erection of school buildings,' passed May twenty-third, one thousand eight hundred and ninety-four," approved March twenty-fifth, one thousand eight hundred and ninety-five. Bonding for school buildings.

(1895, c. 422, p. 814.)

"An act relating to school commissioners and members of boards of education in cities of this State," passed June thirteenth, one thousand eight hundred and ninety-five. School boards.

(1896, c. 19, p. 41.)

"An act regulating the number of school trustees to be elected in the respective school districts in this State, School trustees.

being a supplement to an act entitled 'An act to establish a system of public instruction,' approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March fifth, one thousand eight hundred and ninety-six.

(1896, c. 32, p. 58.)

Schools.

"A supplement to an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," passed March eleventh, one thousand eight hundred and ninety-six.

(1896, c. 33, p. 61.)

Township schools.

"An act relative to the purchase of lands for school purposes and the erection of school buildings thereon in townships of this State containing more than fifteen thousand inhabitants," approved March eleventh, one thousand eight hundred and ninety-six.

(1896, c. 109, p. 162.)

School buildings in towns.

"An act to enable incorporated towns to purchase lands and erect school buildings thereon, or to construct, alter, enlarge or rebuild schoolhouses and to issue bonds for such purposes," approved March twenty-sixth, one thousand eight hundred an ninety-six.

(1897, c. 45, p. 120.)

School board in cities of second class.

"A supplement to an act entitled 'An act to provide for the establishment of a commission of public instruction in cities of the second class in this State whose population now exceeds or may hereafter exceed fifty thousand,' passed March tenth, eighteen hundred and ninety-two," approved March twenty-ninth, one thousand eight hundred and ninety-seven.

(1897, c. 59, p. 135.)

Bonding in cities of first class.

"An act to authorize cities of the first class in this State to issue bonds for the construction of public schools," approved March thirty-first, one thousand eight hundred and ninety-seven.

(1897, c. 78, p. 154.)

Schools.

"A supplement to an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved April sixth, one thousand eight hundred and ninety-seven.

(1897, c. 99, p. 188.)

School boards in certain towns.

"An act to provide for the election of members of the board of education or of commissioners of the public schools in case of the division of a ward or a municipal subdivision into two wards in incorporated towns," approved April ninth, one thousand eight hundred and ninety-seven.

(1897, c. 109, p. 201.)

Bond issue to meet indebtedness.

"An act to enable any board of education of any city of this State, or other governing body having control of the public schools in any city of this State, to issue bonds for the purpose of liquidating existing indebtedness," approved April ninth, one thousand eight hundred and ninety-seven.

(1897, c. 137, p. 242.)

Schools.

"Supplement to an act entitled 'An act to establish a system of public instruction,' approved March twenty-seventh, one thousand eight hundred and seventy-four," approved April twenty-second, one thousand eight hundred and ninety-seven.

(1897, c. 143, p. 252.)

School board in cities of second class.

"A supplement to an act entitled 'An act to provide for the establishment of a commission of public instruction in cities of the second class in this State whose population now exceeds or may hereafter exceed fifty thousand,' passed March tenth, one thousand eight hundred and ninety-two," approved April twenty-second, one thousand eight hundred and ninety-seven.

(1897, c. 167, p. 335.)

Schools.

"A supplement to an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and

seventy-four," approved April twenty-sixth, one thousand eight hundred and ninety-seven.

(1898, c. 13, p. 26.)

Bonds for schools.

"An act to authorize cities to issue bonds for the construction and furnishing of public schools and the acquirement of lands therefor," approved February twenty-fourth, one thousand eight hundred and ninety-eight.

(1898, c. 19, p. 37.)

Schools.

"A supplement to an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March second, one thousand eight hundred and ninety-eight.

(1898, c. 45, p. 68.)

Schools.

"A supplement to an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March fourteenth, one thousand eight hundred and ninety-eight, effective July fourth.

(1898, c. 129, p. 219.)

Schools.

"A supplement to an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved April second, one thousand eight hundred and ninety-eight.

(1898, c. 157, p. 368.)

Schools.

"A supplement to an act entitled 'An act to establish a system of public instruction,' approved March twenty-seventh, one thousand eight hundred and seventy-four," approved April eighth, one thousand eight hundred and ninety-eight.

(1898, c. 163, p. 389.)

Schools.

"An act to amend an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and

seventy-four," approved April eleventh, one thousand eight hundred and ninety-eight.

(1898, c. 168, p. 400.)

"An act to amend an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved April thirteenth, one thousand eight hundred and ninety-eight. Schools.

(1898, c. 184, p. 431.)

"An act to enable cities of the first class in this State to provide additional school accommodations where the same are necessary, by the erection of primary, intermediate and grammar school buildings and additions to said class of school buildings already erected, and to provide for the payment of the same," approved April twenty-first, one thousand eight hundred and ninety-eight. Schools in cities of first class.

(1898, c. 219, p. 530.)

"An act to authorize the purchase of lands and the construction of schoolhouses thereon and the issuing of bonds to raise moneys to pay the cost of the same, in towns in this State," approved June fourteenth, one thousand eight hundred and ninety-eight. Schools in towns.

(1899, c. 31, p. 43.)

"An act to amend an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March fifteenth, one thousand eight hundred and ninety-nine. Schools.

(1899, c. 74, p. 184.)

"An act relating to boards of education in cities of the first class in this State, providing for their election and for the vacation of the offices of the members now serving and limiting their powers in certain cases," passed March twenty-second, one thousand eight hundred and ninety-nine. School boards in cities of first class.

(1899, c. 108, p. 243.)

"An act to authorize the purchase of lands and the Schoolhouses in cities.

construction of schoolhouses, and the issuing of bonds to raise moneys to pay the cost of the same in cities of this State," approved March twenty-third, one thousand eight hundred and ninety-nine.

School fund.

(1899, c. 130, p. 275.)

"An act to amend an act entitled 'An act to authorize the treasurer of this State to invest the "fund for the support of public schools" of this State,' approved March first, one thousand eight hundred and eighty-six," approved March twenty-third, one thousand eight hundred and ninety-nine.

Schools.

(1899, c. 133, p. 279.)

"A supplement to an act entitled 'An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," passed March twenty-fourth, one thousand eight hundred and ninety-nine.

Schools.

(1899, c. 178, p. 475.)

"An act to amend an act entitled 'A supplement to an act entitled "An act to establish a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four, which supplement was passed March eleventh, one thousand eight hundred and ninety-six," approved March twenty-fourth, one thousand eight hundred and ninety-nine.

Superintendent of schools in cities of first class.

(1899, c. 183, p. 488.)

"An act defining the duties of superintendents of schools in cities of the first class, and limiting their compensation," approved March twenty-fourth, one thousand eight hundred and ninety-nine.

School boards in cities of first class.

(1899, c. 186, p. 491.)

"An act relating to boards of education in cities of the first class of this State and defining their powers," passed March twenty-fourth, one thousand eight hundred and ninety-nine.

Schools.

(1900, c. 36, p. 58.)

"A supplement to an act entitled 'An act to establish

a system of public instruction' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," approved March fifteenth, one thousand nine hundred.

(1900, c. 145, p. 340.)

Schoolhouses. "An act to authorize the municipalities of this State to issue bonds for the purpose of enlarging schoolhouses," approved March twenty-third, one thousand nine hundred.

(1901, c. 12, p. 35.)

Temporary funds. "An act authorizing certain municipalities to advance moneys to the board of education therein, in anticipation of moneys to be received by such board, and to borrow on temporary loans for the purpose of making such advances and providing for the repayment thereof," approved February twenty-seventh, one thousand nine hundred and one.

(1902, c. 19, p. 41.)

Schoolhouses. "An act to provide for the erection of schoolhouses in cities of this State," approved March eighteenth, one thousand nine hundred and two.

(1913, c. 222, p. 407.)

Preventing accidents. "An act to provide for instruction in preventing accidents," approved April second, one thousand nine hundred and thirteen.

(1915, c. 85, p. 137.)

Schools. "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 March twenty-fourth, one thousand nine hundred and fifteen.

(1916, c. 149, p. 305.)

Schools. "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 March seventeenth, one thousand nine hundred and sixteen.

(1923, c. 185, p. 487.)

Schools.

"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," passed March twenty-third, one thousand nine hundred and twenty-three.

SOLDIERS AND SAILORS.

(1884, c. 6, p. 17.)

Burial of veterans.

"An act to authorize the burial of the bodies of any honorably discharged soldier, sailor or marine who shall hereafter die without leaving means sufficient to defray funeral expenses," approved February thirteenth, one thousand eight hundred and eighty-four.

(1888, c. 104, p. 135.)

Soldiers.

"An act in regard to honorably discharged Union soldiers," approved March sixth, one thousand eight hundred and eighty-eight.

(1889, c. 144, p. 231.)

Soldiers and sailors.

"An act in regard to honorably discharged Union soldiers and sailors holding public office or position," passed April ninth, one thousand eight hundred and eighty-nine.

(1889, c. 181, p. 292.)

Veterans in office.

"A supplement to an act entitled 'An act in regard to honorably discharged Union soldiers and sailors holding public office or position,' passed April ninth, one thousand eight hundred and eighty-nine," approved April eighteenth, one thousand eight hundred and eighty-nine.

(1891, c. 59, p. 101.)

Veterans.

"An act in regard to honorably discharged Union soldiers or sailors," approved March ninth, one thousand eight hundred and ninety-one.

(1895, c. 155, p. 317.)

Veterans.

"An act regarding honorably discharged Union soldiers, sailors and marines." approved March fourteenth, one thousand eight hundred and ninety-five.

(1900, c. 61, p. 94.)

Tenure of veterans.

"An act regarding the tenure of office or position in the service of the counties of this State of honorably discharged Union soldiers, sailors and marines who served in the war of the rebellion," approved March twentieth, one thousand nine hundred.

(1907, c. 76, p. 155.)

Printing proceedings of G. A. R.

"An act to make the proceedings of the Department of New Jersey of the Grand Army of the Republic a part of the military archives of the State and to provide for the printing of the same," approved April fifteenth, one thousand nine hundred and seven.

(1908, c. 181, p. 370.)

Printing proceedings of G. A. R.

"An act to amend an act entitled 'An act to make the proceedings of the Department of New Jersey of the Grand Army of the Republic a part of the military archives of the State, and to provide for the printing of the same,' approved fifteenth, one thousand nine hundred and seven," approved April eleven, one thousand nine hundred and eight.

(1908, c. 122, p. 186.)

Preserving Civil War records.

"An act for the preservation of the original Civil War records now in the custody of the Adjutant-General of this State," approved April eighth, one thousand nine hundred and eight.

(1911, c. 15, p. 27.)

Pensioning soldiers and sailors.

"An act to amend an act entitled 'An act to amend the title and body of and to supplement an act entitled "An act to permit the retirement on pension from public office or position, after forty years' continuous service therein, of honorably discharged Union soldiers, sailors and marines who served in the War of the Rebellion," approved May seventeenth, one thousand nine hundred

and six,' which amendatory and supplementary act was approved April eighth, one thousand nine hundred and ten," approved March fourteenth, one thousand nine hundred and eleven.

STATE LIBRARY.

(1846, p. 177.) (Rev. 1877, p. 583.)

Regulation. "An act to regulate the State Library," approved April tenth, one thousand eight hundred and forty-six.

(1849, p. 240.) (Rev. 1877, p. 584.)

Library. "A supplement to the act entitled 'An act to regulate the State Library,' approved March first, one thousand eight hundred and forty-nine.

(1860, c. 250, p. 664.) (Rev. 1877, p. 585.)

Insure library. "An act authorizing the Secretary of State to insure the State Library," approved March twenty-second, one thousand eight hundred and sixty.

(1864, c. 265, p. 425.) (Rev. 1877, p. 585.)

Exchange of books. "An act relative to the exchange of books published under the authority of the State of New Jersey," approved March twenty-fourth, one thousand eight hundred and sixty-four.

(1866, c. 441, p. 980.) (Rev. 1877, p. 585.)

Commissioners. "An act relating to the Commissioners of the State Library," approved April fifth, one thousand eight hundred and sixty-six.

(1870, c. 295, p. 32.) (Rev. 1877, p. 585.)

Regulation. "A further supplement to an act entitled 'An act to regulate the State Library,' approved April tenth, eighteen hundred and forty-six," approved March seventeenth, one thousand eight hundred and seventy.

STATE TREASURY.

(1888, c. 211, p. 291.)

Sinking fund. "An act to amend an act entitled 'An act appointing commissioners for a sinking fund and defining their duties,' approved March twenty-fifth, one thousand

eight hundred and sixty-four," passed March twenty-seventh, one thousand eight hundred and eighty-eight.

STREET RAILWAYS.

(1894, c. 250, p. 374.)

"An act to regulate the construction and maintenance of street railroads in this State," approved May sixteenth, one thousand eight hundred and ninety-four. Street railways.

SURVEYS.

(1875, c. 391, p. 94.) (Rev. 1877, p. 1139.)

"A supplement to the act entitled 'An act to complete the geological survey of the State,' approved March thirtieth, eighteen hundred and sixty-four," approved April ninth, one thousand eight hundred and seventy-five. Geological survey.

(1902, c. 221, p. 674.)

"A further supplement to an act entitled 'An act to complete the geological survey of the State,' approved March thirtieth, one thousand eight hundred and sixty-four," approved April ninth, one thousand nine hundred and two. Geological survey.

TRUSTEES.

(1886, c. 247, p. 354.)

"A supplement to an act entitled 'An act concerning the removal of trust property out of this State and providing proceedings therefor,' approved March sixth, one thousand eight hundred and eighty-six," approved May eleventh, one thousand eight hundred and eighty-six. Removal of trust property.

USURY.

(1875, c. 95, p. 248.) (Rev. 1877, p. 520.)

"An act to prevent usury in the county of Monmouth," approved March tenth, one thousand eight hundred and seventy-five. Usury.

WAREHOUSEMEN AND WAREHOUSE RECEIPTS.

(1886, c. 130, p. 181.)

"An act concerning warehouse keepers," approved April fifth, one thousand eight hundred and eighty-six. Warehouse keepers.

WILLS.

(1873, c. 538, p. 129.) (Rev. 1877, p. 1250.)

Deeding by will.

"An act respecting conveyances of lands made and to be made by wills," approved April third, one thousand eight hundred and seventy-three.

Repealers not to revive any act.

2. This act shall take effect immediately, and the repeal of the above-entitled acts, or parts thereof, shall not be construed to revive any act, which may have been repealed by any of the acts hereby repealed.

Approved April 3, 1928.

CHAPTER 248.

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:*

County judge may hold oyer and terminer.

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 the said court of oyer and terminer shall be.

Notice entered on minutes.

2. Whenever a justice of the Supreme Court shall desire to make the requisition mentioned in the foregoing section, he shall cause the said request in writing to be entered in the minutes of the said court of oyer and terminer, and the clerk of the court shall forthwith

Defendants notified.

cause a notice, in writing, to be served upon the defendant requiring the defendant or his attorney to file a

written objection within five days from the date of service upon defendant of said notice.

If objection made designation void.

Upon the filing of the objection, as provided in paragraph two, by the defendant or his attorney, within the said period of five days from the date of service of notice on the defendant limited by this act, the requisition designating said common pleas judge shall be of no effect and the justice of the Supreme Court shall be required to hold the court of oyer and terminer, in the same manner as though no request, in writing, had been entered in the minutes of said court of oyer and terminer.

3. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 249.

An Act providing for the appointment and compensation of secretaries to the Chancellor and justices of the Supreme Court.

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

Stenographer—secretary to Chancellor and justices.

1. The Chancellor, the Chief Justice and each associate justice of the Supreme Court may, whenever he deems it necessary for the proper and expeditious performance of the work of his office, appoint a secretary who shall be a stenographer to serve during the pleasure of said Chancellor, Chief Justice or associate justice so appointing; and fix the compensation to be paid said secretary at a sum not exceeding two thousand dollars per annum. The compensation so fixed shall be in lieu of all other sums now paid for such services as stenographer, copiest or otherwise.

Appointment certified to treasurer.

2. Upon making such appointment the said Chancellor, Chief Justice or said associate justice so appointing shall certify to the State Treasurer the name of the person so appointed and the compensation fixed, and the State Treasurer shall thereupon pay such compensation in equal semimonthly payments.

3. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 250.

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.

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

Section 8 amended.

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

Powers, duties, obligations.

8. Every such association shall have the general powers of a corporation formed under the "Act concerning corporations" (Revision of 1896), and shall be subject to all the duties, obligations and restrictions of such a corporation so far as applicable thereto, and shall

May act as pawnbroker.

have the following additional powers; it shall be entitled to act as pawnbroker, and shall be subject to and entitled to all the benefits of all the provisions of the laws of this State concerning pawnbrokers, except it shall not

Loans; security.

be required to obtain a license and file bond; it may loan money to such persons as shall be deemed to be in need of pecuniary assistance, and may take as security for the payment of any such loan either a pledge or mortgage on personal property, together with other lawful

Charges.

securities; it shall be entitled to charge and receive on each loan made by it interest or discount at a rate not exceeding two per centum per month for a period of two months or less and not exceeding one and one-half per centum per month for any period after two months; but

Maximum loan.

no such loan greater than three hundred dollars shall be made, nor shall any one person owe such association more than three hundred dollars of principal at any one time either directly as maker or indirectly as endorser or guarantor; no director of any such association shall

receive any compensation for his services, either as a director or as an officer, nor shall any director or stockholder be personally liable for any debt incurred by the association. Liability.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 251.

An Act to amend an act entitled "An act to define, regulate and control the business of the making of loans or advancements of money in sums of three hundred (300) dollars or less in amount, and to regulate the assignment of wages when given as security for any such loan or advancement," approved March twenty-third, one thousand nine hundred and fourteen.

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. No such licensee shall charge or receive of the borrower or borrowers, or any other person on his, her or their behalf, a greater rate of interest than three per centum per month. Such interest shall not be payable in advance and shall be computed on unpaid balances. No charges, bonus, fees, expense or demands of any nature whatsoever other than interest as above provided shall be made upon such loans or advancements except upon actual foreclosure of the security or upon the entry of judgment. Every such licensee shall furnish the borrower at the time the loan is made a statement in the English language showing in clear and distinct terms the amount of the loan, and the date when loaned and when due, Rate of interest. No fees, etc. Statement furnished borrower.

the person to whom the loan is made, the name of the lender, and the amount and rate of interest charged. On the back of such statement there shall be printed in English a copy of section five of this act. The lender shall give to the borrower a plain and complete receipt for all payments made on account of the loan at the time such payments are made. No loan or advancement greater than three hundred (300) dollars shall be made to any person under this act nor shall any one person owe such licensee more than three hundred (300) dollars at any time either directly as maker or indirectly as endorser or guarantor.

Receipt.

Maximum loan.

Section 8 amended.

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

Exceptions to application of act.

8. This act shall not be held to apply to regularly licensed pawnbrokers nor to providence loan associations authorized to do business by chapter ninety-six of the Laws of nineteen hundred and four, nor to persons doing business under chapter three hundred and sixty-eight of the Laws of eighteen hundred and ninety-five, nor shall it apply to banks, bankers, trust companies, savings banks, building and loan associations or insurance companies, nor to any transaction with banks, bankers, trust companies, savings banks, building and loan associations or insurance companies, nor to any loan made upon real estate security nor to any loan greater in principal sum than three hundred (300) dollars.

3. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 252.

An Act to amend an act entitled "An act concerning the militia of the State" (Revision of 1925), approved March tenth, one thousand nine hundred and twenty-five, approved March twenty-third, one thousand nine hundred and twenty-six.

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

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

Section 10, Article XVI, amended.

1. Right of Counties and Municipalities to Appropriate Money. The board of chosen freeholders of any county and the governing body of any municipality shall have power to issue bonds in the manner authorized by 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, and/or to appropriate and raise by taxation such sum or sums of money as they may deem expedient for the purchase of land and/or buildings for use of the National Guard or Naval Militia, and/or for the construction and equipping of any armory, arsenal and/or other building, camp ground and rifle ranges located or to be located therein and/or for the maintenance and support of any units thereof located in such county or municipality. If such lands or any part thereof cannot be obtained by agreement with the owner or owners thereof the board of chosen freeholders of any county or the governing body of any such municipality are hereby authorized and empowered as agents and representatives of the State to institute proceedings and to

Local taxation for militia purposes.

Property may be acquired by condemnation.

acquire title to such lands for use of the State pursuant to the provisions of an act entitled "An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use" (Revision of 1900), approved March twentieth, one thousand nine hundred, and the acts amendatory thereof and supplemental thereto, and upon such acquisition as aforesaid the lands so acquired shall be used for any of the purposes mentioned in this section.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 253.

An Act giving a lien to processors of linen, cotton, wool, silk, artificial silk, yarns or goods, skins, pelts, furs or hides, or goods of which linen, cotton, wool, silk, artificial silk, skins, pelts, furs or hides form a component part, upon the goods or property of others that may come or may have come into their possession, for such sums as may be due to them by reason of any work or labor performed or material furnished in and about the processing of the same or other goods of such owner or owners, and for other charges; and providing for the enforcement of such lien.

Preamble. Whereas, It is the custom of manufacturers and others to send property to various processors, to be processed, and such processors, relying upon their ability to hold such property as security for the entire indebtedness, habitually extend very liberal credit to such manufacturers and others, and whereas occasionally the manufacturers and other persons assign an interest in the said property to third persons, prior to the delivery of the property to the processor, to the great prejudice of the processors;

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

Definitions: 1. The terms used in this act shall be construed as

follows, unless other meaning is clearly apparent from the language or context, or unless such construction is inconsistent with the manifest intention of the Legislature:

(a) The term "processor" includes all persons, partnerships and corporations engaged or that may be engaged in the business of spinning, throwing, manufacturing, bleaching, mercerizing, dyeing, weighting, printing, finishing, dressing or scraping, or otherwise treating or processing of linen, cotton, wool, silk, artificial silk, yarns or goods, skins, pelts, furs or hides, or goods of which linen, cotton, wool, silk, artificial silk, skins, pelts, furs or hides form a component part. "Processor";

(b) The term "debtor" includes all persons, partnerships and corporations who may be indebted to a "processor" for work and labor performed and materials furnished in and about the business of spinning, throwing, manufacturing, bleaching, mercerizing, dyeing, weighting, printing, finishing, dressing or scraping of linen, cotton, wool, silk, artificial silk, yarns or goods, skins, pelts, furs or hides or goods of which linen, cotton, wool, silk, artificial silk, skins, pelts, furs or hides form a component part. "Debtor";

(c) The term "owner" includes all persons, partnerships and corporations having title to the property herein described, either at law or in equity, or having a lien or encumbrance on the same or having any interest whatsoever in the same, excepting the lien of the processor herein created. "Owner";

(d) The term "property" includes linen, cotton, wool, silk, artificial silk, yarn or goods, skins, pelts, furs or hides, or goods of which linen, cotton, wool, silk, artificial silk, skins, pelts, furs or hides form a component part. "Property."

2. All processors shall be entitled to a lien upon the property of others which may have come into their possession, for the entire indebtedness of the person, partnership or corporation for whose account, and to create which indebtedness work and labor was performed and/or materials furnished in and about the spinning, throwing, manufacturing, bleaching, mercerizing, dye- Right of lien.

ing, weighting, printing, finishing, dressing or scraping, or otherwise treating or processing and/or shipping, trucking and storing of the same, and/or, of other property for such debtor.

Lien not waived or impaired.

3. That such lien shall not be waived, merged, suspended or impaired by the recovery of any judgment or the taking of any bill or note for the moneys due for such work, labor or materials, and such lien may be enforced as though such judgment had not been recovered or such bill or note taken.

Processor may sell property to meet lien.

4. When any processor may have a lien upon the goods and property of others that may have come into their possession, and the amount due shall remain due and unpaid either in whole or in part, for the space of two months after the same becomes due and payable, it shall be lawful for the processor to expose said goods and property for sale, and sell 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 sale, in some newspaper published in the county in which the said goods or property are located, and also five days' notice of sale set up in five or more public places in said county, one whereof shall be in the township, borough, ward or city in which said goods or property are located, and a copy of the printed notice being mailed to the owner or owners, if known, at least five days before the day of sale, if their post-office addresses can be ascertained; and the proceeds of said sale shall be applied to the payment of such lien and the expenses of such sale; and no more of such goods or property shall be sold, if easily separated or divided, than shall be necessary, as near as may be, to pay such lien and expenses, and the balance of the proceeds of sale of said goods or property, if any, shall be paid to those entitled thereto. Nothing in this section contained shall be construed to be in derogation of the right of the lienor to enforce the lien by any other lawful procedure.

Notice of sale.

Right of lienor.

Lien a paramount claim.

5. The lien created hereby shall be paramount to the title, lien, interest or incumbrance of any owner or owners, as herein defined, provided such owner or owners, or their representative, if their interest arose prior in time to that of the processor shall have consented to

or authorized the acquiring of possession of the property by the processor; such consent may be inferred from a course of business or dealings, or otherwise; and this paramount right of the processor shall not be surrendered or waived excepting by express written agreement between the parties involved.

As to constitutionality of act.

6. In case, for any reason, any section, part of section, clause or provision of this act shall be questioned in any court or determined to be unconstitutional or invalid, the same shall not in anywise affect any other section, part of section, clause or provision of this act.

7. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 254.

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:*

Deducting indebtedness for grade crossings in statement.

1. Any municipality, other than a county, which according to the statement of the financial condition of the municipality on December thirty-first, nineteen hundred and twenty, shall be within one per centum of its limit of debt incurring capacity, may, in any annual or supplemental debt statement thereafter filed, deduct indebtedness authorized, or to be authorized, for the purpose of improvements for, or in connection with the elimination of railroad crossings at grade to an amount not in excess

of two per centum of the average of the assessed valuations of taxable real property (including improvements) of such municipality for the years nineteen hundred twenty, nineteen hundred twenty-one and nineteen hundred and twenty-two.

Act in effect.

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

Repealer.

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

Approved April 3, 1928.

CHAPTER 255.

An Act to amend an act entitled "An act concerning banks and banking" (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:*

Section 9 amended.

1. 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:

Board of directors.

9. The affairs of every bank shall be managed by a board of not less than five directors, a majority of whom shall at all times be residents of the State of New Jersey, who shall be elected annually by the stockholders at their annual meeting as hereinafter provided, and hold office for one year, and until their successors are elected and have qualified. A majority of the board of directors shall constitute a quorum for the transaction of business; *provided,* that when the number of directors shall exceed nine they may, designate by resolution nine members, any five of whom shall constitute a quorum for the transaction of the business of the board. If so provided in

Quorum.

Proviso.

Executive committee.

the certificate of incorporation or by-laws, an executive committee may be from time to time appointed by the directors from among their members, which committee, subject to the provisions of the certificate of incorporation or by-laws, may exercise the powers of the directors in the management of the business, affairs and property of the corporation during the intervals between the meetings of the directors. The annual meeting of the stockholders shall be held at the principal place of business of the bank on the second Tuesday of January of each year at an hour to be fixed by the by-laws. Notice of such annual meeting shall be published once at least ten days before the date of the meeting in a newspaper published in the place where the principal place of business of the bank is located; or if there is no newspaper published at such place, then in one published at the place nearest thereto in the same county. At all meetings of stockholders for the election of directors, each share shall entitle the owner to one vote for each director, and a stockholder may vote at any meeting of the corporation by a proxy in writing signed by him. Every director must own and hold in his own name not less than five unpledged shares of the capital stock of such bank; any vacancy in the board of directors shall be filled by the remaining members of the board, and the directors so appointed shall hold office until the next election. In case of an increase in the board of directors between the annual elections by the stockholders, the newly created directorships shall not be construed as vacancies to be filled by the board. The directors shall annually choose a president, and one or more vice-presidents from their own number, and shall appoint a cashier and other officers, agents and employees who shall be chosen in such manner and hold office for such terms as the by-laws may prescribe. The directors may also elect or appoint one or more vice-presidents who need not be directors but every such vice-president shall own and hold in his own name not less than five unpledged shares of the capital stock of such bank. Each director of every bank, when elected, shall take an oath that he will, so far as the duty devolves on him, diligently and honestly administer the affairs of such bank, and will not knowingly

Annual meeting.

Notice of meeting.

Right to vote.

Directors holding.

Increase in board.

Officers.

Vice-presidents.

Oath of director.

violate, or knowingly permit to be violated, any of the provisions of this act, and that he is the owner in good faith and in his own right of the number of shares of stock required by this section, subscribed by him or standing in his name on the books of the bank, and that the same is not hypothecated, or in any way pledged, as security for any loan or debt. Such oath, subscribed by the director making it, and certified by the officer before whom it is taken, shall be immediately transmitted to the Commissioner of Banking and Insurance, and shall be filed and preserved in his office.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 256.

An Act making further appropriations for the support of the agencies of the State government in this act enumerated, for the purpose of meeting deficiencies in appropriations.

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

Supplemental appropriations to meet deficiencies.

1. The following sums, or so much thereof as may be necessary, be and they are hereby appropriated out of the State and special funds, for the several purposes herein specified, to meet deficiencies in appropriations:

1. COUNTY BOARDS OF TAXATION.

County tax boards.

Additional allowance for salaries of members of the County Boards of Taxation, $3,110 00

2. INDUSTRIAL EDUCATION.

Industrial schools.

Additional allowance for payments to schools for manual training, pursuant to Article 22, section 230, School Law of 1903 (1927-1928), ... 69,532 63

Payments under this account to be made pursuant to chapter 2, Laws of 1920.

3. WOODBINE COLONY FOR FEEBLE-MINDED MALES.

Additional allowance for additional laundry equipment, for flat iron, ...	$3,500 00		Feeble-minded males.
Furniture and furnishings for new building, ...	3,500 00		
		7,000 00	

4. REFORMATORY, ANNANDALE.

Fruit trees, ...		1,500 00	Reformatory.

5. NEW JERSEY SCHOOL FOR THE DEAF.

Additional allowance for salaries and wages of other officers and employees, ...	$6,407 50		School for deaf.
Instruments to aid the hearing, ...	1,750 00		
Additional allowance for telephone and telegraph, ...	680 00		
Sanding machine, ...	100 00		
		8,937 50	

Payments under this account to be made pursuant to chapter 65, Laws of 1909.

6. MOTOR VEHICLE DEPARTMENT.

Additional allowance for compensation for inspectors, clerks, et cetera, including the salary of the Deputy Chief Inspector, at the rate of $3,300.00 per annum, ...		8,765 00	Motor vehicle department.

Payment 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.

7. DEPARTMENT OF INSTITUTIONS AND AGENCIES.

Additional allowance for deporting aliens and non-residents, ...		1,000 00	Deportations.

8. COMMISSION FOR THE BLIND.

Blind. Additional allowance for salaries and wages, ... 720 00

9. HOME FOR DISABLED SOLDIERS, KEARNY.

Kearny home. Sewage connections, ... 5,225 85

10. REFORMATORY, RAHWAY.

Rahway reformatory.

Additional allowance for salaries and wages, ...	$19,500 00	
Additional allowance for farm, stable and grounds,	4,500 00	
Hot water generator, ...	1,300 00	
		25,300 00

11. STATE BOARD OF CHILDREN'S GUARDIANS.

Children's guardians.

Allowance for printing annual report, (three years), ...	$800 00	
Check signing machine, ...	1,200 00	
		2,000 00

12. STATE HOME FOR BOYS.

Jamesburg school.

Additional allowance for salaries and wages, ...	$3,100 00	
Additional allowance for current repairs, ...	2,850 00	
Replacement of cows, ...	4,200 00	
Additional allowance for household supplies, ...	370 00	
		10,520 00

13. STATE HOME FOR GIRLS.

Girls' home.

Allowance for gutters and drain pipes, Voorhees cottage, ...	$1,000 00	
Window guards, ...	600 00	
		1,600 00

14. STATE HOSPITAL, GREYSTONE PARK.

Additional allowance for salaries and wages, ...	$12,000 00		Greystone Park asylum.
Repairs to fire house, ...	8,300 00		
		20,300 00	

15. STATE HOSPITAL, TRENTON.

Additional allowance for salaries and wages, ...	$25,000 00		Trenton asylum.
Remodeling fifteen toilet rooms, east and west annex, ...	22,500 00		
Remodeling toilet rooms, wards 11-A, 11-B, 12-A and 12-B, ...	6,000 00		
Renovating Vroom Building,	9,100 00		
Bracing wall of west annex,	1,000 00		
Renewing high tension lines,	6,720 00		
		70,320 00	

16. STATE PRISON.

Additional allowance for salaries and wages of other officers and employees, ...	$6,600 00		State prison.
Additional allowance for wages for inmates, ...	2,000 00		
Reconstruction of coal trestle,	3,500 00		
Repair and reconstruction of shop No. 10, ...	5,000 00		
		17,100 00	

17. STATE PRISON FARM, LEESBURG.

Allowance for pump, foundations, piping and wiring, ...		1,963 00	Leesburg farm.

18. REFORMATORY FOR WOMEN.

Exchange of tractor, ...		1,000 00	Women's reformatory.

19. SUPREME COURT.

Additional allowance for Board of Bar Examiners, salary of members, secretary and messenger, ...		7,150 00	Bar examiners.

20. BOARD OF PUBLIC UTILITY COMMISSIONERS.

Travel. Additional allowance for traveling expenses, ... 4,000 00

21. BOARD OF SHELL FISHERIES.

Shell fisheries.

Additional allowance for fuel and power (for this purpose only), ...	$245 02	
Additional allowance for current repairs, ...	2,440 13	
Additional allowance for incidentals, ...	98 35	
		2,783 50

22. MANUAL TRAINING AND INDUSTRIAL SCHOOL FOR COLORED YOUTH.

Bordentown school.

Completion of township road,	$2,300 00	
Additional allowance for siding extension and coal hoist, ...	5,000 00	
Additional allowance for household supplies, ...	500 00	
Additional allowance for water, ...	1,400 00	
Additional allowance for current repairs, ...	700 00	
		9,900 00

Payments under this account to be made pursuant to chapter 65, Laws of 1909.

23. AGRICULTURAL EXPERIMENT STATION.

Experiment station. Construction of additional greenhouses, for the study of destructional diseases, 15,000 00

24. DEPARTMENT OF AGRICULTURE.

Concerning cattle.

Additional allowance for appraisement of and indemnification for condemned cattle, ...	$50,000 00
Carrying out the provisions of chapter 180, Laws of	

1927, vesticular stomatitis, among cattle, ...	5,000 00	
		55,000 00

25. NATIONAL GUARD.

Maintenance of Armories, Arsenals and Camp Grounds.

Insurance.

Additional allowance for insurance (for this purpose only), ...	$15,633 77

Armory Construction.

Armories.

Completion of construction of drill hall for Battery "B", Trenton, ...	35,000 00
Additional cost of foundations of armory at Atlantic City, ...	13,966 83
Construction of horse shelters, Troop G, Armory, Westfield, ...	2,000 00

General Construction.

State camp.

Laying new water mains and fire lines in State Camp Grounds, Sea Girt, including new pressure line to the Governor's cottage, ...	18,500 00

General Maintenance Expenses.

Equipment.

Purchase of motor cycles, to replace obsolete equipment of 119th Motor Cycle Company, Flemington, ...	2,000 00
Technical equipment, 104th Engineers, ...	1,500 00

Claims.

Claims.

Claim of 102d Cavalry, for the death of two horses during the summer encampment, 1926, ...	200 00

Claims of members of New Jersey National Guard submitted under provisions of Article 13, chapter 46, Laws of 1925, paragraph 4, ...	7,764 91		
Claims of officers and enlisted men for value of personal effects lost in hurricane at Sea Girt during encampment of 1926, ...	1,240 50		
Claim of William H. Geskes for injuries received at a military demonstration in Paterson, July 12, 1927, ..	173 00		
			97,979 01

26. COMMISSION TO INVESTIGATE CRIPPLED CHILDREN.

Crippled children.

Additional allowance for carrying out the provisions of chapter 188, Laws of 1926, and supplements, ...		3,000 00

27. DEPARTMENT OF CONSERVATION AND DEVELOPMENT.

Flood control.

Carrying out the provisions of Assembly Bill No. 89, provided said bill becomes a law (Passaic river Flood Control), ...	$30,000 00	

Forest fire.

Payment of State's share of Forest Fire bills, Blairstown township, Warren county, ...	994 50	
		30,994 50

28. STATE HOUSE COMMISSION.

New office building, Trenton.

Erecting, furnishing, equipping and architects fees for new building for State offices adjoining the Capitol,, ...	$550,000 00	

State Printing Board.

Additional allowance for printing and binding public documents, ... 10,208 16 — Printing.

560,208 16

29. DEPARTMENT OF BANKING AND INSURANCE.

Rental of department offices in Trenton, 21,400 00 — Rents.

30. COMMISSION TO EXAMINE EXISTING REGULATIONS OF THE STATE WITH RUTGERS UNIVERSITY

Expenses incurred by commission appointed pursuant to Assembly Joint Resolution No. 6, provided said resolution is passed by the present session of the Legislature, ... 5,000 00 — Regarding Rutgers University.

31. LEGISLATURE.

Additional allowance for indexing Journal and Minutes, and other incidental and contingent expenses, ... 14,000 00 — Indexing.

32. COMMISSIONER OF EDUCATION.

Additional allowance for salaries of five assistant commissioners, ... 3,000 00 — Additional salaries for assistants.

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.

33. COMMISSION TO INVESTIGATE THE ADVISABILITY OF GIVING STATE AND COUNTY AID TO HOSPITALS.

Expenses of commission appointed pursuant to Senate Joint Resolution No. 5, provided said resolution is passed by the present Legislature, ... 3,000 00 — Aiding hospitals.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 257.

An Act making appropriations for the support of the State government and for several public purposes for the fiscal year ending June thirtieth, one thousand nine hundred and twenty-nine, and regulating the disbursement thereof.

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

Annual appropriations.

1. The following sums or so much thereof as may be necessary, be and they are hereby appropriated out of the State fund for the respective public officers and for the several purposes herein specified, for the fiscal year ending on the thirtieth day of June, in the year one thousand nine hundred and twenty-nine, 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.

Unexpended balances to lapse into treasury.

A. EXECUTIVE AND ADMINISTRATIVE.

A 1. ATTORNEY-GENERAL'S DEPARTMENT.

Attorney-General's office.

Salaries:

Attorney-General, ...	$7,000 00	
Assistant Attorney-General,	5,000 00	
Second Assistant Attorney-General, ...	7,500 00	
Chief legal assistant, ...	6,000 00	
Senior legal assistant, ...	6,000 00	
Senior legal assistant, ...	5,500 00	
Junior legal assistant, ...	4,800 00	
Compensation for other assistants, ...	15,880 00	
		$57,680 00

Traveling expenses, ...		1,000 00
Blanks, stationery and printing, ...		1,500 00
Miscellaneous:		
Expenses in connection with escheat cases, ...	$250 00	
Compensation and expenses of counsel employed by the Attorney-General in foreign States to collect taxes due from bankrupt and other insolvent corporations, ...	500 00	
Law books, ...	600 00	
Office equipment, ...	350 00	
Incidentals, ...	1,000 00	
		2,700 00
Division of Securities.		
Salaries:		
Special Assistant Attorney-General, ...	$5,000 00	
Examiner of Securities, ..	3,500 00	
Investigator, ...	2,400 00	
Stenographers, ...	2,500 00	
		13,400 00
Miscellaneous:		
Office rent, ...	$1,700 00	
Expenses of Investigators,	4,000 00	
Blanks, stationery, printing and postage, ...	400 00	
Equipment, ...	300 00	
Telephone and telegraph,	200 00	
		6,600 00
		$82,880 00

A 2. BUDGET ACT EXPENSES.

Budget. For salaries and expenses for the purpose of carrying into effect the provisions of chapter 15, Laws of 1916, known as the "Budget Act," $25,000 00

A 3. CIVIL SERVICE COMMISSION.

Civil service. Salaries:

Commissioners, ...	$18,000 00	
Chief examiner and secretary, ...	7,500 00	
Assistant chief examiner, .	5,100 00	
Assistant secretary, ...	2,880 00	
Junior examiners, ...	4,560 00	
Senior examiner, ...	3,300 00	
Senior examiner (engineering), ...	3,000 00	
Medical examiner, ...	4,500 00	
Examiner (personal), ...	2,400 00	
Special examiners, ...	1,000 00	
Monitors, ...	1,000 00	
Compensation for assistants, ...	54,070 00	
Janitors, ...	100 00	
		$107,410 00
Traveling expenses, ...		2,000 00
Printing and office supplies, ...		7,000 00

Miscellaneous:

Advertising, ...	$3,300 00	
Office equipment, ...	800 00	
Incidentals, ...	2,500 00	
		6,600 00
		$123,010 00

A 4. COMPTROLLER'S DEPARTMENT.

Comptroller's Department.

Salaries:		
Comptroller, ...	$6,000 00	
Deputy Comptroller, ...	7,000 00	
Clerical services, ...	18,690 00	
		$31,690 00
Blanks, stationery and printing, ...		4,500 00
Miscellaneous:		
Premium on surety bonds,	$300 00	
Incidentals, ...	2,500 00	
Telephone and telegraph, .	500 00	
		3,300 00

Audit Department.

Auditing.

Salaries:		
Chief auditor, ...	$6,000 00	
Auditors and assistants, ..	25,600 00	
		31,600 00
Traveling expenses, ...		1,000 00

Inheritance Tax Department.

Inheritance tax collection.

Salaries:		
State supervisor, ...	$9,000 00	
Two district supervisors,	8,800 00	
Two head clerks, ...	8,000 00	
Compensation for assistants, ...	115,120 00	
		140,920 00
Expenses		10,000 00

Miscellaneous:

Transfer tax payable to counties.

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.

State Athletic Commissioner.

Athletic supervision. For the purpose of carrying out the provisions of chapter 247, Laws of 1918, as amended by chapter 189, Laws of 1923, ... 25,000 00

$248,010 00

A 5. DEPARTMENT OF PUBLIC REPORTS.

Public reports. Salaries:

Commissioner, ...	$2,000 00	
Clerk, ...	600 00	
		$2,600 00
Blanks, stationery and printing, ...		25 00
		$2,625 00

A 6. EMERGENCY FUND.

Emergencies. For the Governor, to enable him to meet any emergency requiring the expenditure of money not otherwise appropriated, and to cover any incidental personal expense or the expenses of commissioners appointed by him under statute, or in his discretion $10,000 00

A 7. EXECUTIVE DEPARTMENT.

Executive Department. Salaries:

Governor, ...	$10,000 00	
Secretary to the Governor,	5,000 00	
Executive Clerk, ...	3,600 00	
Compensation for assistants, ...	13,220 00	
		$31,820 00

Traveling expenses,	1,500 00
Blanks, stationery and printing,	2,500 00
Incidentals,	3,350 00
Maintenance of Secretary to the Governor during encampment,	1,000 00
	$40,170 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,	6,500 00	
Head Clerk,	4,500 00	
Election clerk,	4,200 00	
Compensation for assistants,	33,320 00	
		$57,520 00
Traveling expenses,		300 00
Blanks, stationery, printing and office supplies,		9,000 00
Miscellaneous:		
Election supplies,	$25,000 00	
Preserving early probate records,	50 00	
Printing copies of "An act concerning corporations,"	7,500 00	
Incidentals,	2,300 00	
Repairing equipment for new vault, metallic cases,	150 00	
Photostating copies of certificates of incorporation,	5,000 00	
		40,000 00
		$106,820 00

A 9. DEPARTMENT OF MOTOR VEHICLES.

Motor Vehicle Department.

Salaries:		
Commissioner, ...	$10,000 00	
Deputy Commissioner, ...	5,500 00	
Special Counsel, ...	6,000 00	
Deputy Chief Inspector, ..	3,300 00	
Compensation for inspectors, clerks and other employees, ...	275,775 00	
		$300,575 00
Traveling expenses:		
Expenses of inspectors and equipment,		50,000 00
Blanks, stationery and printing, ...		35,000 00
Postage, express and incidentals, ...		30,000 00
Miscellaneous:		
Metal and materials for automobile markers, ...	$200,000 00	
Purchase of automobiles,	12,500 00	
Liability insurance, ...	2,000 00	
Refunds for errors in rating, ...	2,500 00	
Filing cabinets, ...	7,500 00	
Purchase of typewriters, ..	6,000 00	
Office furniture, desks, etc.	300 00	
Telephone and telegraph,	4,000 00	
Premium on surety bonds,	3,000 00	
Refund of fine imposed in error, ...	77 00	
Purchase of Blackwell property adjoining State Capitol grounds and widening street in front thereof, ...	110,000 00	
		347,877 00

Gasoline Tax Division.

Salaries:	
Compensation for employees, ...	2,580 00
Blanks, stationery and printing, ...	10,000 00
Postage, express and incidentals, ...	5,000 00
Miscellaneous:	
Filing cabinets, ...	500 00

Excise Tax Division.

Salaries:	
Compensation for employees, ...	660 00
Blanks, stationery and printing, ...	1,000 00
Postage, express and incidentals, ...	300 00
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, and the receipts from the tax imposed on the sale of Motor Vehicle Fuels, pursuant to chapter 334, Laws of 1927.	
	$783,492 00

A 10. STATE HOUSE COMMISSION.

State House Commission.

Salaries and Wages:		
Custodian, ...	$4,500 00	
Chief engineer, ...	4,000 00	
Superintendent (State office building), ...	3,200 00	
Compensation of assistants and helpers, ...	116,490 00	
		$128,190 00
Maintenance:		
Fuel and power (for this purpose only), ...	$25,000 00	
Light, ...	22,000 00	
Sundry supplies, ...	20,000 00	

	Current repairs, ...	15,000 00	
	Telephone and telegraph,	8,000 00	
	Furniture, office supplies and carpets, ...	15,000 00	
	Insurance (for this purpose only), ...	4,500 00	
	Capitol post office, postage,	65,000 00	
	Freight and express, ...	300 00	
	Maintenance of Stacy Park and Capitol grounds, ..	3,500 00	
	Laying out, planting and care of grounds at State office building, ...	750 00	
	Maintenance and repairs, State buildings, at Trenton Fair, ...	3,000 00	
	Maintenance of Boys' and Girls' Club and payment of premiums, ...	5,000 00	
			187,050 00
Rental for offices in Newark.	For the purpose of leasing and paying rentals for State Departments in the city of Newark as follows:		
	Court of Chancery, ...	$15,715 00	
	Board of Public Utility Commissioners, ...	16,063 00	
	Department of Banking and Insurance, ...	4,950 00	
	Department of Labor, ...	5,316 00	
	State Board of Tenement House Supervision, ...	11,663 00	
	Rehabilitation Commission,	3,684 00	
	Commission for the Blind,	10,000 00	
			67,391 00
	Rental, Department of Municipal Accounts, Trenton, ...		1,980 00
New office building at State House.	New Buildings:		
	Erecting, furnishing, equipping and architect fees for new building for State offices adjoining the Capitol, ...		700,000 00

Beginning authorized.

The State House Commission is hereby authorized to enter into contract for the erection of said unit notwithstanding that said contract may exceed the amount hereby appropriated and notwithstanding any other provision to the contrary in this act contained.

State Printing Board.

Printing board.

Miscellaneous:		
Salary of Public Printer,	$900 00	
Legislative printing, ...	75,000 00	
Printing and binding public documents, ...	20,000 00	
Printing and circulating laws, ...	11,500 00	
		107,400 00

State Purchasing Department.

Purchasing agency.

Salaries and Wages:		
State Purchasing Agent,	$6,000 00	
Assistant State Purchasing Agent, ...	5,500 00	
Chief Clerk and Buyer, ..	4,000 00	
Buyer (1), ...	3,000 00	
Compensation of assistants and clerical services, ...	20,655 00	
Expert service, ...	2,000 00	
		41,155 00
Materials and Supplies:		
Vehicular transportation expenses, ...	$700 00	
Printing, office supplies and equipment, ...	3,500 00	
Premium on bond, ...	176 48	
		4,376 48

Miscellaneous:		
Traveling expenses, ...	$600 00	
Telephone and telegraph ..	1,050 00	
		1,650 00
		$1,239,192 48

State Purchase Fund.

Purchase fund. The unexpended balance of the "Purchase Fund" created in accordance with the provisions of Chapter 277, P. L. 1917, item 100, together with such sums as may be returned to the State treasury for the reimbursement of the appropriation provided by said item so that a "Purchase Fund" not exceeding $350,000 will be established and maintained for the purpose of making payments for purchases in the operation of chapter 68, Pamphlet Laws of one thousand nine hundred and sixteen, and the expenses of handling, storing and transporting purchases, so made, the cost of said purchases to be apportioned among the various using agencies and the appropriations current for their use so as to reimburse the said "Purchase Fund" for said purchases when so made; said amounts so appropriated to be credited to said fund when deposited in the State treasury for disbursement in accordance with the provisions of said chapter 68, P. L. 1916, so as to constitute it a Revolving Fund for purchases is hereby appropriated; *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.

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A 11. TREASURER'S DEPARTMENT.

Treasurer's Department.

Salaries:		
Treasurer,	$6,000 00	
Cashier,	6,000 00	
Head Clerk,	3,000 00	
Compensation for other assistants,	15,500 00	
Additional and temporary employees,	2,000 00	
		$32,500 00
Blanks, stationery and printing,		1,700 00
Incidentals,		1,000 00
Premium on surety bond for Treasurer and Deputy Treasurer,		750 00
Premium on check insurance,		500 00
Telephone and telegraph,		200 00

Department of Municipal Accounts.

Municipal Accounts.

Salaries:		
Commissioner,	$6,000 00	
Supervising Auditor,	4,250 00	
Senior auditors,	13,350 00	
Compensation for auditors and other assistants,	20,020 00	
		43,620 00
Traveling expenses,		9,000 00
Blanks, stationery and printing,		1,800 00
Incidentals,		350 00
Telephone and telegraph,		250 00
Furniture and equipment,		150 00
Compilation of Reports (Municipal),		1,000 00
Miscellaneous:		
Expenditures under provisions of section 3 (b), chapter 266, Laws of 1918,		9,000 00
		$101,820 00

A 12. INAUGURATION EXPENSES.

Inaugural expenses.

Expenses of Inauguration of the Governor, ...		$6,000 00

B. LEGISLATIVE.

B 1. LEGISLATURE.

Legislature.

Salaries:		
Senators and members of General Assembly, ...	$40,833 32	
Compensation for officers and employees, ...	53,800 00	
		$94,633 32
Miscellaneous:		
Manuals of the Legislature,	$7,234 00	
Indexing Journal and Minutes and other incidental and contingent expenses,	30,000 00	
Toilet and other necessary articles, to be furnished by the State House Commission, ...	1,250 00	
		38,484 00
		$133,117 32

C. JUDICIAL.

C 1. CLERK IN CHANCERY.

Clerk in Chancery.

Salaries:		
Clerk in Chancery, ...	$6,000 00	
Chief clerk, ...	5,500 00	
Law clerk, ...	3,600 00	
Compensation for assistants, ...	62,720 00	
		$77,820 00

Blanks, stationery and printing, ...	6,000 00
Incidentals, ...	2,000 00
Steel filing cases, ...	2,000 00
Telephone and telegraph, ...	450 00
	$88,270 00

C 2. CLERK OF THE SUPREME COURT.

Clerk of Supreme Court.

Salaries:		
Clerk of Supreme Court,	$6,000 00	
Chief clerk, ...	5,300 00	
Compensation for assistants, ...	35,120 00	
		$46,420 00
Blanks, stationery and printing, ...		4,000 00
Typewriters, furniture, office equipment, diaries and Legislative Manuals, ...		1,000 00
Incidentals, ...		900 00
Telephone and telegraph, ...		300 00
New filing cases for vault, ...		2,000 00
		$54,620 00

C 3. COURT OF CHANCERY.

Court of Chancery.

Salaries:		
Chancellor, ...	$19,000 00	
Vice-Chancellors, ...	180,000 00	
Compensation and traveling expenses of sergeants-at-arms, ...	25,000 00	
Compensation and allowance of advisory masters and their official stenographers, ...	50,000 00	
Compensation and traveling expenses of stenographers and for services pursuant to section 103 of chapter 158 of the Laws of 1902, ...	46,000 00	

Compensation for Chancellor's secretary, ...	2,000 00	
		$322,000 00
Blanks, stationery and printing, ...		2,500 00
Postage, ...		1,000 00
Miscellaneous:		
Rent of rooms in Atlantic City and Jersey City, ..	$17,500 00	
Rent of rooms for use of Vice-Chancellors, as follows:		
Newark, ...	1,400 00	
Hoboken, ...	900 00	
Toms River, ...	900 00	
Miscellaneous expenses in connection with such rooms, ...	1,000 00	
		21,700 00
		$347,200 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, ...	$50,000 00	
Compensation of officers,	3,500 00	
		$53,500 00
Blanks, Stationery and Printing:		
Printed or typewritten copies of draft of opinions under the direction of the presiding judge, ...		3,500 00
Binding State cases, briefs, et cetera, and printing lists of causes, et cetera,		1,000 00
		$58,000 00

C 5. COURT OF PARDONS.

Court of Pardons.

Salaries:		
Compensation of judges of the Court of Pardons, at $20 per diem, ...	$2,500 00	
Compensation of clerk and stenographer, ...	1,350 00	
		$3,850 00
Traveling expenses, ...		150 00
Blanks, stationery and printing, ...		600 00
Incidentals, ...		100 00
		$4,700 00

C 6. COURT EXPENSES.

Transferred cases.

Salaries:	
For compensation of judges of the Court of Common Pleas, pursuant to section 49, chapter 149, Laws of 1900, ...	$2,000 00

C 7. LAW AND EQUITY REPORTS.

Legal reports.

Salaries:		
Chancery reporter, ...	$500 00	
Supreme Court reporter, ..	500 00	
		$1,000 00
Publication of Chancery reports, ...		6,500 00
Publication of Law reports, ...		6,500 00
Binding Chancery and Law reports, ...		2,500 00
		$16,500 00

C 8. STENOGRAPHIC REPORTERS.

Reporters.

For amount to be refunded to various counties in this State for salaries of

stenographic reporters appointed by the justices of the Supreme Court, pursuant to chapter 81 of the Laws of 1901, ...			$41,563 00

C 9. SUPREME COURT.

Supreme Court.

Salaries:			
Chief Justice, ...	$19,000 00		
Associate justices, ...	144,000 00		
Circuit Court judges, ...	224,000 00		
Compensation for assistants, ...	2,000 00		
Board of bar examiners, salary of members, secretary, assistant secretary and messenger, ...	16,500 00		
			$405,500 00
Blanks, stationery and printing, ...			500 00
Incidentals, ...			100 00
Miscellaneous:			
Other expenses incurred by court order,			2,000 00
			$408,100 00

Revision of laws.

C 10. COMMISSION ON REVISION AND CONSOLIDATION OF PUBLIC STATUTES.

Expenses of commissioners appointed to revise and consolidate public statutes, pursuant to chapter 73, Laws of 1925,	$100,000 00

D. REGULATIVE.

D 1. BOARD OF COMMERCE AND NAVIGATION.

Commerce and navigation.

Salaries:		
Director, ...	$8,500 00	
Counsel for the board, ...	5,000 00	
Assistant Chief Engineer,	4,000 00	
Consulting Engineer, ...	3,600 00	

Assistant Secretary, ...	4,500 00	
Other assistants, public hearings, searches, surveys, witnesses on trespasses, et cetera, ...	47,280 00	
		$72,880 00
Traveling expenses, ...		5,000 00
Blanks, stationery and printing, ...		2,000 00
Postage and Incidentals:		
Postage, ...	$1,000 00	
Incidentals, ...	3,000 00	
		4,000 00
Miscellaneous:		
Telephone and telegraph, ...		700 00
Extension riparian surveys, ...		5,000 00
Maintenance navigation lights, Cape May, Manasquan river, ...		3,000 00
Lights-buoys, Lake Hopatcong, ...		1,000 00
Maintenance of inland waterway from Cape May to Bay Head, ...		37,900 00
Rents, ...		7,600 00
Insurance on boats, ...		2,100 00
Maintenance boat "W. Parker Runyon,"		18,000 00
Care and upkeep, Barnegat Light premises, ...		7,500 00
Cranberry Lake lights and buoys, ...		2,000 00
Safe cabinets, map files, desks and furnishings for Jersey City and Trenton offices, ...		1,000 00
Studying riparian practices in allocating shore front, ...		1,000 00
Manasquan Inlet surveys and studies, ...		5,000 00
Improvement of channels at Lake Hopatcong, provided House Bill No. 261 becomes a law, ...		50,000 00
There is hereby appropriated the undisbursed balance on the 30th day of June, 1928, of the appropriation made for the purpose of acquiring rights-of-way for the New Jersey ship canal.		

Appropriations for administration expenses of this board to be deducted from receipts, pursuant to chapter 223, Laws of 1922, and in addition thereto the sum of $90,000.00, from proceeds of the tax on the sale of motor vehicle fuels, under the provisions of chapter 334, Laws of 1927.

$225,680 00

D 2. BOARD OF FISH AND GAME COMMISSIONERS.

Fish and Game Commission.

For salaries and wages, and for the expenses of maintenance and operation of the New Jersey Board of Fish and Game Commissioners to include the expenses of administration and of the fish hatchery and the game farms.

All receipts from hunters' and anglers' licenses pursuant to the provisions of chapter 152 of the Laws of 1914.

All receipts, licenses and sales pursuant to the provisions of chapter 153 of the Laws of 1918.

All fines pursuant to the provisions of chapter 247 of the Laws of 1911.

Use of receipts.

All such receipts as are above set forth, and any balance of receipts that may not have been disbursed on or before the end of the fiscal year ending June thirtieth, one thousand nine hundred and twenty-eight, are hereby appropriated to the Board of Fish and Game Commissioners, but there may only be expended of said receipts and balance the amounts as itemized below, and for bills incurred during the fiscal year ending June thirtieth, one thousand nine hundred and twenty-eight, and no portion of any receipts shall lapse into the general funds of the State; *provided,*

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however, that an excess may be expended and is hereby appropriated above the amounts herein below indicated when expressly approved by the State House Commission, but limited to the amount of the receipts of the board for the fiscal year.

Salaries and Wages:		
Protector,	$4,500 00	
Secretary,	3,500 00	
Assistant protectors, wardens, superintendents and other officers and employees,	138,340 00	
		$146,340 00
Materials and Supplies:		
Food for birds, fish, poultry, horses; coal, wood, electricity, gas, farm, stable and grounds, and materials and supplies for farms and hatcheries, and general supplies,	$49,640 00	
Printing and office supplies,	10,125 00	
Purchase of autos and boats,	9,800 00	
Purchase of fish, game, eggs and poultry,	40,700 00	
Gasoline, grease, oil, tires, tubes and maintenance of autos and boats,	25,850 00	
		136,115 00
Current Repairs,		3,750 00
Miscellaneous Expenses:		
Wardens' and commissioners' expenses,	$11,000 00	

Postage, telephone, telegraph and insurance, ...	4,700 00	
Miscellaneous expenses, ..	15,380 00	
		31,080 00
Additions and improvements, ...		19,385 00
		$336,670 00

D 3. BOARD OF PUBLIC UTILITY COMMISSIONERS.

Public Utility Commission.

Salaries:

Members of the board, ...	$36,000 00	
Counsel, ...	8,500 00	
Assistant to counsel, ...	4,750 00	
Secretary, ...	7,000 00	
Assistant Secretary, ...	4,000 00	
Chief, Bureau of Utilities,	9,000 00	
Chief engineer, bridges and grade crossings, ...	7,500 00	
Chief, bureau of railroads,	6,000 00	
Rate expert, ...	6,600 00	
Engineers, inspectors, clerks, stenographers and other employees, ...	110,836 50	
For reporting hearings, ..	10,000 00	
		$210,186 50
Traveling expenses, ...		25,000 00
Blanks, stationery and printing, ...		9,000 00

Miscellaneous:

Telephone and telegraph,	$2,200 00	
Office supplies, ...	2,000 00	
Office equipment, ...	1,500 00	
Incidentals, ...	2,000 00	
Special investigations, ...	10,000 00	
		17,700 00
		$261,886 50

D 4. BOARD OF SHELL FISHERIES.

Shell fisheries.

Salaries:		
Director,	$3,000 00	
Chiefs of bureaus,	4,840 00	
Captains of boats, crews, guards, clerks, et cetera,	34,000 00	
		$41,840 00
Traveling expenses,		2,500 00
Blanks, stationery and printing,		175 00
Miscellaneous:		
Food (for this purpose only),	$3,400 00	
Fuel and power (for this purpose only),	4,200 00	
Current repairs,	2,500 00	
Incidentals,	350 00	
Insurance (for this purpose only),	1,000 00	
Surveying and mapping,	500 00	
Rent of offices,	456 00	
Shelling beds,	35,000 00	
		47,406 00
Additions and Improvements:		
New watch-house on Atlantic coast,		800 00
		$92,721 00

D 5. COUNTY BOARDS OF TAXATION.

County tax boards.

For salaries of members of the county boards of taxation,	$131,400 00

D 6. DEPARTMENT OF BANKING AND INSURANCE.

Department of Banking and Insurance.

Salaries:

Commissioner, ...	$6,000 00
Deputy Commissioner, Bureau of Banking	7,500 00
Deputy Commissioner, Bureau of Insurance, ...	7,500 00
Deputy Commissioner, Bureau of Building and Loan Associations, ...	7,500 00
Chief, Compensation Rating and Inspection Bureau, ...	4,000 00
Assistant Deputy, Bureau of Insurance, ...	3,900 00
Assistant Deputy, Bureau of Building and Loan Associations, ...	3,225 00
Department Investigator, .	3,000 00
Statistician, ...	3,600 00
Bank Examiners, ...	146,100 00
Small Loan, et cetera, Examiners, ...	10,800 00
Chief Bank Examiner, ...	7,500 00
Chief Insurance Examiner,	7,500 00
Assistant Chief Insurance Examiners, ...	15,000 00
Insurance Examiners, ...	45,625 00
Building and Loan Association Examiners, ...	142,050 00
Actuary, ...	10,000 00
Chief Assistant Actuary, ..	5,000 00
Assistant Actuary, ...	3,600 00
Chief, License Division, ..	3,000 00
Cashier, ...	3,300 00
Auditor, Bureau of Insurance, ...	3,000 00
Clerks, stenographers, and other employees, ...	81,302 50

Legal services in connection with examinations of insurance companies, ...	2,000 00	
		$532,002 50
Traveling expenses, ...		110,600 00
Blanks, stationery and printing, ...		12,000 00
Office supplies and equipment, ...		1,500 00
Miscellaneous:		
Rent of statistical machines,	$1,074 00	
Appraisals of real estate,	3,1000 00	
Express, freight and cartage, ...	450 00	
Incidentals, ...	1,000 00	
Subscriptions to magazines, manuals, et cetera, ...	200 00	
National convention, ...	75 00	
Compiling and printing valuations, ...	500 00	
Membership fee, National Association of Supervisors of State Banks, ..	40 00	
Rent of safe deposit boxes and post office boxes, ...	51 00	
Statistical Division, Compensation Rating and Inspection Bureau at Newark, ...	1,200 00	
Telephone and telegraph,	1,150 00	
Rental of department offices in Trenton, ...	21,400 00	
		30,240 00
Total Appropriations, ...		$686,342 50
Less Receipts, ...		400,000 00
Net Appropriation, ...		$286,342 50

D 7. DEPARTMENT OF CONSERVATION AND DEVELOPMENT.

Department of Conservation and Development.

Salaries:		
State Geologist and Director, $7,500.00, provided, $2,200.00 of this amount shall be paid from Morris Canal funds, ...	$5,300 00	
State Forester, ...	5,300 00	
Land agent, ...	4,500 00	
Associate State Forester, ..	3,900 00	
Topographic Engineer, ..	3,600 00	
Chief of testing laboratory,	3,900 00	
Assistant State Geologist,	4,000 00	
State Firewarden, ...	3,620 00	
Firewardens, forest rangers, soil classifiers, laboratory assistants, engineers, clerical assistants and other employees, ..	120,641 00	
		$154,761 00
Traveling expenses, ...		16,000 00
Blanks, stationery and printing, including new maps, ...		6,000 00
Miscellaneous:		
State's share of forest fires (for this purpose only),	$15,000 00	
Fuel and power (for this purpose only), ...	800 00	
Insurance (for this purpose only), ...	1,018 00	
Tax lieu on State forests,	2,125 00	
Repairs, laboratory and State forest buildings, ..	7,000 00	
Office equipment, ...	400 00	
Rental of division offices,	850 00	
Museum and exhibits, ...	5,000 00	

Equipment and Exhibit Material for New State Museum:

Exhibition case equipment,	21,235 00	
Workroom and office equipment,	5,500 00	
Storeroom equipment,	2,500 00	
Purchase of Bear Tavern property, and property adjoining Washington Crossing Park, and expenses incident thereto,	12,000 00	
Office supplies,	500 00	
Sundry supplies,	1,200 00	
Telephone and telegraph,	3,300 00	
Freight and expressage,	300 00	
State's share wardens' salaries,	7,375 00	
Forest nursery,	5,000 00	
		91,103 00

Expenses in connection with Morris canal.

For all expenses in connection with the cost of dismantling, managing, and controlling the Morris canal, (a) all unexpended balances on June 30th, 1928, of the money heretofore appropriated for this purpose in any annual or deficiency appropriation bill, and (b) all rents, tolls and other income including sales, received from said property, provided that the Morris Canal and Banking Company, acting as trustee for the State of New Jersey, may with the approval of the State Comptroller and State Treasurer, enter into contracts in excess of the cash balance to its credit, and, if at any time the cash balance from the above sources be insufficient to meet payments due, there shall be loaned from the State fund such amounts as the Comptroller and State Treasurer shall allow on requisition by the canal company; *and provided, fur-*

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ther, that any sums so advanced shall be repaid to the State fund whenever and to the extent that the balances in the canal funds exceed the liabilities of said fund for the balance of the fiscal year 1929.		
For stream gauging, dam inspection and water supply investigations, including salaries of Chief, Division of Waters, $5,300.00, and Hydraulic Engineer, $4,000.00, and assistants, such sum not exceeding $38,000.00, as may be available in that fund pursuant to chapter 252, Laws of 1907, balance to remain to credit of fund (for this purpose only), ...		38,000 00
For maintenance of State forest—income from same, ...		5,000 00
The balance on June 30, 1928, of the appropriation for acquisition of additional land for State forests is hereby appropriated.		
		$310,864 00
Less amount appropriated from receipts, ...		43,000 00
		$267,864 00

D 8. DEPARTMENT OF HEALTH.

Department of Health.

Salaries:		
Director, ...	$6,000 00	
Assistant Director and Chief of Bureau of Administration, ...	5,000 00	
Chief, Bureau of Vital Statistics, ...	4,500 00	
Acting Chief, Bureau of Local Health Administration, ...	4,500 00	

Chief, Bureau of Food and Drugs,	4,500 00	
Chief, Bureau of Engineering,	4,800 00	
Chief, Bureau of Chemistry,	4,500 00	
Chief, Bureau of Bacteriology,	4,500 00	
Epidemiologist (2),	7,600 00	
Chemist, Bureau of Engineering (3),	8,640 00	
Special Investigator, Bureau of Engineering,	3,000 00	
District health officers (2),	7,000 00	
Special Investigator, Bureau of Food and Drugs,	3,300 00	
Animal Inspector, Bureau of Food and Drugs,	3,600 00	
Senior Sanitary Engineer, Bureau of Engineering,	3,600 00	
Senior Chemists (2),	6,480 00	
Engineers, inspectors, investigators, laboratory and other employees,	117,810 00	
		$199,330 00
Traveling expenses,		21,000 00
Blanks, stationery and printing,		12,000 00

Miscellaneous:

Office equipment and supplies,	$2,000 00	
Engineering supplies,	800 00	
Automobile maintenance,	3,000 00	
Maintenance of shellfish inspection boat,	2,500 00	
Laboratory, equipment, apparatus and supplies,	12,000 00	
Blood testing tubes,	3,000 00	
Telephone service, maintenance tabulating machine and typewriters, insur-		

ance, expressage and other incidental expenses,	2,400 00	
		25,700 00
Salaries, expenses and supplies and exhibit material for the Bureau of Child Hygiene,		86,879 00
Salaries, expenses and supplies for the Bureau of Venereal Disease Control,		30,340 00
		$375,249 00

D 9. DEPARTMENT OF LABOR.

Department of Labor.

Salaries:		
Commissioner of Labor,	$6,000 00	
Commissioner of Workmen's Compensation,	1,500 00	
Deputy Commissioners Workmen's Compensation (three),	16,200 00	
Chiefs of bureaus (four),	18,300 00	
Referees (two),	7,200 00	
Examiners, inspectors, clerks and other employees,	154,810 00	
		$204,010 00
Traveling expenses,		25,000 00
Blanks, stationery and printing,		6,500 00
Miscellaneous:		
Farm Labor and State Employment Bureau,	$33,000 00	
Rent of rooms in Jersey City, Paterson, or other cities,	8,000 00	
Support of Museum of Safety, Industrial Councils, et cetera,	12,000 00	
Telephone and telegraph,	2,300 00	

Preparation and distribution of industrial directory and bulletins, ...	6,000 00	
Office supplies, ...	3,000 00	
Office equipment, ...	2,500 00	
Incidentals, ...	3,500 00	
Coal, Jersey City, Trenton and Paterson, ...	2,750 00	
Blueprints, tracings, et cetera, ...	100 00	
Repairs to typewriters, mimeograph, et cetera, .	150 00	
		73,300 00
		$308,810 00

D 10. DEPARTMENT OF WEIGHTS AND MEASURES.

Weights and measures.

Salaries:		
Superintendent, ...	$5,000 00	
Compensation for assistants, ...	11,755 00	
		$16,755 00
Traveling expenses, ...		5,000 00
Blanks, stationery and printing, ...		500 00
Incidentals, ...		450 00
Telephone and Telegraph, ...		200 00
Metal seals, ...		500 00
Maintenance and operating expenses for automobile and truck, ...		1,200 00
Additions and Improvements:		
Test weights, liquid measures and office furniture, ...		416 00
		$25,021 00

D 11. HEALTH OFFICERS, PORT OF PERTH AMBOY.

Perth Amboy health office.

Health officer of the Port of Perth Amboy, for salary, pursuant to chapter 328, Laws of 1906,		$1,000 00
Deputy health officer, for salary,		250 00
		$1,250 00

D 12. STATE BOARD OF TAXES AND ASSESSMENT.

State Board of Taxes and Assessment.

Salaries:		
President,	$5,500 00	
Members of board,	18,000 00	
Secretary,	6,000 00	
Chief engineer,	10,000 00	
Senior assistant engineer,	4,800 00	
Senior office engineer,	4,800 00	
Head corporation tax clerk,	4,500 00	
Principal corporation tax clerk,	3,480 00	
Field Secretary,	4,300 00	
Compensation for other assistants,	39,215 00	
		$100,595 00
Traveling expenses,		2,500 00
Blanks, stationery, printing, office supplies and equipment,		6,000 00
Miscellaneous:		
Incidentals,	$800 00	
Filing cases,	1,500 00	
Reclassification and revaluation of railroad property,	10,000 00	
Investigation in various counties, pursuant to chapter 350, Laws of 1921, and chapter 98, Laws of 1923,	24,000 00	
		36,300 00
		$145,395 00

D 13. STATE BOARD OF TENEMENT HOUSE SUPERVISION.

Tenement house supervision.

Salaries:		
Secretary and executive officer,	$6,000 00	
Principal clerk,	3,000 00	
Plan examiners (two),	6,600 00	
Senior clerk,	1,440 00	
Inspector-clerks (five),	11,880 00	
Chief stenographer,	1,800 00	
Clerk-stenographers (seven),	8,220 00	
Chief inspector,	2,520 00	
Inspectors (thirty),	73,760 00	
Special inspection work,	500 00	
		$115,720 00
Traveling expenses, including maintenance of Buick and Ford cars,		16,000 00
Blanks, stationery and printing,		1,000 00
Postage and incidentals,		2,000 00
Miscellaneous:		
Electrotypes and type,	$50 00	
Telephone and telegraph,	500 00	
Furniture and fixtures,	250 00	
		800 00
		$135,520 00

D 14. REAL ESTATE COMMISSION.

Real Estate Commission.

Salaries and Wages:		
Commissioners,	$10,000 00	
Secretary,	5,000 00	
Chief Examiner and Investigator,	4,500 00	
Other employees,	44,500 00	
		$64,000 00

Materials and Supplies:		
Blanks, stationery and printing,	$10,500 00	
Office equipment,	1,500 00	
		12,000 00
Traveling expenses,		10,000 00
Miscellaneous:		
Rent,	$8,350 00	
Telephone and telegraph,	2,500 00	
Postage and incidentals,	2,500 00	
		13,350 00
		$99,350 00

D 15. DEPARTMENT OF STATE POLICE.

State Police.

Salaries:		
Colonel and Superintendent,	$9,000 00	
Major and deputy superintendent,	5,000 00	
Major and adjutant,	3,500 00	
Captains (three),	9,000 00	
Lieutenants (three),	7,800 00	
Assistant Attorney-General,	5,000 00	
Noncommissioned officers, troopers, et cetera,	209,049 48	
		$248,349 48
Materials and Supplies:		
Food and lodging,	$87,500 00	
Vehicular transportation expenses,	98,000 00	
Stable supplies and forage and purchase of horses,	6,200 00	
Clothing,	16,500 00	
Organization supplies,	14,000 00	
Blanks, stationery and printing,	2,500 00	

Office equipment, ...	1,000 00	
Fuel and power, ...	6,000 00	
Medical and veterinary supplies, ...	1,400 00	
Office supplies, ...	1,000 00	
		234,100 00
Current repairs, ...		5,000 00
Miscellaneous:		
Traveling expenses, ...	$2,000 00	
Rents, ...	7,500 00	
Telephone and telegraph, .	12,000 00	
Insurance, ...	2,000 00	
Freight, express and cartage, ...	200 00	
Emergency fund, all bills to be approved by the State House Commission, ...	8,000 00	
		31,700 00
		$519,149 48

D 16. COMMISSION ON TRAFFIC RULES AND REGULATIONS.

Traffic regulations.

There is hereby appropriated the undisbursed balance on the 30th day of June, 1928, of the appropriation made for the expenses incurred by said commission.

E. EDUCATIONAL.

E 1. STATE UNIVERSITY OF NEW JERSEY.

Rutgers University.

To the treasurer of Rutgers College, to pay the State Agricultural College for the benefit of agriculture and mechanic arts, pursuant to chapter 90 of the Laws of 1905, and amendments thereto	$48,000 00
Salaries, supplies and all other expenses for the maintenance of short courses in	

practical and scientific agriculture, pursuant to chapter 55 of the Laws of 1905, and chapter 43 of the Laws of 1907	25,000 00
Reference books, periodicals and bindings,	15,000 00
Long courses in agriculture,	64,410 00
Summer sessions,	33,550 00
Clay working and ceramics,	19,745 00
Agricultural building, maintenance,	3,000 00
Horticultural building, maintenance,	2,000 00
Poultry building, maintenance,	2,000 00
Physics building, maintenance,	4,200 00
Dairy and animal husbandry building, maintenance,	5,500 00
Courses in engineering,	53,940 00
Courses in chemistry,	34,000 00
Courses in sanitary science and sanitary engineering,	3,000 00
Courses in military science,	4,170 00
Courses in education,	21,300 00
Courses in biology,	20,000 00
Courses in journalism,	11,500 00
Courses in industrial extension,	25,000 00
Courses in arts and sciences,	120,000 00
To the treasurer of Rutgers College, for interest on $116,000, certificates of indebtedness of the State of New Jersey, due July 1st, 1928, and January 1st, 1929, pursuant to the provisions of chapter 135 of the Laws of 1896,	5,800 00
Board of visitors, for expenses,	200 00
Current repairs,	5,000 00
Installation and equipment of nutrition laboratories,	4,500 00
Extraordinary repairs to short course greenhouse,	2,500 00
Extraordinary repairs to horticultural building,	1,000 00
Purchase of Booraem property,	5,323 50

COLLEGE FOR WOMEN.

Salaries and wages,	260,000 00	Women's College.
Operating materials and supplies,	25,000 00	
Current repairs,	2,000 00	
Miscellaneous expenses,	5,500 00	
Equipment,	30,000 00	
Payments under this account to be made pursuant to chapter 65, Laws of 1909, with the exception of the item for courses in arts and sciences, $120,000.00, which sum shall be paid from the General State Fund.		
	$862,138 50	

E 2. COMMISSIONER OF EDUCATION.

Salaries:			Department of Education.
Commissioner,	$12,000 00		
Five assistant commissioners,	35,000 00		
Chief examiner,	6,000 00		
Physical training instructors,	11,400 00		
Inspector of buildings,	5,000 00		
Superintendent of industrial education,	3,800 00		
Inspector of accounts,	3,600 00		
Statistician,	3,600 00		
Inspector of school accounts,	3,600 00		
Assistant for high school work,	5,000 00		
Clerical services,	38,805 00		
		$127,805 00	
Traveling expenses,		9,500 00	
Blanks, stationery and printing, including school laws,		30,800 00	
Postage and incidentals,		6,700 00	

Miscellaneous:		
Office equipment, ...	$1,700 00	
Legislative Manuals, ...	2,000 00	
Expenses physical training work, ...	2,500 00	
School work efficiency tests,	5,000 00	
Eighth grade test report pamphlet, ...	500 00	
Elementary course of study in English, ...	4,500 00	
Reprint of geography monograph, ...	1,000 00	
Reprint social studies in high school, ...	500 00	
Reprint foreign language syllabus, ...	200 00	
Reprint teaching of music,	100 00	
Syllabus of mathematics, .	500 00	
Physical training courses of study, ...	3,000 00	
Exchange of two Ford cars,	1,000 00	
Exchange of Buick sedan,	1,200 00	
		23,700 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.		
		$198,505 00

E 3. COUNTY SUPERINTENDENTS.

County school superintendents.

For county superintendents, for salaries, payments to be made pursuant to chapter 65, Laws of 1909, ... $105,000 00

E 4. EVENING SCHOOLS FOR FOREIGN-BORN RESIDENTS.

Night schools for foreign-born.

For the purpose of carrying out the provisions of an act entitled "An act pro-

viding for the establishment of evening schools for foreign-born residents in the State of New Jersey," approved April eleventh, one thousand nine hundred and seven, payment to be made pursuant to chapter 65, Laws of 1909, $62,535 00

E 5. INDUSTRIAL EDUCATION.

Industrial schools.

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, ... $70,000 00
Payments to schools for manual training, pursuant to Article 22, section 230, School Law of 1903, ... 578,331 64
Expenses incurred by Commissioner of Education in carrying into effect the provisions of chapter 152, Laws of 1919, salary, ... 4,750 00
Traveling expenses, ... 600 00
Payments under this account to be made pursuant to chapter 2, Laws of 1920.
$653,681 64

E 6. MANUAL TRAINING AND INDUSTRIAL SCHOOL FOR COLORED YOUTH.

Bordentown School.

For salaries and wages, and for maintenance of the Manual Training and Industrial School for Colored Youth, on the basis of three hundred and thirty students.

Salaries and Wages:

Principal, ...	$5,000 00
Preceptress, ...	2,000 00
Teachers, ...	55,600 00

Other officers and employees,	26,484 00	
Student labor,	5,000 00	
		$94,084 00
Materials and Supplies:		
Food (for this purpose only),	$21,303 00	
Fuel, light and power (for this purpose only),	17,000 00	
Household supplies,	6,000 00	
Farm, stable and grounds supplies,	11,500 00	
Industrial shops,	4,000 00	
School supplies,	4,000 00	
Medical and surgical supplies,	500 00	
Sundry supplies,	600 00	
Office supplies,	225 00	
Vehicular transportation supplies,	1,600 00	
Blanks, stationery, printing of catalogues,	250 00	
Extraordinary office equipment, including adding machine,	950 00	
		67,928 00
Current repairs,		9,000 00
Miscellaneous:		
Traveling expenses, including extension work,	$1,500 00	
Postage,	550 00	
Telephone and telegraph,	600 00	
Insurance (for this purpose only),	2,600 00	
Advertising,	300 00	
Entertainments, including commencement expenses,	450 00	
Freight and express,	150 00	
Water,	3,000 00	
		9,150 00

Additions and Improvements:		
Materials for permanent improvements, ...	$5,000 00	
Replacing furniture (new linoleum), ...	700 00	
Farm machinery and wagons, ...	500 00	
Live stock, ...	500 00	
Shop equipment, ...	2,500 00	
One three-ton truck, ...	1,850 00	
Moving and remodeling double house, ...	9,000 00	
Surfacing roads and grading, ...	2,000 00	
Fire protection equipment (replacing fire hose), ..	700 00	
		22,750 00
New Buildings:		
Girls' dormitory to accommodate 100 girls and 10 teachers, ...		185,000 00
Appropriation, including estimated receipts, ...		$387,912 00
The receipts of the institution are hereby appropriated for maintenance expenditures, pursuant to chapter 153, Laws of 1918, estimated as amounting to, ...		52,000 00
Payments under this account to be made pursuant to chapter 65, Laws of 1909, with the exception of the item for girls' dormitory, $185,000.00, which sum shall be paid from the General State Fund.		
Net amount appropriated, ...		$335,912 00

E 7. NEW JERSEY SCHOOL FOR THE DEAF.

School for Deaf.

For salaries and wages and for maintenance of the New Jersey School for the Deaf, on a basis of three hundred and fifteen pupils.

Salaries and Wages:		
Superintendent, ...	$5,000 00	
Principal, teachers and instructors, ...	100,090 00	
Other officers and employees, ...	49,370 00	
		$154,460 00
Materials and Supplies:		
Food (for this purpose only), ...	$41,000 00	
Clothing, ...	2,000 00	
Fuel, light and power (for this purpose only), ...	20,000 00	
Household supplies, ...	7,000 00	
Industrial shops, ...	3,500 00	
School supplies, ...	3,500 00	
Medical and surgical supplies, ...	600 00	
Printing and office supplies,	500 00	
Sundry supplies, ...	1,000 00	
Paper and supplies for catalogue magazine, et cetera,	2,500 00	
Vehicular transportation supplies, ...	1,000 00	
		82,600 00
Current repairs, ...		6,500 00
Miscellaneous:		
Traveling expenses, ...	$400 00	
Postage, ...	450 00	
Telephone and telegraph, .	1,500 00	
Insurance (for this purpose only), ...	6,000 00	

Medical and surgical fees, .	125 00	
Entertainment, ...	500 00	
Expressage, ...	200 00	
Cartage, ...	100 00	
Children's carfare, ...	350 00	
Religious instruction, ...	500 00	
Rental of swimming pool,	185 00	
		10,310 00
Additions and Improvements:		
Lumber for furniture for boys' and girls' cottages,	$3,000 00	
Labor and materials for summer work, ...	4,000 00	
Automobile exchange, ...	1,700 00	
Farm machinery, ...	1,800 00	
Exhaust system for Industrial Building, ...	2,250 00	
Water softener for laundry and boilers, ...	835 00	
Stock of electrical, plumbing and heating supplies,	1,000 00	
Typewriter repair equipment, ...	500 00	
Maintaining the Old School for the Deaf, ...	2,000 00	
		17,085 00
New Buildings:		
Grading roads, planting, etc., ...	$6,500 00	
Fertilizer, seeds, etc., ...	500 00	
		7,000 00
Appropriation, including estimated receipts, ...		$277,955 00
The receipts of the institution are hereby appropriated for maintenance expenditures, pursuant to chapter 153, Laws of 1918, estimated as amounting to, ...		10,000 00

Payments under this account to be made pursuant to chapter 65, Laws of 1909.		
Net amount appropriated, ...		$267,955 00

E 8. STATE BOARD OF EDUCATION.

Board of Education.

For salaries and expenses incurred by the Board of Education, ...		$3,000 00
Payments under this account to be made pursuant to chapter 2, Laws of 1920.		

E 9. STATE BOARD OF EXAMINERS.

Examinations.

Salaries:		
Per diem of members writing questions, marking papers, services at examinations, extra help, et cetera, ...	$500 00	
Senior clerk, ...	1,800 00	
Clerical services, ...	3,680 00	
		$5,980 00
Traveling expenses, ...		400 00
Blanks, stationery and printing, ...		500 00
Postage and incidentals, ...		750 00
Payments under this account to be made pursuant to chapter 2, Laws of 1920.		
		$7,630 00

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 six hundred students.		
Salaries and Wages:		
Principal, ...	$7,500 00	
Teachers and other employees, ...	94,080 00	
		$101,580 00

Materials and Supplies:		
Fuel, light and power, gas and water (for this purpose only),	$9,300 00	
Farm, stable and grounds supplies,	1,000 00	
Vehicular transportation supplies,	500 00	
School supplies, including furniture, library and textbooks,	12,300 00	
Blanks, stationery and printing, office supplies and equipment,	1,900 00	
Sundry supplies, including freight, express and miscellaneous,	125 00	
Laboratory and janitors' supplies,	2,500 00	
		27,625 00
Current repairs,		4,750 00
Miscellaneous Expenses:		
Traveling expenses,	$500 00	
Postage,	450 00	
Telephone and telegraph,	450 00	
Insurance (for this purpose only),	1,750 00	
Incidentals,	900 00	
		4,050 00
Practice teaching (for this purpose only), The moneys in this item appropriated to be deducted in the same manner as the moneys appropriated to normal school are required to be deducted, pursuant to chapter 65, Laws of 1909.		18,300 00
		$156,305 00

E 11. STATE NORMAL SCHOOL, MONTCLAIR.

Montclair Normal School.

For salaries and wages and for maintenance of the State Normal School, Montclair, on the basis of one thousand, one hundred students.

Salaries and Wages:		
Principal,	$6,500 00	
Principal, for additional allowance for salary in lieu of the State providing a house of residence,	1,000 00	
Teachers,	132,740 00	
Other employees,	24,675 00	
		$164,915 00
Materials and Supplies:		
Fuel, light and power (for this purpose only),	$7,900 00	
School supplies,	16,750 00	
Printing and office supplies and equipment,	3,000 00	
Sundry supplies, including freight, expressage, etc.,	400 00	
Janitors' supplies,	1,000 00	
		29,050 00
Current repairs,		9,300 00
Miscellaneous:		
Traveling expenses,	$675 00	
Postage,	525 00	
Telephone and telegraph,	550 00	
Incidentals,	800 00	
Insurance (for this purpose only),	1,350 00	
Extension teaching—expenses, traveling and incidentals,	1,000 00	
		4,900 00

Practice teaching (for this purpose only), ...	$22,130 00	
Practice teaching, traveling expenses, ...	1,850 00	
		23,980 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 thirtieth, one thousand nine hundred and twenty-eight, shall be held in trust in the State treasury, subject to the provisions of chapter 58, of the Laws of 1910.

New Buildings:

Equipment for dormitory under construction, ...	$25,000 00	
Demonstration School, ..	240,000 00	
		265,000 00

Payments under this account to be made pursuant to chapter 65, Laws of 1909, with the exception of the item for Demonstration School, $240,000.00, which sum shall be paid from the General State Fund.

$497,145 00

E 12. STATE NORMAL SCHOOL, NEWARK.

Newark Normal School.

For salaries and wages, and for maintenance of the State Normal School, Newark, on the basis of one thousand two hundred and fifty students.

Salaries and Wages:		
Principal, ...	$6,500 00	
For principal, for additional allowance for salary in lieu of the State providing a house of residence,	1,000 00	
Teachers and others, ...	131,675 00	
Other employees, ...	12,780 00	
		$151,955 00
Materials and Supplies:		
Fuel, light and power (for this purpose only), ...	$4,800 00	
School supplies, ...	10,600 00	
Printing and office supplies,	1,900 00	
Janitors' supplies, ...	1,500 00	
Grounds, ...	200 00	
		19,000 00
Current repairs, ...		7,950 00
Miscellaneous:		
Traveling expenses, ...	$450 00	
Postage, ...	500 00	
Telephone and telegraph,	450 00	
Incidentals, ...	2,370 00	
		3,770 00
Practice teaching (for this purpose only), ...	$40,900 00	
Practice teaching, traveling expenses, ...	1,700 00	
		42,600 00
Payments under this account to be made pursuant to chapter 2, Laws of 1920.		
		$225,275 00

E 13. STATE NORMAL SCHOOL, TRENTON.

Trenton Normal School. For salaries and wages, and for the maintenance of the State Normal School, Trenton, on the basis of one

thousand four hundred and seventy-five students.

Salaries and Wages:		
Principal, ...	$6,500 00	
Business manager, ...	4,000 00	
Teachers, ...	165,875 00	
Other employees, ...	30,586 00	
		$206,961 00
Materials and Supplies:		
Fuel, light and power (for this purpose only), ...	$16,300 00	
School supplies, ...	10,500 00	
Printing and office supplies,	2,000 00	
Sundry supplies (including freight, express and miscellaneous), ...	600 00	
Janitors' supplies, ...	1,000 00	
Library and textbooks, ...	4,000 00	
		34,400 00
Current repairs, Normal School and Boarding Hall, ...		21,000 00
Miscellaneous:		
Traveling expenses, ...	$350 00	
Postage, ...	600 00	
Telephone and telegraph, .	900 00	
Insurance (for this purpose only), ...	3,298 50	
Incidentals, ...	400 00	
Extension teaching traveling expenses, ...	700 00	
		6,248 50
Practice teaching (for this purpose only),		6,300 00
Instructors to assist in supervision, ...		5,500 00
Traveling expenses, practice teaching, ..		1,500 00
Additions and Improvements:		
Electric wiring, ...		5,000 00

New Buildings:

Purchase of a site and the preparation plans, ...	95,000 00

For the expenses of maintenance of the boarding halls there is hereby appropriated all the receipts therefrom pursuant to the provisions of chapter 58, Laws of 1910, and all receipts from the said boarding halls for the current fiscal year that may not have been disbursed on or before June 30th, 1928, shall be held in trust in the State treasury, subject to the provisions of chapter 58, Laws of 1910.

All receipts from proceeds of sales of the lunch room are hereby reappropriated for the uses of said lunch room.

Payments under this account to be made pursuant to chapter 65, Laws of 1909, with the exception of the item for purchase of a site, $95,000.00, which sum shall be paid from the General State Fund.

$381,909 50

E 14. STATE NORMAL SCHOOL, PATERSON.

Paterson Normal School.

For salaries and wages, and for the maintenance of the State Normal School, Paterson, on the basis of five hundred and seventy-two students, pursuant to the provisions of chapter 125, Laws of 1921, and chapter 52, Laws of 1923.

Salaries and Wages:

Principal, ...	$6,500 00
For principal, for additional allowance for salary in lieu of the State providing a house of residence, ...	1,000 00

Teachers, ...	45,000 00	
Other employees, ...	5,040 00	
		$57,540 00
Materials and Supplies:		
School supplies, including equipment, ...	$4,200 00	
Printing and office supplies,	1,220 00	
Sundry supplies, including freight, express and miscellaneous, ...	150 00	
Janitors' supplies, ...	500 00	
Library and textbooks, ..	3,700 00	
		9,770 00
Miscellaneous:		
Traveling expenses, including traveling for practice teaching, ...	$550 00	
Postage, ...	240 00	
Telephone and telegraph, .	180 00	
Incidentals, ...	270 00	
		1,240 00
Practice teaching (for this purpose only),		17,850 00
Instructors to assist in supervision, ...		4,500 00
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.		
		$90,900 00

E 15. SUMMER COURSES IN AGRICULTURE.

Summer schools.

For the expenses of instructors and employees, and for printing, postage and other incidental expenses for summer schools, for the purpose of carrying out the provisions of chapter 310, Laws of 1913, payments to be made as provided by chapter 2, Laws of 1920, ...	$35,000 00

E 16. TEACHERS' INSTITUTES.

Institutes.

Expenses for teachers' institutes, ... $4,600 00
Payments under this account to be made pursuant to chapter 2, Laws of 1920.

E 17. TEACHERS' LIBRARIES.

Teachers' libraries.

Establishment and maintenance of libraries for use of teachers, ... $400 00
Payments under this account to be made pursuant to chapter 2, Laws of 1920.

E 18. TEACHERS' RETIREMENT FUND—PENSION AND ANNUITY FUND.

Retirement fund.

State Treasurer, for expenses incurred in connection with the fund, pursuant to chapter 80, Laws of 1919.

Salaries of clerks, ...	$5,160 00	
Blanks, stationery, printing and incidentals, ...	250 00	
		$5,410 00

Payments under this account to be made pursuant to chapter 2, Laws of 1920.

E 19. 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 provisions of chapter 294 of the Laws of 1913, which authorized State aid for vocational schools, .. $252,437 50

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, ...	33,978 23
State supervision, ...	1,000 00
State supervision of vocational schools, ..	6,000 00
Payments under this account to be made pursuant to chapter 2, Laws of 1920.	
	$293,415 73

E 20. STATE NORMAL SCHOOL, JERSEY CITY.

Jersey City Normal School.

For salaries and wages, and for the maintenance of the State Normal School, Jersey City, on the basis of five hundred fifteen students for half of the fiscal year ending June 30th, 1929, ...		$30,625 00
Additions and Improvements:		
Grading and improvement of grounds, ...	$5,000 00	
Equipment of first unit of building now under construction, ...	50,000 00	
		55,000 00
New Buildings:		
Completion of normal school building, ...		525,000 00
Payments under this account to be made from the General State Fund.		
		$610,625 00

F. AGRICULTURAL.

F 1. AGRICULTURAL EXPERIMENT STATION.

Experiment station.

For salaries and wages and for the expenses of maintenance and operation

of the New Jersey Agricultural Experiment Station at New Brunswick, and its authorized activities, ...	$125,880 00
Printing bulletins and circulars, ...	16,450 00
Printing Annual Report, ...	2,500 00
Abolishing mosquito-breeding, pursuant to chapter 134, Laws of 1906, and chapter 104, Laws of 1912, and investigations incident thereto, ...	19,580 00
Investigation of oyster propagation pursuant to chapter 187, Laws of 1907, ...	5,900 00
Department of Poultry Husbandry, pursuant to chapter 52, Laws of 1911, and chapter 18, Laws of 1923, including poultry specialists for South Jersey, ..	25,000 00
Seed inspection, pursuant to chapter 228, Laws of 1916, ...	9,600 00
Experimental work in vegetable production, ...	3,000 00
Insecticide inspection, pursuant to chapter 89, Laws of 1912, ...	1,000 00
Farm demonstration, pursuant to the provisions of chapter 364, Laws of 1913, and other agricultural extension work,	104,300 00
Cranberry and blueberry investigation, ..	10,000 00
Egg-laying and breeding tests, pursuant to the provisions of chapter 16, Laws of 1916, and chapter 35, Laws of 1920,	10,000 00
For experimental work in growing white potatoes, sweet potatoes and tomatoes,	15,600 00
Legume inoculation inspection, ...	2,000 00
Poultry exhibitions and premiums, pursuant to chapter 201, Laws of 1920, ...	6,500 00
Sewage investigation, pursuant to chapter 126, P. L. 1920, ...	14,000 00
For the purpose of carrying into effect the provisions of chapter 75, Laws of 1920, creamery inspection, ...	3,000 00
Investigation of root rot of peas, ...	3,500 00
Investigation of bee husbandry, ...	4,000 00
Investigations of diseases of ornamental plants, and nursery stock, ...	6,000 00

Experimental work in vegetable production in North Jersey, ...	2,500 00
Combating the Oriental peach moth, and Japanese Serica Investigations, ...	10,860 00
Experimental work with small fruits, ...	3,500 00
Books and binding, ...	1,800 00
Extraordinary repairs to greenhouses, ..	1,000 00
Spray residue investigations, ...	10,000 00
Pepper maggot investigations, ...	5,000 00
Additional farm equipment, ...	1,000 00
Repairs to New Jersey Hall and exchange of automobiles, ...	4,300 00
All fees and receipts of the Experiment Station are hereby appropriated for the uses of the station.	
	$427,770 00

F 2. DEPARTMENT OF AGRICULTURE.

Department of Agriculture.

Salaries:		
Secretary, ...	$7,500 00	
Chief, Animal Industry Bureau, ...	5,500 00	
Chief, Land and Markets Bureau, ...	4,000 00	
Chief, Bureau of Statistics and Inspection, ...	4,500 00	
Compensation for scientific and clerical services, ...	131,540 00	
		$153,040 00
Traveling expenses, ...		36,000 00
Blanks, stationery and printing, ...		7,500 00
Office supplies and equipment, ...		3,000 00
Sundry supplies, ...		500 00
Incidentals, ...		500 00
Telephone and telegraph, ...		3,000 00
Miscellaneous:		
Appraisement of and indemnification for condemned cattle, ...	$100,000 00	

Hog cholera extermination,	5,000 00	
Extermination of Japanese beetle,	80,000 00	
Medical and surgical supplies,	8,500 00	
Exhibits, halls, judging, et cetera,	4,000 00	
For the purpose of apportioning and paying to the county boards of agriculture of the State, in its discretion, sums of money to be devoted by said county boards to the collection of and reporting to the State Board crop and other agricultural statistics and for educational purposes,	1,000 00	
Gypsy moth extermination,	80,000 00	
Expenses of carrying out provisions of chapter 74, Laws of 1917,	1,000 00	
To eradicate poultry disease, pursuant to chapter 59, Laws of 1925,	8,000 00	
Maintenance of veterinary laboratory,	10,500 00	
		298,000 00
All fees and receipts received pursuant to chapter 83, Laws of 1921, are hereby appropriated for the purpose of carrying out the provisions of said chapter.		
		$501,540 00

F 3. STATE HORTICULTURAL SOCIETY.

For salaries and for the expenses of the New Jersey State Horticultural Society, pursuant to chapter 141, Laws of 1911, ...		$4,500 00

Horticulture.

G. MILITARY.

G 1. ADJUTANT-GENERAL'S DEPARTMENT.

Salaries:		
Adjutant-General, ...	$6,000 00	
Deputy Adjutant-General,	5,000 00	
Clerical services, ...	11,400 00	
Record Division, ...	12,860 00	
		$35,260 00
Blanks, stationery and printing, ...		2,500 00
Incidentals, ...		2,000 00
Telephone and telegraph, ...		375 00
		$40,135 00

G 2. NATIONAL GUARD.

Maintenance of Organizations.

Allowance for Division Headquarters, ...	$19,000 00	
Allowance for brigade, regimental and battalion headquarters, infantry, cavalry, artillery, engineers and medical (2 brigades), ...	16,000 00	
Allowance to companies of infantry, thirty-eight (38) at $250.00 each, ...	9,500 00	
Allowance to eight (8) troops of cavalry at $3,000.00 each, ...	24,000 00	

National Guard.

Allowance to eight (8) batteries of light field artillery at $2,000.00 each, ...	16,000 00	
Allowance to seven (7) companies of engineers at $1,500.00 each, ...	10,500 00	
Allowance to one (1) divisional signal corps company, ...	1,500 00	
Allowance to one (1) field hospital, two (2) ambulance companies, and one (1) sanitary company	1,800 00	
Caretaker of military equipment, signal corps, ...	1,320 00	
Caretakers for drill halls at Hoboken, Woodbury, Flemington and Jersey City,, ...	2,520 00	
Allowance for Division Headquarters special troops, ...	5,000 00	
Allowance for State Staff Corps and departments, ..	2,780 00	
		$109,920 00

Maintenance of Armories, Arsenals and Camp Grounds.

Armories and camp ground.

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, Hoboken, Woodbury, Flemington, Plainfield, Jersey City, Newark and Orange,	$12,228 00	
State camp grounds, salaries, wages and maintenance, including moving of Trenton arsenal to Sea Girt and maintenance thereof, ...	30,000 00	

Regimental armories at Jersey City, Paterson, Trenton, Englewood, and two at Newark and Camden, maintenance, ...	80,000 00	
Troop, battery and battalion armories at East Orange, Camden, Elizabeth, Red Bank, Orange, Westfield, Passaic, Atlantic City and Trenton, maintenance, ...	68,000 00	
Company armories at Somerville, Hackensack, Bridgeton, Asbury Park, New Brunswick, Morristown, Mount Holly, Burlington, Salem and Dumont, maintenance, ...	30,000 00	
Insurance (for this purpose only), ...	17,407 68	
For rent of drill hall for headquarters and machine-gun troops, cavalry, Newark, ..	2,000 00	
Automobile maintenance, including purchase of Governor's car, ...	6,200 00	
For rent of stables for the accommodation of horses issued Divisional Corps Company, Orange, ...	1,000 00	
Salary and expenses of building inspector, ...	4,500 00	
		251,335 68

Army Instruction and Field Training.

Military instruction.

Transportation and expenses for battalion drills, inspection, parades and pay and expenses of inspecting officers, et cetera, ...	$10,000 00	

Compensation of officers and employees and expenses incurred in connection with rifle practice, ...	15,000 00	
For pay of caretakers and mechanics for motorized and mounted organizations, ...	3,600 00	
Salary of clerk to senior inspector-instructor, ...	1,320 00	
Compensation of officers and enlisted men and expenses in connection with annual encampment, ...	75,000 00	
Pay and expenses of New Jersey State Rifle Team, ...	5,000 00	
Traveling expenses, inspector-instructors, ...	1,500 00	
Attendance of national guard officers at conference and conventions, and for pay of contract surgeons, ...	1,000 00	
		112,420 00

General Maintenance Expenses.

Military stores.

Ordinance stores, uniforms, clothing, camp and garrison equipage, freight, expressage and miscellaneous supplies, ...	$10,000 00	
Purchase of automobiles, ...	5,000 00	
Military boards and courts-martial expenses, ...	500 00	
Transportation of disabled soldiers of the late Rebellion and the Spanish-American War, and World War,	30 00	
		15,530 00

Armory Construction.

Renovations, repairs and additions to twenty-one armories, ...	$50,000 00		Building armories.
Furnishings for twenty-one armories, ...	10,000 00		
Addition to 102d Cavalry Armory, Newark, ...	100,000 00		
The Military Board is hereby authorized to enter into contract for the erection of said armory in a sum not to exceed $150,000.00.			
Constructing and equipping an armory in the city of Woodbury, county of Gloucester, pursuant to chapter 18, Laws of 1928, ...	75,000 00		
		235,000 00	

General Construction.

Installation of equipment in new arsenal, and construction of fence around arsenal area, ...	$7,500 00		Arsenal.
Installation of sprinkler system in new arsenal at Sea Girt, ...	6,000 00		
		13,500 00	
		$737,705 68	

G 3. NAVAL MILITIA RESERVE.

Brigade headquarters, ...		$300 00	Naval reserve.

First Battalion.

Allowance for miscellaneous expenses in lieu of company allowances, ...	1,000 00	
Allowance for battalion headquarters, ...	300 00	

Second Battalion.

Allowance for miscellaneous expenses in lieu of company allowances, ...	1,000 00
Allowance for battalion headquarters, ...	300 00

Third Battalion.

Allowances for miscellaneous expenses in lieu of company allowances, ...	1,000 00
Allowances for battalion headquarters, ..	300 00
For pay, expenses, et cetera, of officers and enlisted men on annual cruise and practice cruises, ...	4,500 00
Pay of shipkeepers, maintenance and general expenses, ...	9,500 00

Armory Construction.

Construction of Armory at Perth Amboy, pursuant to chapter 292, Laws of 1927,	50,000 00
The Military Board is hereby authorized to enter into contract for the erection of said armory in a sum not to exceed $80,000.00.	
	$68,200 00

§ 4. QUARTERMASTER-GENERAL'S DEPARTMENT.

Quartermaster-General's office.

Salaries:

Quartermaster-General, ..	$6,000 00
Chief, Q. M. C., property and disbursing officer, ..	5,000 00
Assistant Chief, Q. M. C., property and disbursing officer, ...	4,500 00
Chief clerk, finance department, ...	3,600 00
Chief clerk, property department, ...	3,600 00

Compensation of other assistants (including payment of annual salary to engineer for National Guard construction and repair of buildings and mechanical installations, to be appointed from the engineer officers of the 104th Engineer Regiment, at the rate of $4,000.00 per annum), ...	13,820 00	
		$36,520 00
Blanks, stationery and printing, ...		500 00
Incidentals, ...		650 00
		$37,670 00

G 5. SEA GIRT COTTAGE.

For maintenance of cottage at Sea Girt and entertainment therein, ...	$15,000 00	Governor's cottage.

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, and chapters 107 and 358, Laws of 1920, ...	$14,000 00	Pension for judges.

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 depart-		Sundry pensions.

ment of the public service from which the pensioner shall be so retired, ...		$44,000 00

H 3. STATE EMPLOYEES' RETIREMENT SYSTEM.

State employees' pension fund.

Expenses in carrying into effect the provisions of chapter 109, Laws of 1921.		
Salaries:		
Secretary, ...	$4,000 00	
Compensation for assistants, ...	8,840 00	
		$12,840 00
Materials and Supplies:		
Blanks, stationery and printing, ...	$1,100 00	
Telephone and telegraph, .	100 00	
Office supplies and equipment, ...	850 00	
Traveling expenses, ...	50 00	
		2,100 00
To the Treasurer of the State of New Jersey, custodian for Contingent Reserve Fund, created by section six, chapter 109, Laws of 1921, ...		89,871 00
Contributions on account of members' service, ...		166,880 00
		$271,691 00

H 4. ANNUITY FOR WIDOWS OF GOVERNORS.

Annuity.

Annuity for widow of Governor of New Jersey, pursuant to Chapter 178, Laws of 1920, ...	$2,500 00

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
Maintenance of free bridges now or to become State property, including improvements, ...	150,000 00
Acquisition of toll bridges, pursuant to chapter 297, Laws of 1912, and the acts amendatory thereof and supplemental thereto, the sum of, ...	100,000 00

The Comptroller of the Treasury is hereby authorized and empowered to deduct said sum from the receipts of the Department of Motor Vehicles.

All moneys received from any source whatsoever, whether from the operation of bridges or from the State of Pennsylvania, as reimbursed for its proportion of maintenance of said bridges, is hereby appropriated to the said commission to be used by them for maintenance of bridges and the payment to the State of Pennsylvania of their proportion of the earnings of said bridges.

Amount appropriated for maintenance, including improvements of free bridges to be deducted from the receipts of the Motor Vehicle Department, pursuant to chapter 106, Laws of 1922. $251,000 00

J 2. COMMISSIONERS TO "THE PORT AUTHORITY" ESTABLISHED BY THE AGREEMENT OR COMPACT BETWEEN THE STATES OF NEW YORK AND NEW JERSEY WITHIN THE "PORT OF NEW YORK DISTRICT."

Port development.

Expenses of the New Jersey Commissioners to "The Port Authority" established by the agreement or compact between

the States of New York and New Jersey within the "Port of New York District," pursuant to chapter 9, Laws of 1922, ...	$100,000 00
Carrying out the provisions of chapter 6, Laws of 1926 (Hudson River Bridge),	1,000,000 00
Carrying out the provisions of chapter 37, Laws of 1925 (Arthur Kill Bridges), ...	400,000 00
Advance in aid of construction of Bayonne-Port Richmond Bridge, as provided by chapter 3, Laws of 1927, ...	400,000 00
Any unexpected balance on the thirtieth day of June, one thousand nine hundred and twenty-eight, of the appropriation for carrying out the provisions of chapter 41, Laws of 1925, is hereby reappropriated. (Hudson River Bridge.)	
Any unexpended balance on the thirtieth day of June, one thousand nine hundred and twenty-eight, for the Bayonne-Port Richmond bridge pursuant to chapter 97, of the Laws of 1925, is hereby reappropriated.	
	$1,900,000.00

J 3. STATE HIGHWAY COMMISSION.

Roads.

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.	

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 4. NORTH JERSEY TRANSIT COMMISSION.

Rapid transit.

For expenses of the commission appointed to carry on the work of the North Jersey Transit Commission, pursuant to chapter 157, Laws of 1926, ... $40,000 00

J 5. PORT RARITAN DISTRICT COMMISSION.

Port Raritan.

Carrying out the provisions of chapter 337, Laws of 1926, creating the Port Raritan District Commission, ... $35,000 00

Straightening of South River, Middlesex County, pursuant to chapter 31, Laws of 1927, ... 75,000 00

$110,000 00

J 6. SOUTH JERSEY PORT COMMISSION.

South Jersey Port Commission.

For the purpose of carrying out the provisions of chapter 336, Laws of 1926, $50,000 00

There is hereby appropriated the undisbursed balance on the 30th day of June, 1928, of the appropriation made to the South Jersey Port Commission, in accordance with the provisions of chapter 336, Laws of 1926.

Carrying out the provisions of chapter 152, Laws of 1927 (Big Timber Creek), ...		25,000 00
		$75,000 00

J 7. INTERSTATE BRIDGE AND TUNNEL COMMISSION.

Holland tunnel.

There is hereby appropriated to the Interstate Bridge and Tunnel Commission, from the receipts of New York and New Jersey Tunnel, a sum not in excess of three hundred and fifty thousand dollars ($350,000.00), which shall be disbursed by the Comptroller of the Treasury, for payment of damages or other claims for lands taken in the construction of said tunnel, as and when the said amounts are certified to the said Comptroller for payment.

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, ... $75 00

K 2. COMMISSIONERS OF PALISADES INTERSTATE PARK.

Palisades Park.

Expenses of commissioners in the operation of the Palisades Interstate Park, $96,819 50

Additions and Improvements:

Dock repairs, ...	10,000 00
Development of Women's Federation Park, ...	2,500 00
Recreation Grounds, Alpine, ...	5,000 00

New construction equipment, ...	6,000 00	
Tourists camp, streets, shelter and water supply, ..	4,000 00	
		27,500 00
New Buildings:		
Administration buildings, developing grounds and road at Junction with Route 18, ...	$15,000 00	
Comfort stations, ...	5,000 00	
		20,000 00
		$144,319 50

K 3. MONMOUTH BATTLE MONUMENT.

Freehold monument.

For the commission having in charge the Monmouth Battle Monument and grounds, pursuant to chapter 97, Laws of 1916, for maintenance, ... $1,000 00

K 4. OLD BARRACKS ASSOCIATION.

Old Barracks.

For the Old Barracks Association of Trenton, New Jersey, for maintenance and administration of the Old Barracks, at Trenton, as a historical landmark and repository, ... $3,500 00

K 5. RED BANK BATTLE MONUMENT.

Red Bank monument.

To the board of chosen freeholders of the county of Gloucester, for the purpose of aiding in the care and supervision of the Red Bank Battle Monument in said county, and in the maintenance of the grounds upon which the same is located with which they are charged by the provisions of chapter 79, Laws of 1905, .. $1,500 00

K 6. REFUND OF RAILROAD TAX.

Refund of tax overpaid by railroads.

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 payments shall be deducted from the amount originally paid into and remaining undistributed in the treasury of the State, and the amount of money necessary for such purpose as ascertained is hereby appropriated.

K 7. REFUNDING TAXES ON MISCELLANEOUS CORPORATIONS.

Refund of miscellaneous taxes.

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 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 8. REHABILITATION COMMISSION.

Rehabilitation.

For the purpose of carrying into effect the provisions of chapter 74, Laws of 1919, including vocational training, .. $98,000 00

All receipts of the Rehabilitation Commission are hereby appropriated for the uses of said commission, including fees collected by clinics, not in excess of twenty thousand dollars.

K 9. PUBLIC LIBRARY COMMISSION.

Library commission.

Salaries:		
Secretary,	$600 00	
Librarian and organizer,	4,500 00	
Assistant librarian,	2,420 00	
Other employees,	10,020 00	
		$17,540 00
Traveling expenses,		3,000 00
Blanks, stationery and printing, incidentals, including traveling library cases,		2,000 00
Miscellaneous:		
Operating materials and supplies, books and pamphlets,	$38,000 00	
Formation and aid of school libraries, chapter 186, P. L. 1914,	15,000 00	
Donation to libraries, chapter 62, P. L. 1900,	400 00	
Express,	1,800 00	
Telephone and telegraph,	240 00	
		55,440 00
		$77,980 00

K 10. STATE LIBRARY.

State library.

Salaries:		
Librarian,	$5,000 00	
Law Librarian,	3,000 00	
Reference Librarian,	2,580 00	
Clerical services and messenger,	5,340 00	
		$15,920 00

Materials and Supplies:		
Repair, preservation and purchase of useful books, periodicals, newspapers and other publications, .	$5,000 00	
Blanks, stationery and printing, ...	350 00	
		5,350 00
Miscellaneous:		
Expense of Librarian or representative to national convention, ...	$100 00	
Incidentals, ...	300 00	
Legislative reference department, ...	600 00	
		1,000 00
		$22,270 00

K 11. TRENTON BATTLE MONUMENT.

Trenton monument.

For the State House Commission for the purpose of keeping the Trenton Battle Monument and grounds in good condition and repair, ... $1,250 00

All receipts of the monument are hereby appropriated for the use of the commission in addition to the above sum.

K 12. WASHINGTON ASSOCIATION OF NEW JERSEY.

Morristown headquarters.

For the trustees of the Washington Association of New Jersey, pursuant to chapter 309, Laws of 1874, ... $2,500 00

K 13. WASHINGTON ROCK PARK ASSOCIATION.

Washington Rock park.

For insurance, improvement and maintenance of Washington Rock park, including incidentals, ... $1,500 00

K 14. NEW JERSEY GRAND ARMY OF THE REPUBLIC.

Publishing G. A. R. proceedings.

To provide assistance to the Department of New Jersey, Grand Army of the Republic, pursuant to chapter 156, Laws of 1921, ... $1,000 00

K 15. PUBLIC RECORD OFFICE.

Record office.

Salary of director, clerical services, traveling and other necessary and incidental expenses, pursuant to chapter 46, Laws of 1920, ... $8,500 00

K 16. PRINCETON BATTLE MONUMENT.

Princeton monument.

For the Princeton Battle Monument Association, for the care and maintenance of the Princeton Battle Monument and grounds, pursuant to chapter 78, Laws of 1923, ... $600 00

K 17. UNCLAIMED WAGES.

Unclaimed wages.

The Comptroller is hereby authorized to pay from this fund any claim for unclaimed wages, properly approved.

K 18. COMMISSIONERS OF HIGH POINT PARK.

High Point park.

For expenses incurred by the commission appointed pursuant to the provisions of chapter 36, Laws of 1923:

Labor, mechanics' wages, salaries, ...	$35,000 00
New equipment, ...	5,000 00
Road extension, ...	5,000 00
Building three camps, ...	1,000 00
Bath house extensions, ...	1,000 00
Water extensions, ...	1,500 00
Piping, toilets, sewage, etc., ...	5,000 00
Booklets and printing, ...	250 00

Building repairs, ...	2,000 00
General maintenance, ...	15,000 00
	$70,750 00

K 19. NEW JERSEY ARCHIVES.

Archives.

Expenses incurred in printing the New Jersey Archives, ... 2,000 00

K 20. WALT WHITMAN HOUSE, CAMDEN.

Whitman house.

For maintenance of the Walt Whitman House at Camden, pursuant to provisions of Joint Resolution No. 6, Laws of 1925, ... $500 00

K 21. COMMISSION TO PURCHASE THE OLD STEUBEN HOME.

Von Steuben house.

There is hereby appropriated the undisbursed balance on the 30th day of June, 1928, of the appropriation made for expenses of the commission appointed to purchase the old Steuben Home, pursuant to chapter 15, Laws of 1926.

K 22. COMMISSION TO INVESTIGATE CRIPPLED CHILDREN.

Crippled children.

Carrying out the provisions of chapter 188, Laws of 1926, and supplements, $2,000 00

L. STATE EMERGENCY FUND.

L 1. STATE EMERGENCY FUND.

Emergencies.

For the Governor, the State Treasurer, and the State Comptroller, ex-officio, constituting the State House Commission, to meet any condition of emergency until legislation appropriate therefor shall be enacted, the sum of, ...'. $200,000 00

Provided, however, that all disbursements therefrom shall be made only upon the written authority of each and all of the officials recited herein. Proviso.

X. Institutions and Agencies.

x 1. Department of institutions and agencies.

Institutions and agencies.

Salaries:		
Commissioner,	$12,000 00	
Assistant Attorney-General,	5,500 00	
Director of Industry, Administration and Statistics,	4,000 00	
Supervising steward,	6,000 00	
Director of Inspections,	6,000 00	
Director, Division of Medicine,	7,500 00	
Supervising Accountant,	3,600 00	
State adjusters and collectors (2),	6,600 00	
Farm Supervisor,	3,300 00	
Assistant farm supervisor,	2,400 00	
Other officers and employees,	39,890 00	
		$96,790 00
Traveling expenses,		8,000 00
Blanks, stationery and printing,		2,500 00
Incidentals,		1,500 00
Miscellaneous:		
Vehicular transportation supplies,	$3,500 00	
Deporting aliens and non-residents,	2,200 00	
Furniture and fixtures, office supplies and equipment,	900 00	
For printing and distributing the proceedings of the Annual Conference		

	of the New Jersey Conference for Social Welfare, ...	600 00	
	Telephone and telegraph, .	1,200 00	
	Exchange of two automobiles, ...	1,600 00	
			10,000 00

Central Parole Bureau.

Parole bureau.

	Salaries:		
	Director, parole and domestic relations, ...	$6,000 00	
	Assistant director, parole and domestic relations, .	3,720 00	
	Parole officers, ...	43,740 00	
	Other employees, ...	13,680 00	
			67,140 00
	Traveling expenses, ...		11,500 00
	Blanks, stationery and printing, ...		1,000 00
	Office supplies, ...		200 00
	Vehicular transportation supplies, ...		2,000 00
	Telephone and telegraph, ...		500 00
	Furniture and equipment, ...		300 00
	Exchange of 3 Ford cars, ...		1,350 00

Industrial Supervision.

Industrial supervision.

	Salaries:		
	Director institutional industries, ...	$6,500 00	
	Assistant director of industries, ...	3,500 00	
	Clerical services and other employees, ...	14,060 00	
			24,060 00
	Traveling expenses, ...		500 00
	Materials, supplies and miscellaneous expenses, ...		500 00

Division of Architecture and Construction

Building operations.

	Salaries and expenses of Division of Architecture and Construction, ...	$32,580 00	

Telephone and telegraph, ..	1,000 00	
Traveling expenses, ...	2,500 00	
Typographical survey (chapter 132, Laws of 1924, section 123 B), ...	10,000 00	
Exchange of automobile (Buick), ...	1,500 00	
		47,580 00

Salary list.

It is hereby provided that the salary of the Director of the Division of Architecture and Construction shall be $7,000.00, and that the following employees shall be paid at the rates fixed by the Civil Service Commission for their positions during the time they are actually engaged in the work of the division, as follows: Assistant director and civil engineer, $5,000.00; chief mechanical engineer (mechanical power and repairs supervisor), $4,620.00; mechanical engineer, $4,200.00; chief draftsman, $4,000.00; chief architect and designer, $4,800.00; senior architectural draftsman, $3,600.00; senior draftsmen (2), $6,600.00; architectural draftsman (11), $29,790.00; junior architectural draftsman, $2,000.00; construction manager, $4,000.00; superintendents of building construction (12), $40,860.00; civil engineer draftsmen (2), $5,040.00; mechanical draftsman, $3,000.00; specification writer, $3,500.00; assistant civil engineer, $2,760.00; one construction superintendent for current repairs, $4,000.00; other employees, $8,760.00; printing and office supplies, $8,500.00; traveling expenses, $7,000.00; blue printing, $4,000.00; incidentals, $7,000.00; telephone and telegraph, $1,000.00; instruments and equipment, $1,200.00; ve-

hicular transportation supplies, $4,-100.00; photographical material, $1,-250.00.

State Use Funds.

Working capital fund.

For the State Use Revolving Fund there is hereby appropriated the unexpended balance of the fund now known as the "State Use Working Capital Fund," and in accordance with the provisions of section 709, chapter 147, of the Laws of 1918, all receipts when received derived from State use production will be credited to the State Use Revolving Fund.

Appropriation from 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:

At State Prison, ...	$10,000 00
At Rahway Reformatory,	5,000 00
At State Institution for Feeble-Minded, Vineland, ...	1,000 00
At State Home for Girls,	500 00
At Colony for Feeble-Minded Males, New Lisbon, ...	500 00
New 5-ton truck (prison),	6,950 00
Exchange of passenger car,	1,245 00
Tire and tube industry, ..	1,400 00
Mattress industry, ...	2,000 00
	$28,595 00

There is hereby appropriated on the thirtieth day of June, one thousand

nine hundred and twenty-eight, the undisbursed balance of the following appropriations for the extension of State use industries:

At State Prison:
Print shop, X-1-RR,
Clothing training school and industry, X-1-SS,
Sheet metal school and industry, X-1-TT,
Woodworking school and industry, X-1-UU,
Furniture and upholstery industry, X-1-VV.

At Rahway Reformatory:
Printing school and industry, X-1-WW,
Woodworking school and industry, X-1-XX.

At State Institution for Feeble-Minded:
Knitting industry, X-1-YY.

At State Home for Girls:
Clothing industry, X-1-ZZ. $275,420 00

X 2. COLONIES FOR FEEBLE-MINDED MALES, NEW LISBON.

Feeble-minded males.

For salaries and wages, and for maintenance of the Colonies of Feeble-minded Males, on the basis of five hundred inmates.

Salaries and Wages:

Superintendent, ...	$3,500 00	
Other officers and employees, ...	66,190 00	
		$69,690 00

Materials and Supplies:		
Food (for this purpose only),	$37,500 00	
Clothing,	12,000 00	
Fuel, light and power (for this purpose only),	13,250 00	
Household supplies,	6,500 00	
Farm, stable and grounds supplies,	11,300 00	
Industrial shops,	2,000 00	
Medical and surgical supplies,	2,000 00	
Printing and office supplies,	800 00	
School supplies,	550 00	
Sundry supplies,	250 00	
Vehicular transportation supplies,	2,500 00	
Tobacco,	650 00	
		89,300 00
Current repairs,		4,000 00
Miscellaneous:		
Traveling expenses,	$850 00	
Telephone and telegraph,	1,250 00	
Medical and surgical fees,	1,500 00	
Postage,	300 00	
Insurance (for this purpose only),	3,000 00	
Amusements,	850 00	
Freight,	400 00	
		8,150 00
Additions and Improvements:		
Live stock,	$1,900 00	
Addition to dairy barn and equipment,	5,000 00	
Moving and remodeling poultry and feed houses,	500 00	
Equipment for piggery,	500 00	
Reconstruction of Liberty truck,	600 00	

Cement walks, ...	500 00	
Additional laboratory and dental equipment, ...	500 00	
Shelving for store room, ..	200 00	
Floors for four bath rooms, pine and cedar cottages,	1,000 00	
Painting present water tank and tower, ...	500 00	
Lights on outside of building, ...	300 00	
Replacing motors, ...	1,000 00	
Extension of garage, ...	500 00	
New Dodge station wagon,	1,450 00	
		14,450 00
Appropriation, including estimated receipts, ...		$185,590 00
The receipts of the institution are hereby appropriated for maintenance expenditures, pursuant to chapter 153, Laws of 1918, estimated as amounting to		80,000 00
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.		
Net amount appropriated, ...		$105,590 00

X 3. COMMISSION FOR THE BLIND.

Blind.

Salaries:		
Superintendent and secretary, ...	$2,500 00	
Teachers of occupational subjects and other employees, ...	26,535 00	
		$29,035 00

Materials and Supplies:		
Household supplies, ...	$50 00	
Extension of home industries, ...	3,000 00	
Blanks, stationery and printing, ...	800 00	
Office supplies and equipment, ...	400 00	
		4,250 00
Miscellaneous Expenses:		
Traveling expenses, ...	$8,000 00	
Postage, ...	650 00	
Incidentals, ...	200 00	
Clothing, maintenance, support and instruction of blind persons, ...	25,000 00	
Higher education of the blind, ...	2,000 00	
Publicity, demonstrations, and sales, ...	800 00	
Insurance, telephone and telegraph, ...	500 00	
Light and power, ...	50 00	
Expressage, ...	1,000 00	
Entertainment for the blind, ...	75 00	
Wringer Braile press, ...	250 00	
		38,525 00

The balance to the credit of the outdoor relief—Revolving Fund—on the thirtieth day of June, one thousand nine hundred and twenty-eight, is hereby reappropriated, said sum not to exceed $5,000.00.

The balance to the credit of the Revolving Industrial Fund on the thirtieth day of June, one thousand nine hundred and twenty-eight, is hereby reappropriated

as a Revolving Industrial Fund, said sum not to exceed $1,000.00.	
	$71,810 00

X 4. COUNTY LUNATIC ASYLUMS.

County asylums.

For the support of patients in County Lunatic Asylums:		
Atlantic county,	$40,000 00	
Burlington county,	33,800 00	
Camden county,	70,500 00	
Cumberland county,	21,000 00	
Essex county,	559,500 00	
Gloucester county,	1,125 00	
Hudson county,	205,500 00	
Passaic county,	4,100 00	
Salem county,	450 00	
		$935,975 00

X 5. COUNTY TUBERCULOSIS HOSPITALS.

Tuberculosis hospitals.

For the support of patients pursuant to chapter 217, Laws of 1912, in the following county hospitals:	
Atlantic,	$11,232 00
Bergen,	42,000 00
Burlington,	15,500 00
Camden,	72,250 00
Cumberland,	3,000 00
Essex,	100,000 00
Gloucester,	3,000 00
Hudson,	60,000 00
Mercer,	22,000 00
Middlesex,	47,000 00
Monmouth,	20,000 00
Morris,	13,000 00
Passaic,	60,900 00
Salem,	3,100 00
Sussex,	1,400 00

Union, ...	80,000 00	
Warren, ...	1,000 00	
		$555,382 00

Said amounts to include payment of bills prior to current fiscal year.

X 6. FEEBLE-MINDED.

Feeble-minded.

Clothing, maintenance, support and instruction of feeble-minded, ...		$175,000 00
Less receipts, ...		10,000 00
		$165,000 00

X 7. HOME FOR DISABLED SOLDIERS, KEARNY.

Kearny soldiers' home.

For salaries and wages, and for maintenance of the Home for Disabled Soldiers, Kearny, on the basis of two hundred veterans, no part of the appropriations hereby made to be used for new admissions, excepting veterans of the Civil War.

Salaries and Wages:

Superintendent, ...	$5,000 00	
Other officers and employees, ...	43,880 00	
		$48,880 00

Materials and Supplies:

Food (for this purpose only), ...	$30,000 00
Clothing, ...	1,500 00
Fuel, light and power (for this purpose only), ...	15,350 00
Household supplies, ...	3,000 00
Farm, stable and grounds supplies, ...	800 00
Printing office supplies and equipment, ...	400 00
Sundry supplies, ...	150 00

Medical and surgical supplies,	1,200 00	
Vehicular transportation supplies,	900 00	
		53,300 00
Current repairs,		4,000 00
Miscellaneous:		
Traveling expenses,	$125 00	
Postage,	140 00	
Telephone and telegraph,	250 00	
Funeral expenses,	500 00	
Religious services,	100 00	
Entertainments,	500 00	
Freight and express,	200 00	
City water,	1,200 00	
Insurance (for this purpose only),	1,700 00	
		4,715 00
Additions and Improvements:		
Assessment for paving Belgrove Drive,	$8,000 00	
Assessment for paving Brighton Ave.,	10,000 00	
		18,000 00
Appropriation, including estimated receipts,		$128,895 00
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,		$111,895 00

X 8. HOME FOR DISABLED SOLDIERS, ET CETERA, VINELAND.

Vineland soldiers' home.

For salaries and wages, and for maintenance of the Home for Disabled Soldiers, Sailors, et cetera, Vineland, on

the basis of two hundred and thirty members.

Salaries and Wages:		
Superintendent, ...	$5,000 00	
Other officers and employees, ...	52,000 00	
		$57,000 00
Materials and Supplies:		
Food (for this purpose only), ...	$43,000 00	
Clothing, ...	3,600 00	
Fuel, light and power (for this purpose only), ...	11,000 00	
Household supplies, ...	4,200 00	
Farm, stable and ground supplies, ...	750 00	
Medical and surgical supplies, ...	650 00	
Blanks, stationery, printing and office supplies, ...	315 00	
Sundry supplies, ...	165 00	
Vehicular transportation supplies, ...	1,100 00	
Water and sewage, ...	310 00	
Extraordinary household supplies, ...	1,000 00	
		66,090 00
Current repairs, ...		6,000 00
Miscellaneous:		
Traveling expenses, ...	$600 00	
Postage, ...	80 00	
Telephone and telegraph, .	500 00	
Religious services, ...	225 00	
Amusements, ...	400 00	
Insurance (for this purpose only), ...	728 00	
Freight and express, ...	75 00	
		2,608 00

Additions and Improvements:	
New washing machine, ...	3,760 00
Appropriation, including estimated receipts, ...	$135,458 00
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, ...	$127,458 00

X 9. REFORMATORY, RAHWAY.

Rahway Reformatory

For salaries and wages and for maintenance of the Reformatory at Rahway, on the basis of six hundred and thirty-five inmates.

Salaries and Wages:		
Superintendent, ...	$6,660 00	
Deputy superintendent, ..	3,000 00	
Other officers and employees, ...	167,600 00	
		$177,260 00
Materials and Supplies:		
Food (for this purpose only), ...	$55,300 00	
Clothing, ...	19,500 00	
Fuel, light, power and water (for this purpose only), ...	28,700 00	
Household supplies, ...	8,300 00	
Farm, stable and grounds supplies, ...	11,000 00	
Industrial shops and vocational supplies, ...	2,000 00	
School supplies, ...	1,500 00	
Medical and surgical supplies, ...	1,600 00	

Blanks, stationery and printing,	1,200 00	
Office supplies,	300 00	
Office equipment,	150 00	
Sundry supplies,	150 00	
Vehicular transportation supplies,	1,800 00	
Tobacco,	2,500 00	
Library supplies,	150 00	
		134,150 00
Current repairs,		15,000 00
Miscellaneous:		
Traveling expenses,	$700 00	
Postage,	650 00	
Telephone and telegraph,	500 00	
Medical and surgical fees,	800 00	
Incidentals,	100 00	
Freight and express,	400 00	
Entertainment, athletic and recreational supplies,	700 00	
Funeral expenses,	100 00	
Rent of farm land,	300 00	
Payments to discharged inmates and recapturing escapes (for this purpose only),	3,200 00	
Insurance (for this purpose only),	8,000 00	
		15,450 00
Additions and Improvements:		
Fordson tractor,	$500 00	
Concrete mixer,	600 00	
Set of coffee urns,	1,000 00	
Steel filing cabinet,	175 00	
Repiping north wing,	1,900 00	
New lavatories,	700 00	
Drainage pit and pump,	675 00	
Double stitching machine,	175 00	
Farm drainage,	500 00	
Repairs to steam main,	1,000 00	

Water supply garden pump,	1,000 00	
Reconstruction of piggery,	5,000 00	
Garage extension, ...	1,000 00	
Exchange of automobile, .	1,500 00	
		15,725 00
Appropriation, including estimated receipts, ...		$357,585 00
The receipts of the institution are hereby appropriated for maintenance expenditures, pursuant to chapter 153, Laws of 1918, estimated as amounting to, ..		37,000 00
Net amount appropriated, ...		$320,585 00

X 10. REFORMATORY FOR WOMEN.

Women's Reformatory.

For salaries and wages, and for maintenance of the Reformatory for Women, on the basis of two hundred and twenty-five inmates.

Salaries and Wages:		
Superintendent, ...	$3,500 00	
Assistant Superintendent, .	1,800 00	
Other officers and employees, ...	50,485 00	
		$55,785 00
Materials and Supplies:		
Food (for this purpose only), ...	$12,000 00	
Clothing, ...	6,500 00	
Fuel, light and power (for this purpose only), ...	15,600 00	
Household supplies, ...	4,300 00	
Farm, stable and grounds supplies, ...	7,800 00	
Medical and surgical supplies, ...	2,500 00	

Blanks, stationery and printing,	400 00	
Office supplies,	250 00	
Office equipment,	100 00	
School supplies,	475 00	
Vehicular transportation supplies,	2,000 00	
Sundry supplies,	150 00	
		52,075 00
Current repairs,		4,500 00
Miscellaneous:		
Traveling expenses,	$1,000 00	
Postage,	375 00	
Telephone and telegraph,	750 00	
Insurance (for this purpose only),	6,695 31	
Freight and express,	250 00	
Religious services,	550 00	
Entertainment,	200 00	
Return of runaways,	100 00	
Funeral expenses,	100 00	
Medical and surgical fees,	2,100 00	
Cash and expenses for parolees,	500 00	
Printing annual report,	150 00	
Cannery,	500 00	
Mechanical dentistry,	500 00	
		13,770 31
Additions and Improvements:		
Roads, gutters and grading,	$1,500 00	
Cement, sand and stone for general improvements,	500 00	
Extending hydrants, water pipe and tile,	400 00	
Painting cottages inside,	3,000 00	
Furniture replacement,	250 00	
Repairs to Paddock Hall,	3,000 00	
Repairs to Fielder Cottage,	1,200 00	
Completion of piggery,	800 00	
Repairs to dairy house,	2,000 00	

Repairs to Stowe Cottage,	2,000 00	
Shrubbery, ...	500 00	
Automobile exchange, ...	1,095 00	
		16,245 00
New Buildings:		
Poultry building, ...		600 00
Appropriation, including estimated receipts, ...		$142,975 31
The receipts of the institution are hereby appropriated for maintenance expenditures, pursuant to chapter 153, Laws of 1918, estimated as amounting to, ...		67,500 00
Net amount appropriated, ...		$75,475 31

X 11. SANATORIUM FOR TUBERCULOUS DISEASES.

Sanatorium at Glen Gardner.

For salaries and wages, and for the maintenance of the Sanatorium for Tuberculous Diseases, on the basis of four hundred and forty patients.

Salaries and Wages:		
Superintendent, ...	$8,000 00	
Physicians, clerks, nurses, farm help, waiters, instructors and others, including school teachers, ...	171,240 00	
		$179,240 00
Materials and Supplies:		
Food (for this purpose only), ...	$127,000 00	
Fuel, light and power (for this purpose only), ...	34,000 00	
Household supplies, ...	13,500 00	
Farm, stable and grounds supplies, ...	16,500 00	
School supplies, ...	700 00	

Medical and surgical supplies,	9,300 00	
Blanks, stationery, printing, office supplies and equipment,	1,600 00	
Vehicular transportation supplies,	4,100 00	
Clothing,	3,000 00	
		209,700 00
Current repairs,		11,000 00
Miscellaneous:		
Traveling expenses,	$1,100 00	
Postage,	600 00	
Telephone and telegraph,	1,500 00	
Insurance (for this purpose only),	4,000 00	
Freight and express,	1,000 00	
Entertainments,	1,000 00	
Religious services,	1,000 00	
Medical and surgical fees,	300 00	
Funeral expenses of indigent patients,	300 00	
Sundry supplies,	150 00	
Medical and patients' libraries,	200 00	
		11,150 00
Additions and Improvements:		
Traveling clinic,	$16,000 00	
Meat slicing machine,	545 00	
Wiring east and west wards and shacks,	1,500 00	
Plumbing fixtures, wards, service building and employees' building,	1,575 00	
Valves and outside water line,	2,500 00	
Repairs to motors in laundry, kitchen, water plant and farm house,	1,000 00	

Repairs to power plant (water proofing walls), .	1,000 00	
New steam line to children's building and chapel, ...	1,575 00	
Ventilation of dish washing room, ...	500 00	
Furnishing of staff house and new offices, ...	3,000 00	
Roads, walks, gutters, grading, shrubbery and lighting, ...	10,000 00	
Providing bedrooms for twenty additional employees, ...	10,000 00	
Furnishing for twenty additional rooms in employees' building, ...	2,000 00	
Painting of water tower,	1,300 00	
New extractor in laundry,	1,100 00	
Furnishing superintendent's house, ...	500 00	
Exchange of automobiles, sedan and truck, ...	2,500 00	
Incinerator plant, ...	3,800 00	
		60,395 00
Appropriation, including estimated receipts, ...		$471,485 00
The receipts of the institution are hereby appropriated for maintenance expenditures, pursuant to chapter 153, Laws of 1918, estimated as amounting to, ...		90,000 00
Net amount appropriated, ...		$381,485 00

X 12. STATE BOARD OF CHILDREN'S GUARDIANS.

Children's guardians.

Salaries:		
Superintendent, ...	$6,000 00	
Compensation for other assistants, ...	134,550 00	
		$140,550 00

Traveling expenses,		39,600 00
Blanks, stationery and printing,		2,600 00
Postage and Incidentals:		
Postage,	$5,000 00	
Incidentals,	1,450 00	
		6,450 00
Miscellaneous:		
Rent,	$11,082 00	
Office equipment,	3,000 00	
Office supplies,	1,700 00	
		15,782 00
		$204,982 00

X 13. STATE HOME FOR BOYS.

Boys' Home at Jamesburg.

For salaries and wages, and for maintenance of the State Home for Boys, on the basis of six hundred inmates.

Salaries and Wages:		
Superintendent,	$7,000 00	
Other officers and employees,	142,980 00	
		$149,980 00
Materials and Supplies:		
Food (for this purpose only),	$41,900 00	
Clothing,	24,000 00	
Fuel, light and power (for this purpose only),	29,250 00	
Household supplies,	11,000 00	
Farm, stable and grounds supplies,	19,700 00	
Industrial shops and vocational training,	5,000 00	
School,	3,000 00	

Medical and surgical supplies,	3,000 00	
Printing and office supplies,	1,200 00	
Vehicular transportation supplies,	3,000 00	
		141,050 00
Current repairs,		10,000 00
Miscellaneous:		
Traveling expenses,	$1,000 00	
Postage,	500 00	
Telephone and telegraph,	750 00	
Entertainment, athletic and recreational supplies,	800 00	
Insurance (for this purpose only),	800 00	
Returning runaways,	250 00	
Freight and express,	600 00	
Assisting boys outside of institution, the equivalent of inmates' fund transferred to State treasury,	300 00	
Carfare for paroled and returned boys,	1,000 00	
Medical and surgical fees,	1,400 00	
Funeral expenses (for this purpose only),	200 00	
Incidentals,	50 00	
Boy Scout registration, camp and scout supplies,	700 00	
		8,350 00
Additions and Improvements:		
Band instruments,	$250 00	
Extraordinary household equipment,	2,000 00	
Repairing roads and walks,	1,500 00	
New Chassis for Marion Parry bus,	700 00	
Installation stokers complete,	4,750 00	

Remodeling power house and fire boxes, ...	2,500 00	
Remodeling and breeching of Keeler boilers, ...	900 00	
Cleaning wells, ...	1,500 00	
Replacement supplies and chemical fire apparatus, .	100 00	
Two feed water pumps, ..	700 00	
Repairs to main building, .	3,000 00	
Laundry equipment, ...	6,000 00	
Platform scale for farm, .	625 00	
Drainage, ...	1,500 00	
To complete poultry houses,	1,500 00	
Remodeling present hog barn, ...	2,500 00	
Extending sewers to new cottage, ...	2,500 00	
One tile silo, ...	1,000 00	
		33,525 00
Appropriation, including estimated receipts, ...		$342,905 00
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, ...		$325,905 00

X 14. STATE HOME FOR GIRLS.

Girls' Home at Trenton.

For salaries and wages, and for maintenance of the State Home for Girls on the basis of three hundred inmates.

Salaries and Wages:		
Superintendent, ...	$3,500 00	
Physician, ...	2,500 00	
Teachers, nurses, clerks and others, ...	69,920 00	
		$75,920 00

Materials and Supplies:		
Food (for this purpose only),	$33,000 00	
Clothing,	8,500 00	
Fuel, light and power (for this purpose only),	10,950 00	
Household supplies,	6,500 00	
Farm, stable and grounds supplies,	6,500 00	
Schooling and supplies,	2,000 00	
Medical and surgical supplies,	2,700 00	
Printing, office supplies and office equipment,	800 00	
Sundry supplies,	500 00	
Vehicular transportation supplies,	1,200 00	
General plant equipment and supplies,	700 00	
		73,350 00
Current repairs,		5,000 00
Miscellaneous:		
Traveling expenses,	$1,200 00	
Postage,	400 00	
Telephone and telegraph,	1,600 00	
Insurance (for this purpose only),	3,500 00	
Water rent,	1,500 00	
Freight and express,	300 00	
Traveling expenses for parole inmates,	375 00	
Entertainment,	500 00	
Payments to discharged inmates,	170 00	
Medical and surgical fees,	2,000 00	
Dentistry,	1,200 00	
		12,745 00
Additions and Improvements:		
Drainage on farm,	$250 00	
Preparole colony,	1,500 00	

Exchange of automobile (Buick), ...	1,400 00	
Trees and shrubbery, ...	250 00	
Wire for hog runs, ...	100 00	
Equipment colored maternity unit, ...	1,560 00	
Furnishing one new cottage, ...	1,625 00	
Equipment for kitchen, ..	1,000 00	
Stuyvesant Avenue, walk only, ...	1,000 00	
Double-hung wooden windows, laundry, ...	600 00	
		9,285 00
		$176,300 00

x 15. STATE HOSPITAL, GREYSTONE PARK.

Greystone Park asylum.

For salaries and wages, and for maintenance of the State Hospital, Greystone Park, on the basis of three thousand seven hundred inmates.

Salaries and Wages:		
Medical director, ...	$8,000 00	
Business manager, ...	5,000 00	
Chief engineer, ...	5,000 00	
Other officers and employees, ...	922,500 00	
		$940,500 00
Materials and Supplies:		
Food (for this purpose only), ...	$360,000 00	
Clothing, ...	55,000 00	
Fuel, light and power (for this purpose only), ...	123,000 00	
Household supplies, ...	91,000 00	
Farm, stable and grounds supplies, ...	57,000 00	

Tobacco, ...	7,200 00	
Industrial shops, ...	5,500 00	
The balance in the Revolving Fund on June thirtieth, one thousand nine hundred and twenty-eight, for the purchase of materials for manufacture of articles to be sold in excess of the amount appropriated is hereby appropriated for the Amusement Fund.		
Medical and surgical supplies, ...	30,000 00	
Printing and office supplies and equipment, ...	4,500 00	
Vehicular transportation supplies, ...	15,000 00	
		748,200 00
Current repairs, ...		53,000 00
Miscellaneous:		
Traveling expenses, ...	$4,500 00	
Postage, ...	1,800 00	
Telephone and telegraph, .	5,000 00	
Insurance (for this purpose only), ...	12,000 00	
Freight and express, ...	5,000 00	
Religious services, ...	1,200 00	
Funeral expenses, ...	3,500 00	
Advertising, books, et cetera, ...	600 00	
Incidentals, ...	500 00	
Rent for cottage for nurses,	1,500 00	
		35,600 00
Additions and Improvements:		
Purchase of auto truck, ...	$3,500 00	
Grading, roads and sidewalks around new building, ...	5,000 00	

Exchange of automobiles (2),	4,500 00	
Clinics in various counties,	25,000 00	
New sanitary milk room, with tanks, platforms, drains, etc.,	2,500 00	
New silo, dairy,	1,500 00	
Completion of repairs to Dormer windows, main building,	2,000 00	
Reconstructing walls, copings, window frames, sash, etc., old industrial building,	8,000 00	
Wood block flooring in stalls of dairy,	1,200 00	
Modern elevators to replace unsafe obsolete type, both north and south sides, dormitory building,	11,000 00	
Electric elevator to replace old unsafe plunger type in main building,	5,500 00	
Laundry machinery, including repairing gutters and rewiring,	14,000 00	
Combination sprayer,	350 00	
One farm all tractor,	1,000 00	
Cattle yard fencing,	1,000 00	
Drug cabinets for various wards throughout the main and dormitory buildings,	1,875 00	
Chairs for dining rooms at dormitory building,	1,125 00	
Feed pump for boiler house,	1,500 00	
Reconstruction of roads,	15,000 00	
		105,550 00
Appropriation, including estimated receipts,		$1,882,850 00

The receipts of the institution are hereby appropriated for maintenance expenditures, pursuant to chapter 153, Laws of 1918, estimated as amounting to, ..		691,000 00
Net amount appropriated, ...		$1,191,850 00

x 16. STATE HOSPITAL, TRENTON.

Trenton asylum.

For salaries and wages, and for maintenance of the State Hospital, Trenton, on the basis of two thousand seven hundred inmates.

Salaries and Wages:		
Medical director, ...	$7,000 00	
Warden, ...	7,000 00	
Other officers and employees, ...	629,800 00	
In lieu of maintenance of six physicians and their families, ...	11,200 00	
		$655,000 00
Materials and Supplies:		
Food (for this purpose only), ...	$255,000 00	
Clothing, ...	22,000 00	
Fuel, light and power (for this purpose only), ...	100,750 00	
Household supplies, ...	54,000 00	
Farm, stable and grounds supplies, ...	36,000 00	
Medical and surgical supplies, ...	33,500 00	
Printing and office supplies,	3,700 00	
Vehicular transportation supplies, ...	4,000 00	
		508,950 00
Current repairs, ...		31,000 00

Miscellaneous:		
Traveling expenses, ...	$3,500 00	
Telephone and telegraph, .	4,500 00	
Postage, ...	800 00	
Amusements, ...	2,000 00	
Funeral expenses, ...	1,000 00	
Newspapers and magazines,	550 00	
Returning runaways, ...	400 00	
Insurance (for this purpose only), ...	6,750 00	
Religious services, ...	700 00	
Freight and express, ...	500 00	
Tobacco, ...	4,000 00	
Incidentals, ...	1,200 00	
Psychiatric clinic, with various institutions with headquarters at State Hospital, Trenton, ...	29,000 00	
Cemetery upkeep, ...	150 00	
		55,050 00
Additions and Improvements:		
Pointing up buildings of old part of institution, ..	$5,000 00	
Completion of cow barn, .	2,200 00	
New roads and walks, ...	5,000 00	
Remodeling frame storage house into dwelling, ...	4,000 00	
Exchange of three-ton truck, ...	3,000 00	
Reconstruction of greenhouses 3 and 4, ...	7,000 00	
Renovating wall in rear of criminal building exercise grounds, ...	400 00	
Replacement of laundry machinery, including new machinery, ...	12,000 00	
Connecting medical director's residence with central heating plant, ...	1,000 00	

Additional toilet in Vroom Building toilet room, ..	400 00	
Exchange of Ford truck, .	600 00	
Incinerator, ...	4,000 00	
		44,600 00
Appropriation, including estimated receipts, ...		$1,294,600 00
The receipts of the institution are hereby appropriated for maintenance expenditures, pursuant to chapter 153, Laws of 1918, estimated as amounting to, ...		540,000 00
Net amount appropriated, ...		$754,600 00

X 17. STATE INSTITUTION FOR FEEBLE-MINDED.

Feeble-minded at Vineland.

For salaries and wages, and for maintenance of the State Institution for Feeble-Minded, on the basis of one thousand two hundred and fifty inmates.

Salaries and Wages:		
Superintendent, ...	$7,000 00	
Physicians, executive assistant, clerks, mechanics and others, ...	154,730 00	
		$161,730 00
Materials and Supplies:		
Food (for this purpose only), ...	$90,000 00	
Clothing, ...	19,000 00	
Fuel, light and power (for this purpose only), ...	35,500 00	
Household supplies, ...	17,600 00	
Farm, stable and grounds supplies, ...	21,350 00	
Industrial shops, ...	1,500 00	
School supplies and equipment, ...	2,500 00	

Medical and surgical supplies,	4,000 00	
Printing and office supplies and equipment,	1,300 00	
Vehicular transportation supplies,	2,500 00	
Sundry supplies, books, magazines and papers,	400 00	
		195,650 00
Current repairs,		13,000 00
Miscellaneous:		
Traveling expenses,	$3,000 00	
Postage,	450 00	
Telephone and telegraph,	1,600 00	
Insurance (for this purpose only),	3,500 00	
Medical, surgical and oculist fees,	4,500 00	
Entertainments,	1,500 00	
Funeral expenses,	500 00	
Freight and express,	800 00	
Water rent,	100 00	
Library,	300 00	
Religious services,	400 00	
Incidentals,	300 00	
Advertising,	50 00	
		17,000 00
Additions and Improvements:		
Exchange of Ford truck,	$600 00	
Three boiler feed regulators,	600 00	
Damper regulator,	200 00	
Replacement of water pump,	850 00	
Increasing irrigation,	1,000 00	
Additional silo,	1,350 00	
Milking machine,	700 00	
Extension to wagon shed,	500 00	
Walks and drives to connect buildings,	500 00	

Repairs to cow barn, ...	1,500 00	
Addition to ice tanks, ...	1,600 00	
Additional cows, ...	1,000 00	
Extension Parole Colony and purchase of properties, ...	30,000 00	
Changing heating system in children's unit to vacuum, ...	750 00	
		41,150 00
Appropriation, including estimated receipts, ...		$428,530 00
The receipts of the institution are hereby appropriated for maintenance expenditures, pursuant to chapter 153, Laws of 1918, estimated as amounting to, ...		160,000 00
Net amount appropriated, ...		$268,530 00

This institution is authorized to pay for the maintenance of any county indigent patient transferred from the institution to an institution for training of the feeble-minded, to which moneys are paid by the State pursuant to 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.

X 18. STATE PRISON.

State Prison.

For salaries and wages, and for maintenance of the State Prison on the basis of one thousand five hundred inmates.

Salaries and Wages:		
Principal Keeper, ...	$5,500 00	
Director of Industries, ..	6,000 00	
Other officers and employees, ...	293,572 00	

Wages for inmates at prison (other than State use), ...	18,000 00	
		$323,072 00
Materials and Supplies:		
Food (for this purpose only), ...	$115,000 00	
Clothing, ...	47,000 00	
Fuel, light and power (for this purpose only), ...	43,000 00	
Household supplies, ...	14,000 00	
Farm, stable and grounds supplies (Trenton farm),	200 00	
School supplies, ...	2,800 00	
Medical and surgical supplies, ...	7,000 00	
Blanks, stationery, printing, office supplies and equipment, ...	3,900 00	
Tobacco, ...	3,200 00	
Water rent, ...	6,000 00	
Religious supplies, ...	325 00	
Bureau of identification, .	500 00	
Library, ...	500 00	
Vehicular transportation supplies, ...	2,750 00	
Industrial shops, ...	2,500 00	
		248,675 00
Current repairs, ...		14,000 00
General plant equipment, ...		1,000 00
Miscellaneous:		
Traveling expenses, ...	$1,700 00	
Expenses of parole officer,	1,000 00	
Transportation of prisoners to and from farm and camps, ...	1,000 00	
Postage, ...	800 00	
Telephone and telegraph, .	1,400 00	
Insurance (for this purpose only), ...	2,900 00	

Medical and surgical fees,	2,000 00	
Freight and cartage, ...	1,500 00	
Electrocution plant, ...	2,000 00	
Payments to discharged inmates, ...	2,500 00	
Returning runaways, and captures and expenses incidental thereto, ...	1,500 00	
Funeral expenses, ...	100 00	
Dentistry, ...	1,500 00	
Appraisement, ...	400 00	
Sundries, ...	250 00	
		20,550 00
Additions and Improvements:		
Painting Wing No. 7, inside and outside, ...	$2,500 00	
Replacement of roofs, Wings 1 and 2, ...	2,000 00	
Replacement of valves, Wing No. 7, ...	1,000 00	
Cook house equipment, ..	3,000 00	
Replacing old telephone system, ...	1,000 00	
Equipment for laundry, .	6,060 00	
Replacing enunciator system, ...	500 00	
Exchange Ford sedan for Dodge sedan, ...	600 00	
Hospital equipment, ...	2,500 00	
Pointing up buildings, ...	2,000 00	
		21,160 00
Appropriation, including estimated receipts, ...		$628,457 00
The receipts of the institution are hereby appropriated for maintenance expenditures, pursuant to chapter 153, Laws of 1918, estimated as amounting to, ...		500 00
Net amount appropriated, ...		$627,957 00

X 19. STATE PRISON FARM, LEESBURG.

Prison farm. For salaries and wages, and for maintenance of the State Prison Farm, Leesburg, on the basis of one hundred and twenty-five inmates.

Salaries and Wages:		
Superintendent, ...	$3,600 00	
Other officers and employees, ...	49,590 00	
Wages for inmates, at the rate of $0.25 per day, .	11,000 00	
		$64,190 00
Materials and Supplies:		
Food (for this purpose only), ...	$16,800 00	
Clothing, ...	5,000 00	
Fuel, light and power (for this purpose only), ...	2,400 00	
Household supplies, ...	1,850 00	
Farm, stable and ground supplies, ...	20,000 00	
Medical and surgical supplies, ...	500 00	
Blanks, stationery, printing, office supplies and equipment, ...	575 00	
Tobacco, ...	600 00	
Religious supplies, ...	50 00	
Vehicular transportation supplies, ...	1,800 00	
		49,575 00
Current repairs, ...		2,000 00
Miscellaneous:		
Traveling expenses, ...	$250 00	
Postage, ...	125 00	
Telephone and telegraph, .	700 00	
Insurance (for this purpose only), ...	800 00	

Medical and surgical fees,	100 00	
Freight and cartage, ...	200 00	
Amusements, ...	100 00	
Sundries, ...	100 00	
		2,375 00
Additions and Improvements:		
New Ford car, ...		650 00
Appropriation, including estimated receipts, ...		$118,790 00
The receipts of the institution are hereby appropriated for maintenance expenditures, pursuant to chapter 153, Laws of 1918, estimated as amounting to, ...		10,000 00
Net amount appropriated, ...		$108,790 00

x 20. VILLAGE FOR EPILEPTICS.

Epileptic village.

For salaries and wages, and for maintenance of the Village of Epileptics on the basis of one thousand inmates.

Salaries and Wages:		
Superintendent, ...	$8,000 00	
Steward, ...	3,600 00	
Senior resident physician, .	5,000 00	
Other officers and employees, ...	209,996 00	
		$226,596 00
Materials and Supplies:		
Food (for this purpose only), ...	$87,500 00	
Clothing, ...	7,000 00	
Fuel, light and power (for this purpose only), ...	57,000 00	
Household supplies, ...	13,000 00	
Farm, stable and grounds supplies, ...	21,000 00	
School supplies, ...	1,100 00	

Medical and surgical supplies and equipment, ...	5,000 00	
Blanks, stationery and printing, ...	600 00	
Office supplies and equipment, ...	600 00	
Sundry supplies, ...	1,600 00	
Industrial shops' supplies, .	600 00	
Vehicular transportation supplies, ...	3,500 00	
		198,500 00
Current repairs, ...		11,000 00
Miscellaneous:		
Traveling expenses, ...	$1,700 00	
Postage, ...	400 00	
Telephone and telegraph, .	1,600 00	
Insurance (for this purpose only), ...	5,375 00	
Freight and express, ...	900 00	
Medical and surgical fees,	500 00	
Amusements, ...	700 00	
Funeral expenses, ...	150 00	
Returning runaways, ...	50 00	
Religious services, ...	760 00	
Incidentals, ...	150 00	
Appraising property, ...	200 00	
		12,485 00
Additions and Improvements:		
Instruments for band, ...	$1,000 00	
Six watchman's clocks, ..	450 00	
Piano, ...	800 00	
Repair and replacement of worn out furniture and furnishings, including rugs, carpets, bedding, mattresses, pillows, etc.,	7,500 00	
Replacement of six teams,	1,800 00	
McCormack-Deering tractor, ...	850 00	

Exchange of three ¾-ton Dodge trucks, ...	2,750 00	
One mortise machine, ...	200 00	
Reconstruction and repairs to Fuld Cottage, ...	9,000 00	
Double corn cribs at Fernwood, ...	1,600 00	
For fences, posts, gates, "H" hog houses, self-feeders, etc., ...	1,000 00	
Reconstruction of piggery,	5,000 00	
		31,950 00
Appropriation, including estimated receipts, ...		$480,531 00
The receipts of the institution are hereby appropriated for maintenance expenditures, pursuant to chapter 153, Laws of 1918, estimated as amounting to, ...		221,910 00
Net amount appropriated, ...		$258,621 00

x 21. WOODBINE COLONY FOR FEEBLE-MINDED MALES.

Woodbine Colony.

For salaries and wages, and for maintenance of the Woodbine Colony for Feeble-Minded Males, on the basis of three hundred and fifty inmates.

Salaries and Wages:		
Superintendent, ...	$4,000 00	
Physician, ...	2,240 00	
Attendants, nurses and other employees, ...	68,984 00	
		$75,224 00
Materials and Supplies:		
Food (for this purpose only), ...	$41,000 00	
Clothing, ...	8,500 00	
Fuel, light and power (for this purpose only), ...	13,800 00	

Household supplies, ...	5,500 00	
Farm, stable and grounds supplies, ...	2,475 00	
Medical and surgical supplies, ...	1,700 00	
Printing and office supplies,	600 00	
Vehicular transportation supplies, ...	1,500 00	
		75,075 00
Current repairs, ...		5,000 00
Miscellaneous:		
Telephone and telegraph, .	$600 00	
Traveling expenses, ...	1,000 00	
Postage, ...	275 00	
Sundries, ...	250 00	
Funeral expenses, ...	100 00	
Insurance (for this purpose only), ...	2,100 00	
Freight and express, ...	400 00	
Entertainment, ...	500 00	
Medical and surgical fees,	700 00	
		5,925 00
Additions and Improvements:		
Fire hose and equipment, .	$150 00	
Floor coverings, Ward 5, .	500 00	
New roof, Administration Building, ...	3,000 00	
Wire fencing and posts, ..	100 00	
Painting buildings, ...	1,500 00	
Extension to water mains and fire plugs, ...	650 00	
Materials for cement walks, roads and curbs, ...	250 00	
Furniture and furnishings for two new dormitories,	3,500 00	
Outdoor sun pavilion with plumbing, ...	600 00	
Power lawn mower, ...	450 00	
Automobile exchange, ...	1,800 00	
		12,500 00

New Buildings:

Horse and storage barn, ...	5,000 00
Appropriation, including estimated receipts, ...	$178,724 00
The receipts of the institution are hereby appropriated for maintenance expenditures, pursuant to chapter 153, Laws of 1918, estimated as amounting to, ...	80,000 00
Net amount appropriated, ...	$98,724 00

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 22. NORTH JERSEY TRAINING SCHOOL FOR FEMALES, TOTOWA.

Totowa Colony.

For salaries and wages and for maintenance of the North Jersey Training School for Females, Totowa.

Salaries and wages, ...		$79,430 00
Materials and Supplies:		
Food (for this purpose only), ...	$25,000 00	
Clothing, ...	4,000 00	
Fuel, light and power (for this purpose only), ...	25,000 00	
Household supplies, ...	5,000 00	
Farm, stable and grounds supplies, ...	3,797 50	
School supplies, ...	1,500 00	

Medical and surgical supplies,	1,000 00	
Blanks, stationery and printing,	600 00	
Office supplies and equipment,	1,200 00	
Vehicular transportation supplies,	1,200 00	
Sundry supplies,	500 00	
		68,797 50
Current repairs,		1,000 00
Miscellaneous:		
Water rent,	$3,500 00	
Postage,	350 00	
Traveling expenses,	1,200 00	
Telephone and telegraph,	1,600 00	
Religious services,	140 00	
Entertainment,	300 00	
Freight and express,	200 00	
Insurance (for this purpose only),	9,000 00	
Medical, surgical and dental fees,	1,000 00	
		17,290 00
Appropriation, including estimated receipts,		$166,517 50
The receipts of the institution are hereby appropriated for maintenance expenditures, pursuant to chapter 153, Laws of 1918, estimated as amounting to,		50,000 00
Net amount appropriated,		$116,517 50

X 23. REFORMATORY, ANNANDALE.

Women's Reformatory.

For salaries and wages and for maintenance of the Reformatory at Annandale.

Salaries and Wages:		
Acting superintendent, ...	$3,600 00	
Deputy superintendent, ..	2,040 00	
Other officers and employees, ...	35,000 00	
		$40,640 00
Materials and Supplies:		
Food (for this purpose only), ...	$21,000 00	
Clothing, ...	6,125 00	
Fuel, light and power (for this purpose only), ...	7,500 00	
Farm, stable and grounds supplies, ...	15,550 00	
Household supplies, ...	2,500 00	
Medical and surgical supplies, ...	400 00	
Vehicular transportation supplies, ...	600 00	
Blanks, stationery and printing, ...	600 00	
Office supplies and equipment, and school supplies,	1,000 00	
Tobacco, ...	900 00	
Library supplies, ...	100 00	
Sundry supplies, ...	50 00	
		56,325 00
Current repairs, ...		1,000 00
Miscellaneous:		
Traveling expenses, ...	$250 00	
Telephone and telegraph, .	200 00	
Postage, ...	200 00	
Medical and surgical fees,	300 00	
Incidentals, ...	25 00	
Freight and express, ...	250 00	
Entertainment, ...	200 00	
Funeral expenses, ...	60 00	
Payments to discharged inmates and recapturing escapes, ...	500 00	

Insurance (for this purpose only), ...	5,000 00	
		6,985 00
Additions and Improvements:		
Farmall tractor complete with attachments, ...	$1,000 00	
Purchase of live stock, ...	5,000 00	
		6,000 00
		$110,950 00

Appropriations from school fund.

2. The following sums are hereby appropriated out of the income of the school fund for the purposes specified for the fiscal year ending on the thirtieth day of June, in the year one thousand nine hundred and twenty-nine:

1. FREE PUBLIC SCHOOLS.

For the support of free public schools, .. $500,000 00

2. PREMIUMS AND ACCRUED INTEREST.

Bond purchases.

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.

Legal, etc., 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.

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.

Transfer from highway extension fund to State fund.

3. Such sum or sums of money as may be certified by the issuing officials to the Comptroller of the Treasury as having been expended for the purpose of carrying out the provisions of chapter 352, P. L. 1920, are hereby transferred from the Highway Extension Fund to the State Fund. So much thereof thus transferred as may be necessary for the expenses of the said issuing officials for the current fiscal year shall be transferred by the Comptroller to the credit of said issuing officials.

Contracts not entered into when bids exceed appropriation.

4. Before any building or buildings shall be commenced or work undertaken, for the cost of which money is appropriated by this act, the plans, specifications, and contracts necessary for the entire completion thereof shall, and each of them shall, be submitted and approved pursuant to chapter 5, Laws of 1918, and such contracts shall not be approved or entered into if the total expenditure under all the contracts necessary to the entire completion of such building or buildings or work according to such plans and specifications shall exceed the amount appropriated by this act for such building, buildings or work; and in any and every case where it shall appear that the appropriation is insufficient to complete such building, buildings or work the appropriation hereby made therefor shall not be applied toward the construction of such building or buildings, or prosecution of such work, but shall lapse and no payment shall be made therefrom; *provided, however,* that the provisions of this section, prohibiting the expenditure of the whole or any part of an appropriation, which in itself is insufficient to complete any build-

Proviso.

ing, buildings or work, and providing for the lapsing of such appropriations, shall not apply to nor restrict the expenditure of any moneys herein appropriated for the construction, completion of construction, equipment or furnishing of any armory or armories which have been heretofore authorized and which are partially constructed, completed or furnished, but such appropriation shall be available for the uses and purposes herein expressed to the full extent thereof, nor shall the provisions of this section apply to any appropriation authorizing expenditures for the construction of the bridge between the city of Philadelphia, State of Pennsylvania, and the city of Camden, in this State, nor the tunnel to be constructed under the Hudson river, between the city of New York, State of New York, and the city of Jersey City, in this State.

Use of unexpended balance.

5. Whenever a building or buildings have been erected and completed and there shall be an unexpended balance of the sum of money appropriated therefor after the contract has been performed, such balance may, upon the approval of the Comptroller of the Treasury, be used to pay for the furnishing and equipment of such building or buildings.

Plans and advertisement before money avajlable.

6. Whenever after an act of the Legislature becomes a law, but has not yet become effective, the contract, plans and specifications may be drawn and advertisements for bids may be made, which have been so authorized by such act and the contract in accordance therewith may be entered into before the time of the taking effect of such enactment where such statute does not take effect immediately, but at some later time; *provided, however,* that no payment shall be made thereunder until the said act shall become effective according to its terms.

Proviso.

Money used as specified.

7. No money shall be drawn from the treasury except for objects as hereinabove specifically appropriated, and except such sums which are by law devoted to specific purposes, namely, State school tax, United States appropriation to Agricultural College, and taxes for the use of taxing districts in this State, moneys received by the State from the taxation of railroad and canal property, which may be by law apportioned to

the various counties of the State for school purposes, academic certificate fund, vocational schools, pensions of teachers and school officers authorized by law, moneys received from tuition at the summer schools, and loans to "State School Fund," which last named sums shall be paid pursuant to the laws applicable thereto; this section shall not be construed to prohibit the payment due upon any contract made under an appropriation of the previous years; moneys received by the Department of Conservation and Development from the sale or lease of forest reserve lands pursuant to chapter one hundred and eighty-seven, Laws of nineteen hundred and thirteen; moneys received by the Quartermaster-General under the provisions of section seventeen, chapter 81, Laws of 1917, as amended March fourth, one thousand nine hundred and eighteen; moneys received by the Department of Health pursuant to chapter thirteen, Laws of nineteen hundred and fifteen, chapter two hundred and thirty-two, Laws of nineteen hundred and seventeen, and chapter thirty-nine, Laws of nineteen hundred and eighteen, and receipts pursuant to chapter one hundred and forty-seven, Laws of nineteen hundred and eighteen.

Construing section.

8. In order that some degree of flexibility in appropriations may be had, any department or other State agency receiving an appropriation by any act of the Legislature may apply to the State House Commission for leave to transfer a part of any item granted to such department or agency to any other item in such appropriation. Such application shall only be made during the current year for which the appropriation was made, and if the State House Commission shall consent thereto, it shall notify the Comptroller thereof in writing, whereupon the Comptroller shall place the amount so transferred to the credit of the item so designated; *provided, however,* that no sum appropriated for any permanent improvement shall be used for maintenance or for any temporary purpose; *and provided, further,* that such transfers shall not be permitted and the provisions of this section shall not apply in cases where the items of appropriation are expressly limited by the words "for this purpose only."

Transfer of money to other items.

Proviso.

Proviso.

Corrections made to comply with intention.

9. 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.

Increasing compensation during fiscal year.

10. Anything herein contained to the contrary notwithstanding the rate of compensation paid to any officer or employee in any position in the classified civil service of the State, when such compensation is at the rate of three thousand dollars or more per annum, shall not be increased during the fiscal year ending June thirtieth, one thousand nine hundred and twenty-nine, over that received during the fiscal year ending June thirtieth, one thousand nine hundred and twenty-eight, unless such increase in compensation is provided for and authorized in a separate item in this appropriation act;

Proviso.

provided, however, that nothing herein contained shall be construed as altering, impairing or in any way affecting the provisions of chapter forty-nine of the Laws of one thousand nine hundred and sixteen.

Order of disbursement of funds available.

11. The Comptroller of the Treasury is hereby empowered, and it shall be his duty in the disbursement of funds available for the general uses of the State, to first provide for the maintenance of the administration of the government of the State, and of its courts, and of its penal, correctional and charitable institutions, and to apply the remainder of such available funds in such manner and to such purpose for which appropriation may have been made as in his judgment may best conserve the interest of the State.

Transfer from various appropriations.

12. 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, here-

in 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.

Petty cash fund.

13. The Comptroller of the Treasury may, upon application therefor, allot from appropriations made to any official, department, commission or board a sum, not in excess of three hundred dollars, to establish a petty cash fund, for the payment of expenses not in excess of five dollars. The allotment thus made by the Comptroller shall be paid to such person as shall be designated as the custodian thereof by the official, department, commission or board making request therefor, and the money thus allotted shall be disbursed by such custodian, who shall require from all persons obtaining money from said fund a receipt therefor. Such 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.

Allotment.

Monthly audit.

Act effective.

14. This act shall take effect on the first day of July, one thousand nine hundred and twenty-eight.

Approved April 3, 1928.

CHAPTER 258.

A Supplement to an act entitled "An act to establish public parks in certain counties of this State and to regulate the same," approved May sixth, one thousand nine hundred and two.

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

Exchange of park land.

1. It shall be lawful for any park commission organized under and pursuant to an act entitled "An act to establish public parks in certain counties in this State

and to regulate the same," approved May sixth, one thousand nine hundred and two, and the supplements thereto and amendments thereof, to enter into contract with any State commission or State board of this State with reference to the dedication, sale, purchase or exchange of any real estate under the control of either of them, that the other contracting party may consider necessary to be acquired for the purposes for which it was created.

Validation.

2. Any such contract heretofore made is hereby validated.

Contract carried out.

3. Said park commission is hereby authorized to carry out the terms of any such contract heretofore or hereafter made.

4. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 259.

An Act to permit cities to sell and convey portions of lands acquired for park purposes to railroad companies and devote the proceeds of said sale for park purposes.

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

Cities may convey to railroad certain park land.

1. Whenever, in any city in this State, there shall have been acquired any lands for park purposes contiguous to the lands, right-of-way or railroad yards of any railroad company, and any railroad company shall own lands adjacent to and abutting upon the lands so acquired by the city for park purposes, said city shall have the power to convey by deed, executed and delivered by its mayor, after due authorization by resolution by its governing body, or the body which has control and management of public parks of said city, a portion of the said lands so acquired for park purposes, if the said lands so to be conveyed are contiguous or adjacent to the right-of-way or lands of such railroad

Purpose.

company, to said railroad company, to be used by the said railroad company for the erection and maintenance upon said lands and premises of a railroad station or freight station, or for the widening of the right-of-way of said railroad company, or for any other purpose proper and appurtenant to the operation of said railroad; *provided, however,* that no lands may be sold under the authority hereby conferred, which have been physically improved for public park purposes by the construction of interior walks or drives, or substantial planting of trees or shrubbery, or the erection of statuary or monuments, nor which have an area greater than fifteen acres, or are located on the beach front of the Atlantic ocean. Proviso.

2. The proceeds derived from the sale of any lands sold under the authority of this act shall be applied by such city to the acquisition of other lands for park purposes, or to the development or improvement of public parks maintained by such city. Proceeds of sale used for park purpose.

3. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 260.

An Act relative to the releasing and/or vacating the public easements or rights in any public or dedicated street or highway.

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

1. Whenever, on or before January first, one thousand nine hundred and twenty-seven, any municipality of this State shall have adopted an ordinance releasing and/or vacating public easements and/or rights in any public or dedicated street or highway, and said ordinance shall have been published subsequently either in full or by title, and prior to the passage thereof a pub- Certain public easements released.

lic notice shall have been given of the intention of the body passing said ordinance to consider the same, the public easements and/or rights shall be deemed to have been and are hereby released and/or vacated to the extent defined in any such ordinance.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 261.

An Act to amend an act entitled "An act to regulate elections" (Revision of 1920), passed May fifth, one thousand nine hundred and twenty, and certain amendments thereof and supplements thereto, and to repeal certain sections of said revision, its amendments and supplements.

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

Sec. 21, Art. VI, amended.

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

Office of the Board.

Offices and equipment.

21. Said county boards of elections shall be provided by the board of chosen freeholders of the respective counties with a suitable office, furniture and such other equipment as said county boards of election deem necessary, in the courthouse of the county for which they are respectively appointed, or in a building as near as possible adjacent thereto. The county board of elections in counties of the first class shall have power to purchase office equipment, furniture, furnishings, books, stationery, materials, supplies and other articles or equipment necessary in the judgment of said board, to carry out the provisions of the act to which this is amendatory, or any act amendatory of or supplemental to the act to which this act is amendatory, and the board of

In counties of first class.

chosen freeholders of the respective counties shall pay for the same, including the expenses of said board and the clerk thereof, upon certification of the county board of elections; *provided,* that nothing in the provisions of an act entitled "An act concerning counties (Revision of 1918)," approved March fourth, one thousand nine hundred and eighteen, and the amendments thereof and supplements thereto, shall in anywise be construed to affect, restrict or abridge the powers herein conferred on said county boards of elections.

Proviso.

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

Section 2, Art. IX, amended.

Preparation of Books, Blank Forms, Et Cetera.

2. Pamphlets of the election laws and instructions; precinct returns; electors of President and Vice-President; United States Senator; member of the House of Representatives; Governor; State Senator; Assembly and county officers; justice of the peace; public questions submitted to the voters of the entire State; self-addressed envelopes plain and stamped to each district; returns for the county board of canvassers for the above officers; primary return sheets, and the following books and lists: In municipalities exceeding fifteen thousand population, party primary poll books, general election poll books: In municipalities of fifteen thousand population or less, primary election registry books, party primary poll books, canvassing books, registers of voters, general election poll books, general election registry lists, shall be prepared and distributed by the Secretary of State on or before the first day of May prior to the primary election for the general election and the general election, except in presidential year, then on or before the first day of April. Upon the covers of each of said books shall be printed in conspicuous type such instructions to election officers regarding the use and disposition of such books by election officials as the Secretary of State shall deem necessary. All other books, ballots, envelopes and other blank forms, which the county clerk is required to furnish under any other section of this act, stationery and supplies for the primary election for the general election, the primary elec-

Preparation and furnishing election supplies.

By Secretary of State.

By county clerks.

tion for delegates and alternates to national conventions and the general election shall be furnished, prepared and distributed by the clerks of the various counties; excepting, that all books, blank forms, stationery and supplies, articles and equipment which may be deemed necessary to be furnished, used or issued by the county board of elections or superintendent of elections, shall be furnished, used or issued, prepared and distributed by such county board of elections or superintendent of elections, as the case may be. The county board of elections in counties of the first class and the municipal clerks in counties other than counties of the first class shall furnish and deliver to the county clerk, county board of elections, the municipal clerks and the district boards of registry and election in municipalities having more than one election district, a map or description of the district lines of their respective election district, together with the street and house numbers where possible in said election districts; *provided,* that nothing in the provisions of an act entitled "An act concerning counties (Revision of 1918)," approved March fourth, one thousand nine hundred and eighteen, and the amendments thereof and the supplements thereto shall in anywise be construed to affect, restrict, or abridge the powers herein conferred on said county clerks, county boards of elections or superintendents of election by this act or by the provisions of any act amendatory of or supplemental to the act to which this act is amendatory.

Exceptions.

Map of election districts.

Street and house numbers.

Proviso.

Repealer.

3. Section one-A, Article X, of the act to which this act is an amendment, be and the same is hereby repealed, together with its caption.

Repealer.

4. Section two, Article XI, of the act to which this act is an amendment, be and the same is hereby repealed, together with its caption.

Repealer.

5. Section three, Article XI, of the act to which this act is an amendment, be and the same is hereby repealed, together with its caption.

Repealer.

6. Section four, Article XI, of the act to which this act is an amendment, be and the same is hereby repealed, together with its caption.

7. Section five, Article XI, of the act to which this act is an amendment, be and the same is hereby repealed, together with its caption. Repealer.

8. Section nine, Article XI, of the act to which this act is an amendment, be and the same is hereby repealed, together with its caption. Repealer.

9. Section ten, Article XI, of the act to which this act is an amendment, be and the same is hereby repealed, together with its caption. Repealer.

10. Section ten-A, Article XI, of the act to which this act is an amendment, be and the same is hereby repealed, together with its caption. Repealer.

11. Section eleven, Article XI, of the act to which this act is an amendment, be and the same is hereby repealed, together with its caption. Repealer.

12. Section twelve, Article XI, of the act to which this act is an amendment, be and the same is hereby amended so as to read as follows: Section 12, Art. XI, amended.

Registry Lists.

12. At the close of the last day of registration, as herein provided, in all municipalities in counties of the first class having a population of fifteen thousand or less, the said district board of registry and election in each election district, in the municipalities above mentioned, shall make and complete one list of all persons registered in their district, grouped according to streets and avenues or other designations of location. Said list shall be substantially in the following form: List of registrants delivered to county clerk.

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 of registry and election shall, in figures, note or state the total number of names of persons registered on all registration days in their respective election districts.

Repealer.

13. Section fourteen, Article XI, of the act to which this act is an amendment, be and the same is hereby repealed, together with its caption.

Section 21-A, Art. XI, amended.

14. Section twenty-one-A, Article XI, of the act to which this act is an amendment, be and the same is hereby amended so as to read as follows:

Registering Voters for Elections in Commission-Governed Municipalities.

County boards to add names to registers.

21-A. It shall be the duty of the county boards of elections in counties of the first class, to sit at a place convenient to the voters, on such days and during such hours, as said county boards shall deem necessary during the ten days immediately preceding any election held under the provisions of "An act relating to, regulating and providing for the government of cities, towns, townships, boroughs, villages and municipalities governed by boards of commissioners or improvement commissions in this State," approved April twenty-fifth, one thousand nine hundred and eleven, the title to which was amended to read as above set forth by an act approved April second, one thousand nine hundred and twelve, and the amendments thereof and the supplements thereto, for the purpose of adding the names of all qualified voters to the signature copy registers or registers of voters, as the case may be, who were not registered or did not register or vote at the general election last preceding the holding of such municipal election under the aforementioned act; and if upon application by any qualified voter, it is made to appear to such county board of elections, that such voter is a qualified elector and entitled to vote at such municipal election, his name shall be added to the proper signature copy register or an order shall be made, as the case may be, by such county board directing the proper district board of registry and election to permit such voter to vote, and such order shall be filed with the district board of registry and shall be returned by said district board to the clerk of the municipality wherein such election is held, immediately after the holding of such election, to be kept and filed in the office of such clerk for at least a period of one year; *provided,* that there shall be filed by said applicant for registration with the said county board of

District to permit voter to vote.

Proviso.

elections, an affidavit containing the information requisite to be given under the election and registry laws of this State. Whenever any election is to be held under said act, the municipal clerk shall, within two days after the time fixed for holding said municipal election, notify the county board of elections as to the day upon which said election is to be held.

Notice of election to be held.

15. Section twenty-four, Article XI, of the act to which this act is an amendment be, and the same is hereby amended so as to read as follows:

Section 24, Art. XI, amended.

Removal of Name from Registers by the Justice of the Supreme Court, the Judge of the Circuit Court, the Judge of the Court of Common Pleas or the County Board of Elections.

24. The justice of the Supreme Court holding the circuit in the respective counties, the judge of the Circuit Court, the judge of the Common Pleas Court or the county board of elections shall order stricken from any register the name of any person who shall be shown to the satisfaction of the justice, judge or county board of elections, for any cause, not to be entitled to vote at any election in the election district wherein he is registered, and the commissioner of registration in counties having permanent registration municipalities and the county board of elections in counties other than counties having permanent registration municipalities shall, upon the order of said justice, judge or county board of elections, as the case may be, cause the name of such person to be stricken from the register, if such register is then in the possession of said commissioner of registration or county board of elections, or by serving forthwith a copy of said order upon the district board of registry and election, if said register is then in the possession of said district board, which district board shall then and there refuse to allow said person to vote. Said justice, judge or county board of elections shall hear said application to strike off in a summary manner, at the time and day specified in the notice, hereafter provided; *provided, however,* that no name shall be stricken or ordered stricken from any such register in the absence of the person to be effected thereby, unless it shall appear to the justice, judge or county board of elec-

Striking names from register.

Hearings.

Proviso.

Notice given.

tions by affidavit of some qualified voter that notice has been given such person, either personally or by leaving the same at his assigned place of residence, with some person above the age of fourteen years, if any such person can be found, and if not, a copy of said notice shall be affixed to the outer door of said assigned place of residence, or to any other portion of said premises, if no building be found thereon, at least two entire days before the day and time of hearing before said justice, judge or county board of elections, that at such hearing application would be made to have the name of such registered person stricken from the register, and the grounds on which said application would be based. Said qualified voter shall notify said justice, judge or county board of elections five days before the day and time specified at which said application will be made, and said justice, judge or county board of elections shall hear said application at the time and day specified in said notice.

Voters to notify judge.

Section 25, Art. XI, amended.

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

Removal of Name from Register of Voters by District Board of Registry and Election.

On delivery of order, person not to vote.

25. On the delivery of such order by the person to whom the same has been granted by the justice, judge or county board of elections, to the district board of registry and election, such person shall not be allowed to vote.

Section 34, Art. XI, amended.

17. Section thirty-four, Article XI, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Transfers, Issued by District Boards.

Transfers granted by district boards.

34. Transfers shall be granted on any election day but not on a registration day by the district boards of registry and election in municipalities having a population of fifteen thousand or less, to any legal voter who shall make proof under oath to the satisfaction of said district board of registry and election, that he has moved from the election district in said municipality in which he is registered, since the day on which he was registered, and that he has moved into another district in

any municipality within the county. Such transfer and order of the district board of registry and election shall be signed by said board or a majority thereof, directing the district board of registry and election of the district in which said voter now legally resides, to place the name of said voter upon the proper register of voters of said election district and allow said voter to vote. Before said transfer and order has been signed said district board of registry and election shall strike the name of said voter from the register of voters. Nature of order and transfer.

18. Section thirty-eight, Article XI, of the act to which this act is an amendment, be and the same is hereby repealed, together with its caption. Repealer.

19. Section four, Article XIII, of the act to which this act is an amendment, be and the same is hereby amended so as to read as follows: Section 4, Art. XIII, amended.

Head of the Ballot.

4. In the center of the ballot immediately below the perforated line shall be printed the words "Official General Election Ballot" in bold-face type. Below the above-stated words and extending across the ballot shall appear the words: "Name of (Municipality) Ward, Election District, Date of Election, John Doe, County Clerk." The blank spaces shall be filled in with the name of the proper municipality, the ward and district numbers and the date of the election. The name of the county clerk shall be a facsimile of his signature. Below the last stated words extending across the ballot and at the extreme left shall be printed the words "Instructions to the Voter," and immediately to the right there shall be a bracket embracing the following instructions numbered consecutively: Wording at top of ballot. Polling place, etc., given. Instructions to voters.

1. The only kind of a mark to be made on this ballot in voting shall be a cross × or plus +. Marking ballot.

2. To mark a cross × or plus + or when writing a name on this ballot use only black ink or black lead pencil. Black ink or black pencil.

3. To vote for any candidates whose names are printed in any column, mark a cross × or plus + in the space or square at the left of the names of such candidates not in excess of the number to be elected to the office. Voting for names on ballot.

Voting for personal choice.

4. To vote for any person whose name is not printed on this ballot, write or paste the name of such person under the proper title of office in the column designated Personal Choice and mark a cross × or plus + in the space or square to the left of the name so written or pasted.

Voting on referendum.

5. To vote upon any public question printed on this ballot if in favor thereof, mark a cross × or plus + in the square at the left of the word "Yes," and if opposed thereto, mark a cross × or plus + in the square at the left of the word "No."

To obtain another ballot.

6. Do not mark this ballot in any other manner than above provided for and make no erasures. Should this ballot be wrongly marked, defaced, torn or any erasure made thereon or otherwise rendered unfit for use return it and obtain another.

In the year in which electors for President and Vice-President of the United States are to be elected, the following instructions shall be printed upon the general election ballot:

Voting for presidential electors.

7. To vote for all the electors of any party, mark a cross × or plus + in black ink or black pencil in the square at the left of the surnames of the candidates for President and Vice-President for whom you desire to vote.

Voting split electoral ticket.

8. To vote for part of the electors of any party mark a cross × or plus + in black ink or black pencil in the square at the left of the name of each elector for whom you desire to vote.

Rule across ballot.

Below the above-stated instructions and information and three inches below the perforated line and parallel to it there shall be printed a six-point diagram rule extending across the ballot to within not less than a half inch to the right and left edges of the paper.

Section 6, Art. XIII, amended.

20. Section six, Article XIII, of the act to which this act is an amendment, be and the same is hereby amended so as to read as follows:

Column designations and instructions.

Column Designations and Accompanying Instructions.

6. In each column, immediately below the six-point rule, shall be printed the proper word or words to designate the column, to be known as the "Column Designation." In the columns at the extreme left shall be printed the name of each of the political parties which made

nominations at the next preceding primary election, directly under which shall appear the words "To vote for any candidate whose name appears in the column below, mark a cross × or plus + in the space or square at the left of the name of such candidate. Do not vote for more candidates than are to be elected to any office." Said columns shall be three inches in width. The column next to the right of such columns shall be designated "Personal Choice," under which shall appear the words "In the blank column below, under the proper title of office, the voter may write or paste the name of any person for whom he desires to vote, whose name is not printed on this ballot, and shall mark a cross × or plus + in the space or square at the left of such name. Do not vote for more candidates than are to be elected to any office," together with the same instructions regarding electors of President and Vice-President that now appear at the head of all other columns. This column shall be four inches in width. The remaining column or columns, as the case may be, shall each be designated "Nomination by Petition," under which shall be printed the words "To vote for any candidate whose name appears in the column below mark a cross × or plus + in the space or square at the left of the name of such candidate. Do not vote for more candidates than are to be elected to any office." Said columns shall be four inches in width. Below the column designations and accompanying instructions, and not more than one and one-half inches below the six-point diagram rule, and parallel thereto, shall be printed a six-point diagram rule extending across the entire ballot, from one four-point rule to the other.

Section 8, Art. XIII, amended.

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

Arrangement of Titles of Office and Names of Candidates in Party Columns and Personal Choice Column.

Title of office printed.

8. In the columns of each of the political parties which made nominations at the next preceding primary election, and in the personal choice column, within the space between the two-point hair line rules, there shall be printed the title of each office to be filled at such elec-

Order of titles.

tion, except as hereinafter provided. Such titles of office shall be arranged in the following order: Electors of President and Vice-President of the United States; member of the United States Senate; Governor; member of the House of Representatives; member of the State Senate; members of the General Assembly; sheriff; county clerk; surrogate; register of deeds and mortgages; coroners, county supervisors, members of the board of chosen freeholders; mayor and members of municipal governing bodies, and so forth. Above each of said titles of office, except the one at the top, shall be printed a two-point diagram rule in place of the two-point hair line rule. Below the titles of such offices shall be printed the names of all the candidates for such offices; *provided,* that the names of candidates for any office for which more than one are to be elected shall be determined in the manner as hereinafter provided, as in the case of candidates nominated by petition; *and provided, further,* that when no nomination for any office has been made the words "No Nomination Made" in type large enough to fill the entire space or spaces below the title of office, shall be printed upon the ballot. Immediately to the left of the name of each candidate, at the extreme left of each column including the personal choice column, shall be printed a square one-quarter of an inch in size, formed by two-point diagram rules; *provided, however,* that in the Personal Choice column no names of candidates shall be printed, and that to the right of the title of each office in the party columns and the Personal Choice column shall be printed the words "Vote for ," inserting in words the number of persons to be elected to such office.

Proviso.

Proviso.

Proviso.

Section 15, Art. XIII, amended.

22. Section fifteen, Article XIII, of the act to which this act is an amendment, be and the same is hereby amended so as to read as follows:

Ballot Model.

Model ballot.

15. The face of the official ballot shall be substantially in the following form:

Section 18, Art. XIII, amended.

23. Section eighteen, Article XIII, of the act to which this act is an amendment, be and the same is hereby amended so as to read as follows:

Envelopes for Mailing Official General Election Sample Ballots.

Envelopes.

18. Said stamped envelopes shall be of sufficient size and postage to enable the aforesaid official general election sample ballots and anything else required to be enclosed therewith, to be mailed therein. On the face of each of said envelopes shall be printed the words "Official General Election Sample Ballot" in large type and in small type in the upper left-hand corner, the words: "If not delivered in two days return to the 'Superintendent of Elections'" in counties of the first class, to the "Commissioner of Registration" in counties other than counties of the first class having municipalities having a population exceeding fifteen thousand and to "County Board of Elections" in all other counties and in the lower left-hand corner shall be printed the words "Municipality" followed by a line ".....," "Ward" followed by a line ".....," and "District" followed by a line ".....," arranged in three lines one under the other.

Wording on face.

Section 21, Art. XIII, amended.

24. Section twenty-one, Article XIII, of the act of which this act is an amendment, be and the same is hereby amended so as to read as follows:

Preservation of Envelopes and Sample Ballots Returned by Postmaster.

Returned ballots and envelopes preserved.

21. Said county board of elections, commissioner of registration or superintendent of elections, as the case may be, shall preserve all envelopes and sample ballots which shall have been mailed by said district boards of registry and election but returned to it or him by the postmasters of the various municipalities of said county for the space of six months and the same shall be open to public inspection for the space of three months after the primary or the general or other election, as the case may be.

Section 5, Art. XV, amended.

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

BALLOT NO. 238

TO BE TORN OFF BY THE MEMBER OF THE BOARD OF REGISTRY AND ELECTION IN CHARGE OF THE BALLOT BOX ON ELECTION DAY.

FOLD TO THIS LINE

OFFICIAL GENERAL ELECTION BALLOT

H. John Congleton
COUNTY CLERK

CITY OF NEWARK | 6TH WARD | 17TH ELECTION DISTRICT | NOVEMBER 4, 1920

Instructions to the Voter.

1. The only kind of a mark to be made on this ballot in voting shall be a cross (X) or plus (+)
2. To mark a cross (X) or plus (+) or when writing a name on this ballot use only black ink or black lead pencil.
3. To vote for any candidates whose names are printed in any column, mark a (X) or plus (+) in the space or square at the left of the names of such candidates not in excess of the number to be elected to the office.
4. To vote for any person whose name is not printed on this ballot write or paste the name of such person under the proper title of office in the column designated **Personal Choice, and mark a cross (X) or plus (+) in the space or square at the left of such name.**
5. To vote upon any Public Question printed on this ballot, if in favor thereof mark a cross (X) or plus (+) in the square at the left of the word "Yes," and if opposed thereto mark a cross (X) or plus (+) in the square at the left of the word "No."
6. Do not mark this ballot in any other manner than above provided for and make no erasures. Should this ballot be wrongly marked, defaced, torn or any erasure made thereon or otherwise rendered unfit for use, return it and obtain another.
7. To vote for all the electors of any party, mark a cross (X) or plus (+) in black ink or black lead pencil in the square at the left of the surnames of the candidates for President and Vice-President for whom you desire to vote.
8. To vote for part of the electors of any party, mark a cross (X) or plus (+) in black ink or black lead pencil in the square at the left of the name of each elector for whom you desire to vote.

DEMOCRAT

To vote for any candidate whose name appears in the column below, mark a cross (X) or plus (+) in the space or square at the left of the name of such candidate. Do not vote for more candidates than are to be elected to any office.

Electors of President and Vice President of the United States — Vote for fourteen

- ☐ CLEVELAND AND WILSON
- ☐ CRAFTON E. DEMPSEY
- ☐ STEPHEN STEPHENSON
- ☐ BERNARD GANNON
- ☐ HARRY P WHITNEY
- ☐ THOMAS J. HENRY
- ☐ HENRY S. WARREN
- ☐ WILLIAM BUETELL
- ☐ FRANK F COLLINS
- ☐ NATHAN HALE
- ☐ ULYSSES S PATTON
- ☐ JAMES G. DUTT
- ☐ JOHN W FIELDER
- ☐ ALBERT NICHOLSON
- ☐ WILLIAM F HILKER

United States Senator — Vote for one

- ☐ JOHN W FINCH

Governor — Vote for one

- ☐ EMIL J JEGGE

Member of House of Representatives (For Eighth Cong. District) — Vote for one

- ☐ WILLIAM S JENNINGS

Member of State Senate — Vote for one

- ☐ CARL C BIDDER

Member of General Assembly — Vote for two

- ☐ BERTHOLD G. NEBEL
- ☐ PAUL C JEROME

Sheriff — Vote for one

- ☐ HENRY WATTERSON

County Clerk — Vote for one

- ☐ GEORGE W RAMSEY

Surrogate — Vote for one

- ☐ HARRY B VAUGHANS

Register of Deeds and Mortgages — Vote for One

- ☐ JOHN F DRYDENS

Coroner — Vote for one

- No Nomination Made

County Supervisor — Vote for one

- ☐ GEORGE L. JACKSON

Members of the Board of Chosen Freeholders — Vote for three

- ☐ CHARLES S. DICKENS
- ☐ EDWARD R. BELAMY
- ☐ JAMES E. MARTIN

Mayor — Vote for one

- ☐ GEORGE S. REYNOLDS

Justice of the Peace — Vote for one

- ☐ JOSEPH DUNN

Constable — Vote for one

- ☐ NORMAN BELBY

REPUBLICAN

To vote for any candidate whose name appears in the column below, mark a cross (X) or plus (+) in the space or square at the left of the name of such candidate. Do not vote for more candidates than are to be elected to any office.

Electors of President and Vice President of the United States — Vote for fourteen

- ☐ LINCOLN AND ROOSEVELT
- ☐ BENJAMIN FRANKLIN
- ☐ JOSEPHUS BROWN
- ☐ MICHAEL FINNEGAN
- ☐ HARRY HIPKINS
- ☐ HERBERT W COLLINGDOOD
- ☐ FREDERICK WIMMER
- ☐ DONALD L. DOMREMY
- ☐ CHARLES S. GOODLOW
- ☐ DAVID E. OSBORNE
- ☐ MARTIN P FINNEY
- ☐ LOUIS B WIGHT
- ☐ FRANK E. NEWMAN
- ☐ NATHAN M WATON
- ☐ JOHN O'CONNOR

United States Senator — Vote for one

- ☐ THOMAS K BROWN

Governor — Vote for one

- ☐ VINCENT L COSTELLO

Member of House of Representatives (For Eighth Cong. District) — Vote for one

- ☐ HYMAN LEVINE

Member of State Senate — Vote for one

- ☐ WILLIAM S LUKE

Member of General Assembly — Vote for two

- ☐ KENNETH M FORBES
- ☐ LOUIS M COLE

Sheriff — Vote for one

- ☐ JOHN H SMITH

County Clerk — Vote for one

- ☐ ROBERT W TREAT

Surrogate — Vote for one

- ☐ GEORGE P SEYMOUR

Register of Deeds and Mortgages — Vote for One

- ☐ FRANKLIN LANE

Coroner — Vote for one

- ☐ JOHN W SMOLLEN

County Supervisor — Vote for one

- ☐ EDWARD A BURNS

Members of the Board of Chosen Freeholders — Vote for three

- ☐ GEORGE E SNEATH
- ☐ WILLIAM S. FARNER
- ☐ GEORGE W BLAKE

Mayor — Vote for one

- ☐ JACOB A. BIIS

Justice Peace — Vote for one

- No Nomination Made

Constable — Vote for one

- No Nomination Made

PERSONAL CHOICE

In the blank column below, under the proper title of office, the voter may write or paste the name of any person for whom he desires to vote, whose name is not printed on this ballot, and shall mark a cross (X) or plus (+) in the space or square at the left of such name.

Do not vote for more candidates than are to be elected to any office.

Electors of President and Vice President of the United States — Vote for fourteen

United States Senator — Vote for one

Governor — Vote for one

Member of the House of Representatives (For Eighth Cong District) — Vote for one

Member of State Senate — Vote for one

Member of General Assembly — Vote for two

Sheriff — Vote for one

County Clerk — Vote for one

Surrogate — Vote for one

Register of Deeds and Mortgages — Vote for one

Coroner — Vote for one

County Supervisor — Vote for one

Members of the Board of Chosen Freeholders — Vote for three

Mayor — Vote for one

Justice of the Peace — Vote for one

Constable — Vote for one

NOMINATION BY PETITION

To vote for any candidate whose name appears in the column below mark a cross (X) or plus (+) in the space or square at the left of the name or such candidate. Do **not vote for more candidates than are to be elected to any office.**

United States Senator — Vote for one

- ☐ WILLIAM E. HARRIS — Socialist
- ☐ WILLIAM M WHITE — Personal Rights Party

Governor — Vote for one

- ☐ GEORGE J COULD — Socialist
- ☐ EDMUND P WITTELL — Personal Rights Party

Member of House of Representatives (For Eighth Cong. District) — Vote for one

- ☐ JOSEPH P COLLINS — Socialist
- ☐ JOHN H. WILLIAMSON — Personal Rights Party

Member of State Senate — Vote for one

- ☐ LEWIS D LOWNEY — Socialist
- ☐ HENRY J. BRANT — Personal Rights Party
- ☐ LAWRENCE C LANG — Tax Reform Party

Member of General Assembly — Vote for two

- ☐ FRANK L. MUNSEY — Socialist
- ☐ WILLIAM L. THOMAS — Socialist
- ☐ PAUL H. EMMONS — Tax Reform Party
- ☐ SAMUEL N NELSON — Tax Reform Party
- ☐ CHARLES E. SANDERS — Personal Rights Party
- ☐ AUSTEN Y RAYMOND — Personal Rights Party

Sheriff — Vote for one

- ☐ WILLIAM E. RUDD — Personal Rights Party
- ☐ JOHN J FRANCIS — Independent
- ☐ GEORGE E KERNS — Tax Reform Party

Surrogate — Vote for one

- ☐ KENNETH L. JONES — Independent

Coroner — Vote for one

- ☐ NATHAN W HOYLE — Independent

County Supervisor — Vote for one

- ☐ JOHN C PRICE — Independent

Members of the Board of Chosen Freeholders — Vote for three

- ☐ PETER W WILKES — Personal Rights Party
- ☐ JOHN E. RICH — Personal Rights Party
- ☐ LOUIS H HALE — Personal Rights Party
- ☐ JEREMIAH C SMITH — Independent
- ☐ FRANK E. ROLLING — Independent
- ☐ JUDSON F MOREY — Independent

Mayor — Vote for one

- ☐ SAMUEL E. JOHNSON — Independent
- ☐ FRANK D LEWIS — Personal Rights Party
- ☐ JOSEPH P COLLINS — Tax Reform Party
- ☐ MICHAEL E. FINEY — Civic Betterment

Justice of the Peace — Vote for one

- ☐ WILLIAM A. AUBREY — Independent
- ☐ HARVEY H WILSON — Personal Rights Party

PUBLIC QUESTIONS TO BE VOTED UPON

To vote upon the Public Questions printed below, if in favor thereof mark a cross (X) or plus (+) in the square at the left of the word YES, and if opposed thereto mark a cross (X) or plus (+) in the square at the left of the word NO.

- ☐ YES
- ☐ NO

Shall the act entitled "An act creating a highway commission and to provide for the construction, reconstruction and improvement of certain State highways, providing for the payment of the cost thereof from the proceeds of the sale of bonds to be issued by the State to an amount of seven million dollars, and providing for the payment of the principal and interest of said bonds from the motor vehicle license fees, registration fees, fines and penalties," be adopted?

Registration and Voting Requirements.

Person must be registered before voting.

5. The said district board of registry and election shall permit no person to vote whose name does not appear on the signature copy register or register of voters, as the case may be, of their election district or whose name shall have been ordered removed from said register by the justice, judge or the county board of elections, as the case may be, as herein provided; *provided, however,* that in municipalities having a population of fifteen thousand or less, any qualified elector whose name does not appear upon the register of voters in the election district in which said elector is qualified to vote, may, upon application to the district board of registry and election, on the general election day, have his name placed upon said register of voters. After his name has been so placed upon said register of voters he shall be entitled to vote.

Proviso.

Section 12, Art. XV, amended.

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

Voter in Person Claims Right to Vote.

Voter to appear in person.

12. Every person qualified to vote in any election shall at any time after the opening of the polls, be at liberty to enter the polling place or room and claim his right to vote at said election in his proper district, and such person shall claim such right in person before the district board of registry and election in said district. Each voter, in claiming such right to vote, shall first give his full name and address to the member of the district board of registry and election having charge of the poll-book, and in municipalities requiring personal registration shall sign his name therein. On such claim being made, one of the members of such board shall audibly and publicly announce the name of the claimant, and the member of said election board having charge of the poll-book, having ascertained that said voter is registered as a qualified voter, shall place in front of each name in said poll-book, as they appear, the number of ballot given each voter.

Procedure.

Section 23, Art. XV, amended.

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

Determination of Right of Challenged Person to Receive Ballot.

Determining right to vote.

23. In all municipalities the district boards of registry and election shall in no case give a ballot to any person, unless they shall be satisfied that such person is in all respects qualified and entitled to vote; and, for the purpose of satisfying themselves as to the right of any person who shall claim a right to vote they shall have power to examine such person, and any other person or persons, under oath or affirmation, touching such right, except as hereinbefore restricted. The said board shall determine the right of such voter to vote, after making use of, and giving due weight to, the evidence afforded by his signature, if any, and the said answers, and if any member of such board shall give or assent to give a ballot to any person challenged, without requiring such person to take the oath or affirmation hereinbefore prescribed to be made upon such challenge, and such person shall not be qualified and entitled to vote, such member so giving or assenting to give a ballot, shall be deemed and taken to have given to such person a ballot, knowing it to be illegal. The question as to the giving of such ballot to said person shall be put in the following form: "Shall a ballot be given to this person by this board?"

Question put to voter.

In case of challenge.

Every such challenge and the determination of each member of said board shall in every instance be recorded in the "Remark Column" of the poll-book used at the election at which said challenge has been made.

Section 28, Art. XV, amended.

28. Section twenty-eight, Article XV, of the act to which this act is an amendment, be and the same is hereby amended so as to read as follows:

Voting in Personal Choice Column.

Voting independently.

28. Nothing contained in this act shall prevent any voter from writing or pasting under the proper title of office in the column designated Personal Choice the name or names of any person or persons for whom he desires to vote whose name or names are not printed upon the ballot for the same office or offices, and shall mark a cross $\times$ or plus $+$ in the space at the left of such names;

Proviso.

provided, that said writing shall be in black ink or black lead pencil; *and provided,* that all pasters used shall be printed with black ink on white paper.

Proviso.

Section 3, Art. XVI, amended.

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

Votes Based on Ballot Markings.

Canvassing ballots.

3. In canvassing the ballots the district board of registry and election shall count the votes as follows:

Proper marking at left.

A. If proper marks are made in the squares to the left of the names of any candidates in any column and the total number voted for, for each office, does not exceed the number of candidates to be elected to each office, a vote shall be counted for each candidate so marked.

Marks on left and right.

B. If proper marks are made in the squares to the left of any names of any candidates in any column and in addition thereto, proper marks are made to the right of said names, a vote shall be counted for each candidate so marked; *provided, however,* that if the district board of registry and election canvassing said ballots or the county board of elections, justice of the Supreme Court or other judge or officer conducting a recount thereof, shall be satisfied that the placing of said marks to the left and right of said names was intended to identify or distinguish said ballot, then said ballot shall not be counted but shall be declared null and void.

Proviso.

Marking at right voids count.

C. If no marks are made in the squares to the left of the names of any candidates in any column, but are made to the right of said names, a vote shall not be counted for such candidates so marked, but shall be counted for such other candidates as are properly marked; *provided, however,* that if the district board of registry and election canvassing said ballot or the county board of elections, justice of the Supreme Court or other judge or officer conducting a recount thereof, shall be satisfied that the placing of said marks to the right of said names was intended to identify or distinguish said ballot, then said ballot shall be declared null and void.

Proviso.

Personal choice.

D. Where the name of any person is written or pasted in the column designated Personal Choice, and a cross

× or plus + appears in the square to the left of such name, it shall be counted as a vote for such person.

Counting vote on referendum.

E. In case of any public question printed on the ballot where a proper mark is made in the square to the left of the word "Yes," it shall be counted as a vote in favor of said public question. If a proper mark is made in the square to the left of the word "No," it shall be counted as a vote against said public question. If no mark is made in either square to the left of either the word "Yes" or "No" it shall not be counted as a vote either in favor of or against said public question. If a mark is made in each of the squares to the left of both the words "Yes" and "No" it shall not be counted either as a vote in favor of or against said public question nor shall it invalidate the ballot.

Improper voting.

F. If a voter marks more names than there are persons to be elected to an office, or writes or pastes the name of any person in the column designated Personal Choice, whose name is printed upon the ballot as a candidate under the same title of office, or his choice cannot be determined, his ballot shall not be counted for such office, but shall be counted for such other offices as are properly marked.

Counting votes for presidential electors.

If a voter mark a cross × or plus + in the space or square at the left of the surname of any candidate for President or Vice-President of the United States, and also mark a × or plus + in some of the spaces or squares at the left of the names of candidates for presidential electors, it shall count as a vote for all the candidates for presidential electors nominated by a party represented by said candidates for President and Vice-President of the United States.

Use of marks.

G. If the mark made for any candidate or public question is substantially a cross × or plus + and is substantially within the square, it shall be counted for such candidate or for or against such public question, as the case may be. No vote shall be counted for any candidate in any column or for or against any public question, unless the mark made is substantially a cross × or plus + and is substantially within the square.

Section 4, Art. XVII, amended.

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

Penalty for Failure to Deliver Statements, Books and other Articles.

In case statements not filed.

4. If any district board of registry and election shall neglect to give the following information on the statements of results: total number of names on the signature copy register or register of voters, total number of names on the poll-book, the total number of ballots rejected, the number of votes given for each person, and the number of votes given for or against each public question, or fail to deliver or safely transmit any statement of the result of any election, tally-sheet, signature copy registers, register of voters, ballot box or boxes, ballot-box keys, flag or any other document or book pertaining to any election, within the time required by this act, or shall destroy or damage, or cause or allow any loose leaf binder, registry book or other book or document to be destroyed or damaged, the payment of part or all of the compensation of the members of said board shall be withheld by the county treasurer or collector, as the case may be, by order of the county board of elections, or may be forfeited by order of said county board of elections; and it shall be the duty of the Secretary of State or the clerk of the county or the municipal clerk, as the case may be, to certify to the county board of elections the name of any district board of registry and election so failing to deliver or transmit such statements, books, documents or articles as hereinbefore mentioned. In case of failure on the part of said district board of registry and election to produce the required statements, books or other documents within twenty-four hours after being notified, the county board of elections may make application to the Court of Common Pleas for a rule to show cause why the members of such district board of registry and election shall not be held in contempt of court for such neglect or failure, and punished accordingly.

Securing required statements.

Section 5, Art. XVIII, amended.

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

Disposition of Register of Voters.

Register filed with county clerk.

5. Not later than noon of the day following the canvass of the votes cast at the general election the register

of voters, kept and checked by the district boards of registry and election in municipalities having a population of fifteen thousand or less shall be filed by said boards with the county clerk of their respective county.

Repealer.

32. Section three, Article XXIII, of the act to which this act is an amendment, be and the same is hereby repealed.

Repealer.

33. Section four, Article XXIII, of the act to which this act is an amendment be and the same is hereby repealed.

Repealer.

34. Section five, Article XXIII, of the act to which this act is an amendment, be and the same is hereby repealed.

Section 32, Art. XXIII, amended.

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

Contents of Ballots.

Form of ballot.

32. Said ballots shall be made up and printed in substantially the following form:

What primary ballot to contain and arrangement.

Each ballot shall have at the top thereof a coupon at least two inches deep extending across the ballot above a perforated line. The coupon shall be numbered for each of said political parties, respectively, from one consecutively to the number of ballots delivered and received by the election officers of the respective polling places. Upon the coupon and above the perforated line shall be the words "To be torn off by the judge of election. Fold to this line." Below the perforated line shall be printed the words "Official Democratic Party Primary Ballot," or "Official Republican Party Primary Ballot," or as the case may be, naming the proper political party, as provided in this act; below which and extending across the ballot in one or more lines, as may be necessary, shall be printed the words

name of municipality ward
election district date of election
John Doe, municipal clerk;

the blank spaces shall be filled in with the name of the proper municipality, the ward and the district number and the date of election. The name of the municipal clerk shall be a facsimile of his signature. This heading shall be set apart from the body of the bal-

lot by a heavy diagram rule. Below this rule shall be printed the following directions instructing the voter how to indicate his choice for each office and position, and for how many persons to vote for each office and position: To vote for any person whose name is printed upon this ballot mark a cross × or plus + with black ink or black lead pencil in the space or square at the left of the name of such person. To vote for any person whose name is not printed upon this ballot write or paste the name in the blank space under the proper title of office and mark a cross × or plus + with black ink or black lead pencil in the space or square at the left of the name of such person. Below these instructions shall be printed a heavy diagram rule below which shall be printed the titles of offices and positions for which candidates are to be voted for at the said primary election, together with such directions to the voter as may be necessary, as "Vote for one," "Vote for two," or a greater number, as the case may be. Underneath the proper title of office and position shall be printed the names of all those persons certified as candidates for such offices to said municipal clerk by the county clerks as hereinbefore provided, and the names of persons endorsed as such candidates in petitions on file in the office of said municipal clerk as they appear signed to the certificate of acceptance; *provided,* that the name of any person endorsed in a petition as aforesaid who shall fail to certify his consent and agreement to be a candidate for nomination to the office specified therein shall not be printed upon the ballots to be used at such primary election; *and provided, further,* that in the case of a vacancy among nominees the name of the person selected in the manner provided in this act to fill such vacancy shall be printed upon the ballots in the place and stead of the person vacating such nomination. Said candidates shall be arranged in groups and the groups bracketed in all cases where the petitions endorsing such candidates request such grouping. The designation named by candidates in their petitions for nomination, as provided by this act, shall be printed to the right of the names of such candidates or groups of candidates in as large type as the space will allow. Immediately to

Candidates' names printed.

Proviso.

Proviso.

Arrangement.

Designation.

the left and on the same line with the name of each candidate for office and position shall be printed a square approximately one-quarter of an inch in size, or by printing vertical single line rules connecting the single line rules between the names of the candidates and thus form a square, in which the voter shall indicate his choice. A single light-faced rule shall be used to separate the different names in each group of candidates. A heavy diagram rule shall be used between each group of candidates for different offices. Where candidates are arranged in groups and the groups bracketed, said groups shall be separated from other groups and candidates by two single-line rules approximately one-eighth of an inch apart. Each primary ballot shall contain, at the end of the list of candidates for each different office, blank squares, and spaces or lines equal to the number of persons to be elected to said office, for the purpose of allowing any voter to write or paste the name of any person for whom he desires to vote for any office or party position.

Bracketed candidates.

Provision for independent voting.

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

Section 33, Art. XXIII, amended.

33. The face of the official primary ballot shall be substantially in the following form:

Face of ballot.

To be torn off by the Judge of Elections.
No.....
Fold to this line.

Official Republican Party Primary Ballot.
(Name of Municipality)... Ward...Election District.
(Date) JOHN DOE, Municipal Clerk.

To vote for any person whose name is printed upon this ballot mark a cross × or plus + with black ink or black lead pencil in the space or square at the left of the name of such person.

To vote for any person whose name is not printed upon this ballot write or paste the name in the blank space under the proper title of office and mark a cross × or plus + with black ink or black lead pencil in the space or square at the left of the name of such person.

For Governor.	*Vote for One.*
☐ JOHN SMITH,	Regular Progressive
☐ HENRY BLACK.	Tax Reduction, Efficiency
☐	

For Members of the General Assembly. Vote for Two.

☐ WILLIAM LEE, ☐ RUDOLPH BLY,	Tax Reduction, Efficiency
☐ PETER JOHNSON, ☐ SIMON ABBOTT,	Regular Progressive
☐ ☐	

For Mayor.	*Vote for One.*
☐ FRANK ADAMS,	Civic Betterment
☐ HAROLD JONES,	Regular Progressive
☐ JAMES BRADY,	Tax Reduction, Efficiency
☐	

37. Section thirty-six, Article XXIII, of the act to which this act is an amendment, be and the same is hereby amended so as to read as follows: Section 36, Art. XXIII, amended.

Words on Envelope.

36. Each of said envelopes shall have printed on the face thereof, in large type, the words, "Official Primary Sample Ballot," and in smaller type, in the upper left-hand corner, the words, "If not delivered in two days return to the superintendent of elections" in counties of the first class, to the "Commissioner of Registration" in counties other than counties of the first class having municipalities having a population exceeding fifteen thousand and to the "County Board of Elections" in all other counties and in the lower left-hand corner shall be printed the words "Municipality" followed by a line ".....," "Ward" followed by a line "....." and "District" followed by a line "....." arranged in three lines one under the other. Printing on face of envelope.

38. Section forty-seven, Article XXIII, of the act to which this act is an amendment, be and the same is hereby amended so as to read as follows: Section 47, Art. XXIII, amended.

Time and Place of Holding.

47. The primary election for the general election shall be held for all political parties in the same places and at the same time as herein provided for the second day of registration of voters for said ensuing general election, i. e., upon the third Tuesday of June in each year, except presidential year, then on the third Tuesday of May, between the hours of 7 A. M. and 8 P. M., Eastern Standard Time. Primary day.

39. Section fifty, Article XXIII, of the act to which this act is an amendment, be and the same is hereby amended so as to read as follows: Section 50, Art. XXIII, amended.

Method of Conducting Primary Election.

50. Said primary election for the general election shall be conducted by the district boards of registry and election substantially in the same manner as the general election, except as herein otherwise provided, *provided,* that the said board may allow one member of the board at a time to be absent from the polling place or room for a period not exceeding one hour between the hours How primary election conducted. Proviso.

of one o'clock and five o'clock in the afternoon or for such shorter time as they shall see fit; *provided,* that at no time from the opening of the polls to the completion of the canvass shall there be less than a majority of the board present in the polling room or place. In all municipalities having a population of fifteen thousand or less the municipal clerk shall deliver to the district boards of registry and election in his municipality, the poll-books used in said election districts at the next preceding general election, together with the party primary poll-books used at the next preceding primary election for the general election.

Proviso.

Section 51, Art. XXIII, amended.

40. Section fifty-one, Article XXIII, of the act to which this act is an amendment, be and the same is hereby amended so as to read as follows:

Use of Primary Election Registry Book.

Registry book used.

51. Each district board of registry and election in municipalities having a population of fifteen thousand or less shall use at said primary election the primary election registry book, made up as hereinbefore provided and the number of the ballot given to each voter shall be marked in front of the name of said voter on said primary election registry book.

Section 52, Art. XXIII, amended.

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

Keeping of Party Primary Poll-Books.

Party primary poll-books.

52. There shall be kept in all municipalities a primary party poll-book for each political party, which shall be called and labeled Primary Party Poll-Book, inserting the proper name of the political party. The district board of registry and election shall cause the name and address of each voter at said primary election to be written in ink, in the primary party poll-book of the political party in whose ballot-box said vote is deposited; *provided, however,* that, in municipalities having a population exceeding fifteen thousand, said primary party poll-books shall have the same number of columns and be arranged and used in the same manner as the poll-books for the general election, with the same provision for persons who are unable to sign their names and the district board of registry and election shall pro-

Entries.

Proviso.

ceed in the same manner as in the case of voters who are unable to sign their names at the general election. Each of these primary party poll-books shall be signed by the members of the district board of registry and election at the close of said primary election and delivered by said board, not later than noon of the day following said primary election to the commissioner of registration in counties having municipalities exceeding fifteen thousand population, and to the clerk of the municipality in municipalities having a population of fifteen thousand or less at the time of the delivery of the ballot-boxes. Delivery of poll-books.

42. Section fifty-nine, Article XXIII, of the act to which this act is an amendment, be and the same is hereby amended so as to read as follows: Section 59, Art. XXIII, amended.

Form of Statement:

59. The aforesaid statement shall be substantially in the following form: Form of statement.

Statement of the result of a primary election held in the ward election district of the of (municipality) in the county of and State of New Jersey, on the day of 19 :

Total number of names of persons entitled to vote at the primary election was :

The total number of ballots cast was

The total number of ballots rejected was

(Filling in the name of the political party in each instance and the number of ballots cast or rejected in words at length and in figures.)

For candidates of the party for the office or position received votes. (Filling in the name of each candidate and the number of votes received by such candidate in words at length and in figures.)

43. Section sixty-seven, Article XXIII, of the act to which this act is an amendment, be and the same is hereby amended so as to read as follows: Section 67, Art. XXIII, amended.

District Boards of Registry and Election to Municipal Clerks.

67. 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 Action of district boards at close of primary.

thereof as herein provided, each district board of registry and election 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 of registry and election in municipalities having a population of fifteen thousand or less shall also at the same time and along with the said ballot boxes deliver to said municipal clerk the general election poll-book, and the party primary poll-books, of the previous year, together with the primary election registry book, the primary party poll-books made up at the current primary election, affidavits and all other books and forms which shall have been used by said board at said primary election; *provided, however,* that in all municipalities having a population exceeding fifteen thousand, the signature copy register binders and the current primary party poll-books shall be returned by the district boards of registry and election to the commissioner of registration, not later than the day following the primary election for the general election.

Delivery of ballot box, etc.

Proviso.

In all municipalities having a population of fifteen thousand or less, in counties of the first class, the register of voters and the general election registry list shall be returned by the district boards of registry and election to the commissioner of registration, not later than the day following the primary election for the general election.

15,000 or less in first class counties;

In all municipalities having a population of fifteen thousand or less, in counties other than counties of the first class, the register of voters and the general election registry list shall be returned by the district boards of registry and election to the county clerk, not later than the day following the primary election for the general election.

In other counties.

The said commissioners of registration and the said county clerks 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 primary party poll-books, the register of voters and the general election registry

Deliveries before third registry day.

list to the respective district boards of registry and election.

Section 3, Art. XXXI, amended.

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

Illegal Transfer of Registrants.

Illegal transfers.

3. It shall not be lawful for any district board of registry and election in any municipality in the State to execute or deliver to any voter any paper in the nature of a transfer, purporting to authorize the said voter to vote in any other election district, unless he is actually registered, as now provided by law.

Repealer.

45. Section eighty-seven of chapter three hundred and twenty-two, public laws of one thousand nine hundred and twenty-six, be and the same is hereby repealed.

Section 6 amended.

46. Section six of an act entitled "A supplement to an act entitled 'An act to regulate elections' (Revision of 1920), passed May fifth, one thousand nine hundred and twenty, and the amendments thereof and the supplements thereto," which supplement was passed April first, one thousand nine hundred and twenty-six, be and the same is hereby amended so as to read as follows:

Application for registration.

6. The members of the county board of elections may, and the commissioner of registration or a duly authorized clerk or clerks acting for him, which clerk or clerks shall be designated by the county board of elections, but who shall be under the direct supervision and direct authority of the said commissioner of registration, shall, up to and including the fourth Tuesday preceding any primary election for the general election and any general election, and after any such election, receive the application for registration of all such eligible voters as shall personally appear for registration during office hours, at the office of the commissioner or at such other place or places as may from time to time be designated by him for registration, and who have the qualifications as herein provided. Any eligible voter who applies for registration shall subscribe to the following oath or affirmation, viz.:

Oath of registrant.

You do solemnly swear (or affirm) that you will fully and truly answer such questions as shall be put to you,

touching your eligibility as a voter under the laws of this State.

Upon being sworn, the applicant shall answer such questions as are provided for in the original and duplicate permanent registration forms hereinbefore set forth, and the clerk shall fill out the forms which the applicant shall sign. In case an eligible voter is unable to write his name, he shall be required to make a cross, which shall be followed by the writing of the words "His or Her Mark," as the case may be, by the person taking the application, and said applicant shall answer the additional questions required under this act. Said additional questions shall be sworn to or affirmed in the same manner as above provided. Registration by mail is hereby specifically prohibited.

Unable to write.

Mark.

No mail registration.

Section 6 amended.

47. Section sixteen of an act entitled "A supplement to an act entitled 'An act to regulate elections' (Revision of 1920), passed May fifth, one thousand nine hundred and twenty, and the amendments thereof and the supplements thereto," which supplement was passed April first, one thousand nine hundred and twenty-six, be and the same is hereby amended so as to read as follows:

Correcting records as to removals.

16. The superintendent of elections shall, within thirty days after every election certify to the commissioner of registration a list of the names and addresses of all persons who he has found to his satisfaction have moved from the district in which they were registered. Upon the receipt of such a list said commissioner of registration shall cause an inquiry to be made by government reply postal card or otherwise as to such fact of removal and in the case of persons who have been found to the satisfaction of said commissioner of registration to have moved from an election district in a permanent registration municipality to another election district in the same or in another permanent registration municipality within the county, said commissioner shall cause the permanent registration forms of such persons to be transferred to the proper signature copy register binders. In the case of persons who have been found to the satisfaction of said commissioner to have moved from a permanent registration municipality to a house-to-house canvass municipality within the county or to a munici-

Transfer of binders.

Voter moved.

pality outside the county, said commissioner shall cause the permanent registration forms of such persons to be transferred to the inactive file. Such persons, upon return to any permanent registration municipality within the county, shall be required to register again before being allowed to vote.

Section 17 amended.

48. Section seventeen of an act entitled "A supplement to an act entitled 'An act to regulate elections' (Revision of 1920), passed May fifth, one thousand nine hundred and twenty, and the amendments thereof and the supplements thereto," which supplement was passed April first, one thousand nine hundred and twenty-six, be and the same is hereby amended so as to read as follows:

Cases of death reported.

17. The health officer or other officer in charge of records of death in each permanent registration municipality shall file with the commissioner of registration, and with the superintendent of elections in counties of the first class, once each month, during the first five days of such month, the age, date of death, and the names and addresses of all persons over twenty-one years of age who have died within such municipality during the previous month. Upon the receipt of such a list the commissioner shall make such investigation as is necessary to establish to his satisfaction that each deceased person is actually the same person whose permanent registration forms are on file in the office of said commissioner, and if said forms are found to be those of said deceased person, said commissioner shall then cause such permanent registration forms and record of voting forms to be transferred to the inactive file. In counties of the first class the superintendent of elections, upon the receipt of said list of deaths, shall make such investigation as is necessary to establish to his satisfaction that each deceased person is actually the same person whose registration card is on file in the office of said superintendent. Within thirty days after the receipt of said list the superintendent of elections shall certify to the commissioner of registration the result of his investigation of said deaths, and said commissioner shall then cause such permanent registration forms and record of voting forms to be transferred to the inactive file.

Accuracy of report established.

Investigation in counties of first class.

Section 18 amended.

49. Section eighteen of an act entitled "A supplement to an act entitled 'An act to regulate elections' (Revision of 1920), passed May fifth, one thousand nine hundred and twenty, and the amendments thereof and the supplements thereto," which supplement was passed April first, one thousand nine hundred and twenty-six, be and the same is hereby amended so as to read as follows:

Convictions reported by county clerks.

18. Once each month during the first five days of such month the county clerk shall deliver to the commissioner of registration in his county and to the superintendent of elections in counties of the first class, a list of the names and addresses of all persons and their ages and offenses who have been convicted during the previous month of a crime which would disfranchise said persons under the existing laws of this State. Upon the receipt of such list the commissioner of registration shall make such investigation as is necessary to establish to his satisfaction that such persons are actually the same persons whose permanent registration forms are on file in the office of said commissioner, and if said forms are found to be those of said convicted person, said commissioner shall then cause such permanent registration forms and record of voting forms to be transferred to the inactive file. In counties of the first class the superintendent of elections, upon the receipt of said list of convictions, shall make such investigation as is necessary to establish to his satisfaction that each convicted person is actually the same person whose registration card is on file in the office of said superintendent. Within thirty days after the receipt of said list the superintendent of elections shall certify to the commissioner of registration the result of his investigation of said convictions, and said commissioner shall then cause such permanent registration forms and record of voting forms to be transferred to the inactive file. Such persons, upon the restoration of their citizenship rights or upon being pardoned, shall be required to register before being allowed to vote.

Records transferred to inactive files.

Investigation in first class counties.

Result certified.

On restoration to citizenship.

Section 20 amended.

50. Section twenty of an act entitled "A supplement to an act entitled 'An act to regulate elections' (Revision of 1920), passed May fifth, one thousand nine hundred and twenty, and the amendments thereof and the sup-

plements thereto." which supplement was passed April first, one thousand nine hundred and twenty-six, be and the same is hereby amended so as to read as follows:

Correction of Records by Commissioner of Registration.

Transfer of names stricken from list to inactive file.

20. The commissioner of registration shall, transfer to the inactive file the original and duplicate permanent registration forms and corresponding record of voting forms of such persons as the justice of the Supreme Court, the judge of the Circuit Court, the judge of the Common Pleas Court or the county board of elections may order stricken from the signature copy register as provided in the act to which this act is a supplement.

Section 22 amended.

51. Section twenty-two of an act entitled "A supplement to an act entitled 'An act to regulate elections' (Revision of 1920), passed May fifth, one thousand nine hundred and twenty, and the amendments thereof and the supplements thereto," which supplement was passed April first, one thousand nine hundred and twenty-six, be and the same is hereby amended so as to read as follows:

Deliveries of signature copy registers and voting forms to municipal clerks.

22. On or before the second Saturday preceding the primary election for the general election and the general election the commissioner of registration in counties other than counties of the first class, shall deliver to the municipal clerk in each permanent registration municipality the signature copy registers which are the locked binders containing the duplicate permanent registration forms and the record of voting forms for each election district in said municipality and shall take a receipt for the same. Said municipal clerk shall thereupon deliver at his office, or in any other way he sees fit, said binders of duplicate permanent registration forms and record of voting forms to a member or members of the proper district boards of registry and election at the same time, and together with the primary for the general election sample ballots or the general election sample ballots, as the case may be. Said duplicate permanent registration forms shall be used by the district boards of registry and election for the purpose of mailing the sample ballots, and shall be returned in accordance with the provisions of an act to which this act is a supple-

Delivery to district boards.

Use and return.

Proviso.

ment; *provided, however,* that the commissioner of registration in counties of the first class shall deliver said binders at his office or in any other way he may see fit, to the various district boards of registry and election, taking a receipt for same, at the same times and for the same purposes as aforesaid.

Section 23 amended.

52. Section twenty-three of an act entitled "A supplement to an act entitled 'An act to regulate election' (Revision of 1920), passed May fifth, one thousand nine hundred and twenty, and the amendments thereof and the supplements thereto," which supplement was passed April first, one thousand nine hundred and twenty-six, be and the same is hereby amended so as to read as follows:

Delivery and use on primary day.

23. (a) On or before the Saturday preceding the primary election for the general election and the general election, the commissioner of registration in counties other than counties of the first class, shall deliver to the municipal clerk in each permanent registration municipality the signature copy registers which are the locked binders containing the duplicate permanent registration forms and the record of voting forms for each election district in said municipality, and shall take a receipt for the same. Said municipal clerk shall thereupon deliver at his office, or in any other way he sees fit, said binders of duplicate permanent registration forms and records of voting forms to a member or members of the proper district board of registry and election at the same time and together with the primary for the general election official ballots or the general election ballots, as the case may be; *provided, however,* that the commissioner of registration in counties of the first class shall deliver said binders at his office or in any other way he may see fit, to the various district boards of registry and election, taking a receipt for same, at the same times and for the same purposes as aforesaid.

Delivery to district boards.

Proviso.

Instructions to election officers.

(b) Before delivering said binders to said municipal clerks the commissioner of registration shall cause to be printed upon a separate sheet or sheets of paper, to be inserted inside of the front cover of said binders, in conspicuous type, such instructions to election officers re-

garding the use and disposition of said binders and forms as he may deem necessary.

(c) Before delivering said binders to said municipal clerks for use in the primary election for the general election in the year nineteen hundred and twenty-eight, the commissioner of registration shall refer to the primary party poll-books of the previous year and record on both of the record of voting forms of each registrant who voted in the primary election for the general election of the previous year the number of the ballot that he voted and the first three letters of the name of the political party whose ballot he voted at said primary election for the general election. Record of voting at previous primary transferred to voting forms.

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

Approved April 3, 1928.

CHAPTER 262.

An Act for the relief of F. Edward Whitehead.

WHEREAS, F. Edward Whitehead, a chemist in the employ of the State Department of Health, lost the sight of one eye, while engaged in the performance of his duties; and Preamble.

WHEREAS, At a hearing held before the Compensation Bureau of the State Department of Labor, it was ascertained that such injury arose in the course of his said employment, and that he should be compensated therefor: Preamble.

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

1. There shall be paid to the said F. Edward Whitehead as compensation for the injury so received the sum of five thousand dollars, which said amount shall be in Compensation for injury.

full compensation for such injury. The Comptroller of the Treasury and the State Treasurer are hereby authorized to pay the aforesaid sum from the funds of the State.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 263.

An Act vesting the title to real estate of which John D. Busing died seized and which is alleged to have escheated to the State of New Jersey in one thousand eight hundred and eighty-five.

Preamble. WHEREAS, John D. Busing, late of the town of Guttenberg, county of Hudson, and State of New Jersey, departed this life on the twenty-ninth day of December, one thousand eight hundred and eighty-five, seized of lot, tract or parcel of land, situate, lying and being in the town of Guttenberg, county of Hudson and State of New Jersey, known and designated on a map of property made by William Hexamer, situate at Guttenberg, Hudson county, New Jersey, now on file in the clerk's office of the county of Hudson, as lot numbered two hundred and eighty (280), in block number twenty-eight (28), fronting and facing on the easterly side or line of Bulls Ferry road, and on the northerly side of Hudson avenue as shown on said map, said lot number two hundred and eighty (280) being situate on the northeasterly corner of said Bulls Ferry road and Hudson avenue and being twenty-five (25) feet in front and rear and one hundred (100) feet deep on each side. Said premises are also known and designated as twenty Park avenue.

Preamble. WHEREAS, The said John D. Busing left no person or persons capable of inheriting the said land, premises and hereditaments; and

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 one John D. Busing, more particularly described in the first preamble to this act, are hereby vested in Christian F. Steil; such title so as aforesaid vested under the provisions of this act is validated and confirmed. Vesting estate in Christian F. Steil.

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

Approved April 3, 1928.

CHAPTER 264.

An Act providing for the retirement of police officers in counties of the second class now or hereafter having a population in excess of two hundred thousand inhabitants; providing a pension for such retired police officers and the widows, children and sole dependent parents of deceased members of said department.

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

1. In all counties of this State now or hereafter having a population in excess of two hundred thousand inhabitants as ascertained by the preceding federal census, all county police officers who have honorably served in any duly organized county police department for a period of twenty years and attained the age of fifty shall, upon his own application, be retired on half pay, and any member of such county police department who shall have honorably served for a period of twenty years and County police may be pensioned. Retirement.

attained the age of sixty-five years shall be retired on half pay and the widow of every retired member of such police department who, while a member of such department having paid into the fund the full amount of his annual assessments or contributions and continued so to do after his retirement until his death, and who shall die from causes other than injuries received in the performance of duty, shall, so long as she remains unmarried, receive a pension equivalent to one-half of the pay of her deceased husband at the time of his retirement not exceeding one thousand dollars for the use of herself and the children under sixteen years of age of her deceased husband, if any; *provided, however,* that she was married to her said deceased husband before the date of his retirement and before he arrived at the age of fifty years; and in case such retired deceased member leave no widow but children under the age of sixteen years, then such pension shall be paid to such of his children who have not attained the age of sixteen years, in equal shares if there be three or more of them; if only two they shall be paid twenty dollars each monthly, and if only one such child shall be paid twenty-five dollars monthly until the age of sixteen years is reached; and in case there is no widow and no children under the age of sixteen years, then such pension shall be paid to the sole dependent parent of such deceased member. All such retirements to be made and pensions allowed by the pension commission hereinafter created.

As to widows and children.

Proviso.

As to children.

Amount per child.

When paid to parents.

2. Any member of such county police department who shall have received permanent disability in the performance of his duty shall, upon the certificate of a surgeon or the county physician, or other physician designated for that purpose by the pension commission, be retired upon a pension equal to two-thirds of the amount of his salary at the time of his retirement; where, however, a person being a member or employee of such department shall desire to retire by reason of injury or disease, such person shall make application in writing to the pension commission for such retirement; whereupon the pension commission shall call to their assistance the aid of the county physician or other physician designated for that purpose and the person making the application may like-

Retirement for disability.

Application for retirement.

wise call to his aid a regularly licensed and practicing physician or surgeon. The president of the board of pension commissioners is authorized to administer oaths to said physicians or any other person called with respect to the matter before the commission, who shall determine by resolution whether said person is entitled to the benefits of this act. In case the two physicians called as hereinbefore provided fail to agree upon the physical condition of the applicant, then the pension commission may call a third disinterested practicing physician and surgeon and the determination or a majority of said three physicians, who being first duly sworn in the case, shall be reduced to writing and signed by them and the pension commission shall consider the same in arriving at their decision. Determination.

3. The widow or children or sole dependent parent of any member of the county police department having served therein for a period of ten years, having paid into the fund the full amount of his annual assessment or contributions, who shall have lost his life in the performance of his duty, or who shall die from causes other than injuries received in the performance of duty, shall receive a pension equal to the full amount of the salary of such member at the time of his death, not exceeding one thousand dollars; *provided, however,* that in case of a widow and children such pension shall be paid to the widow for the use of herself and the children, if any, and in case of children and no widow, then such pension shall be paid to such of the children who have not attained the age of sixteen years, in equal shares, provided there are three or more children; if there are two children, they shall be paid twenty dollars each monthly; if one child, twenty-five dollars monthly; and in case there is no widow and no children under the age of sixteen years, then such pension shall be paid to the sole dependent parent of such deceased member; *and provided, further,* no widow shall be entitled to a pension who shall have married any such member after he shall have attained the age of fifty years; *and provided, further,* that if any widow entitled to a pension as aforesaid remarry, then such pension shall cease and shall not be paid to such widow or her children. Amount of pension. Proviso. Proviso. Proviso.

Sources of pension fund.

4. A fund shall be created in the following manner for the purpose of paying such pensions, to wit: There shall be deducted from every payment of salary to such member of the county police department in such county two per centum of the amount thereof, providing such member entered such service on or before the age of thirty-five years; if any member enters service after the age of thirty-five years, then such percentage shall be increased to such an amount as shall be determined by the pension commission to correspond to the risk arising by the additional age of the member. The county shall raise by taxation and pay into said fund yearly an amount equal to four per centum of the total salaries paid to the members of the police department. There shall also be added to such fund the following moneys: All fines imposed upon any member of the police department; all moneys given or donated to such fund; all moneys deducted from the salary of any member of the police department on account of absence, or loss of time, and one-half of all rewards paid for any purpose. In case there shall not be sufficient money in said pension fund created as aforesaid, the board of chosen freeholders shall include in any tax levy a sum sufficient to meet the requirements of said fund for the time being.

County's share.

Fines, etc.

Balance by tax.

Pension commission.

5. In all counties in which this act shall take effect there shall be established a pension commission of five members, consisting of the director of the board of chosen freeholders, the county treasurer, two members of the police department of such county, and one citizen of the county, to be selected by them at a meeting or meetings to be held in December of each year at a date to be fixed by each body. The terms of the members selected from the county police department shall be for two years and the citizen member shall hold his said office for a term of two years.

Terms.

Control of fund and retirement.

6. The said pension commission shall have control and management of said fund and of the retirement of members of the said departments, and are hereby empowered to make all necessary rules and regulations regarding the same not inconsistent with this act. All moneys belonging to said pension shall be received and paid over to the treasurer of the county, whose official bond shall

cover the same. No funds shall be paid out of said fund except upon the warrant of the commission, signed by its president and secretary.

Definition.

7. The term "county police officer" as used in this act shall be taken to mean and include all uniformed members, whether officers or patrolmen, of such county force.

When act operative.

8. This act shall take effect immediately, but shall not be operative in any county until the board of chosen freeholders thereof shall by resolution determine to adopt the provisions of the same in and for said county.

Approved April 3, 1928.

CHAPTER 265.

An Act to extend the privileged character of publications.

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

Liability of newspapers acting in good faith.

1. That the privileged character attaching to the publication of judicial or other proceedings shall extend to the publication in any newspaper of official statements issued by police department heads, prosecutors of the county and coroners in investigations in progress or completed by them, and which are accepted in good faith by the publisher of any newspaper; and the privileged character thereof shall be a good defense to any action for libel unless the plaintiff shall show express malice or malice in fact.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 266.

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.

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

Sections 2-a and 2-b added.

1. The act to which this act is a supplement be and the same is hereby supplemented by adding thereto two new sections to be known as sections two-a and two-b and to read as follows:

Class of stock.

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 this section shall not apply to any corporation heretofore incorporated.

Proviso.

Amount allowable for expenses.

2b. Every subscription to the capital stock of a stock company shall contain the stipulation that no sum shall be used for commission, promotion or organization expenses in excess of a per centum of the amount paid upon the stock subscriptions, to be named in such stipulation, not exceeding fifteen per centum. Every subscription for stock and every application for insurance in such company made prior to the granting to the company by the Commissioner of Banking and Insurance of the certificate of authority shall contain the stipulation that the money advanced by the applicant shall be returned to him without any deduction in case the company fails to complete its organization or procure such certificate or issue the policy applied for in the application.

Refund if organization not effected.

Repealer.

2. This act shall take effect immediately and all acts or parts of acts inconsistent therewith be and the same are hereby repealed.

Approved April 3, 1928.

CHAPTER 267.

An Act to amend an act entitled "An act relating to, regulating and providing for the government of cities, towns, townships, boroughs, villages and municipalities governed by boards of commission or improvement commissions in this State," approved April twenty-fifth, one thousand nine hundred and eleven, as said title was amended by act approved April second, one thousand nine hundred and twelve.

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

1. Section five of the act referred to in the title of this act is hereby amended to read as follows: Section 5 amended.

5. The Board of Commissioners shall designate the time of holding regular meeting, which shall be at least twice monthly, and special meetings may be called from time to time by the mayor or by two commissioners. All meetings of the commissioners, whether regular or special, shall be open to the public, and any citizen may have access to the minutes upon application to the city clerk. Meetings of commission. Publicity.

The mayor shall be president of the board and shall preside at its meetings and surpervise all departments and report to the board for its action all matters requiring the attention of the board on any department. Duties of mayor.

Director of the department of revenue and finance shall be vice-president of the board, and, in case of vacancy in the office of mayor, shall perform the duties of that office. Director of finance.

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

3. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 268.

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 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 5 amended.

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:

Exceptions to act.

5. The provisions of this act shall not apply to persons, partnerships or corporations lawfully engaged in the business of searching or insuring titles to real estate in so far as may relate to the rendering of legal advice or to the preparation and execution of conveyances or other instruments connected with or incidental to the guaranteeing or searching of titles to real estate either by such persons, partnerships or corporations or their employees; nor to persons or corporations lawfully exercising trust functions, whether as trustee, executor, administrator, guardian, assignee, receiver, or otherwise, in so far as may relate to conveyances or other instruments, excepting wills, connected with or incidental to the creation, execution or discharge of trust functions; nor to any person, partnership or corporation engaged in the leasing, sale or exchange or real or personal property or in the loaning of money on mortgages on real or personal property in so far as may relate to legal documents incidental to any lease, mortgage, sale or exchange, nor shall this act apply to the drawing of deeds, bonds, mortgages, leases, releases, agreements, or assignments by a master in chancery or a licensed real estate broker, or any one employed by such real estate

broker; nor to any corporation now engaged in the business of drawing and filing certificates of incorporation or amendments thereto, the drawing of by-laws, and generally the superintending and directing of the proceedings necessary to incorporate and form corporations, in so far as these enumerated powers and businesses are concerned; nor to any person or corporation furnishing to any person lawfully engaged in the practice of the law such information for such clerical assistance in and about his professional work as, except for the provisions of this act, may be lawful; *provided,* that at all times the lawyer receiving such information or such service shall maintain full professional and direct responsibility to his client for the information and service so rendered; neither shall the provisions of this act be held to prohibit any person, firm, association or corporation from employing any duly licensed attorney or counselor-at-law in or about his or their own affairs or in any litigation to which he or they may be a party, or directly or indirectly concerned, or to prohibit organizations, either corporate or otherwise, organized for or doing charitable or benevolent work or rendering assistance to persons without means in pursuit of any legal remedy in so far as the carrying out of the charitable objects of such organization is concerned, or in so far as the rendering of such charitable assistance is concerned.

Proviso.

Employment of counsel.

Benevolent assistance.

2. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 269.

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:*

County park commission.

1. In any county of this State now or hereafter having a population in excess of two hundred thousand inhabitants as ascertained by the last preceding Federal census, the board of chosen freeholders may by resolution passed by the affirmative vote of a majority of the whole board, appoint a county park commission to consist of five residents and freeholders of the county, to be known as "The County Park Commission" (inserting the name of the county). The commissioners first appointed shall hold office respectively for the term of one, two, three, four and five years as indicated and fixed by the board of chosen freeholders and all commissioners thereafter appointed shall be appointed for a term of five years. Vacancies happening by resignation, death or otherwise, shall be filled by the board of chosen freeholders for the unexpired term only. Such commission shall have power to sue and be sued, to use a common seal, to make by-laws, and carry out the objects of this act as hereinafter set forth. The members of such park commission shall serve without compensation; their necessary expenses shall be allowed and paid by the county treasurer upon warrants signed by the president or vice-president and secretary. Every such commission shall annually choose from among its members a president, a vice-president and a treasurer and shall appoint a secretary and such other officers and employees as it may deem necessary to carry out the purposes of this act. They shall also fix and determine the duties and powers of such appointees and make all reasonable rules and regulations respecting the same.

Corporate name.

Terms.

Vacancies.

Powers.

Expenses met.

Officers.

Headquarters.

2. The board of chosen freeholders may provide said commission with a suitable office and upon the establishment of such commission may make available for expenditures authorized by said commission, such sum or sums as the said board may by a majority vote approve not to exceed, however, the sum of one hundred thousand dollars and thereafter, the said board may provide and make available such further sums of money as may be required to carry out the purposes of this act, but in no case shall such sums exceed in the aggregate, a sum equal to three-fourths of one per centum of the assessed valuation of lands and real estate (including improvements) in such county as shown by the last list of ratables made up and approved by the county board of taxation for such county. The moneys to be provided and made available by the board of chosen freeholders for the purposes of this act may be raised by taxation or by the issuance of permanent or temporary bonds, or both. Only the amount raised by permanent or temporary bonds shall be included in any debt statement prepared in pursuance of any law of this State.

As to expenditures.

Moneys raised by taxation.

Provide parks, etc.

3. Such commission shall have power to acquire, maintain and make available to inhabitants of the county, public parks and open spaces for public resort and recreation and shall have power to locate such public parks and places at such point or points within the limits of the county as it may determine; it shall also have power to preserve and care for and to lay out, construct, maintain and improve any such parks and places and to connect any road, parkway, park or public open space with any other park, parkway or public open space, and also with any city or municipality of such county, by a suitable roadway, parkway or boulevard, or otherwise, and by itself, or jointly with any municipality or other public body, to provide for the construction, improvement or maintenance thereof; to lay out, construct and maintain such sidewalks, roadways, serviceways, bridle paths, footpaths, or other ways within any such park or parks or other places; to construct and maintain such buildings or other structures, playgrounds and the equipment thereof, as it may determine proper, and to enter into

Connections.

Roadways, etc.

Buildings.

contracts with any municipality or other public body with respect to the laying out, construction or maintenance thereof.

Acquisition of property.

4. Every such commission shall have power to acquire by gift, purchase or condemnation, or by lease or agreement, such lands and rights in lands and other property as it may determine is necessary and proper for the purposes of this act. All such lands and property shall be acquired by such commission in the name of the county.

Grades.

5. Such commission shall have power and authority not only to lay out and open roadways, parkways and boulevards as herein provided, but shall have power and authority to establish the grade thereof and to change or alter the same; also, to straighten, widen, alter or relocate any existing or new roadway, parkway or boulevard which may be acquired by such commission.

Rules and regulations.

6. Such commission shall have full power and authority to make, alter, amend, and repeal rules and regulations for the protection, regulation and control of such parks, parkways and the roads, driveways, sidewalks, paths, lakes, pools, fountains, trees, flowers, shrubs, statuary, buildings and other things contained therein, and to prescribe fines and penalties for the violation of such rules and regulations, and to fix the amount of the same. Such rules and regulations shall not take effect until ten days after their adoption by said commission and after their publication once a week for four weeks in at least five newspapers circulating in said county.

Land kept exclusively for public use.

7. All lands taken or held under this act for the purpose of public parks shall be forever kept open and maintained as such and no steam or other railroad shall be laid out on or maintained in, or operated on any portion of the parks, open spaces, boulevards, parkways or roadways laid out and located under this act, except at such places and in such manner as said board of park commissioners shall in writing approve; *provided, however,* that if all the members of the park commission shall by resolution, determine that any lands or parts of lands acquired in pursuance of this act, are no longer required for park purposes and that the interest of the public will be better served by the sale thereof, such commission may certify such resolution to the board of chosen free-

Proviso.

holders and if such board of chosen freeholders concur therein, such lands may be sold for cash at public sale to the highest bidder; *and provided, further,* that said commission may by unanimous vote vacate or surrender any roadway, parkway or boulevard within its jurisdiction and control if such vacation or surrender shall appear to be in the public interest. Proviso.

8. The board of chosen freeholders of the county or any municipality within the county may with the consent of such park commission, transfer the care, custody and control of any park, public place, roadway, parkway or boulevard under its care or control to said park commission to be held by such commission for the purposes of this act. Transfer of authority.

9. This act shall not become operative in any county unless the same shall have been submitted to the voters of such county at any general election for the members of the General Assembly in such county and shall have been approved by a majority of the votes cast at such general election upon the question of adoption as submitted. Whenever the board of chosen freeholders of any county in which this act may become operative, shall pass a resolution authorizing the submission of this act to a popular vote at a general election in the county, it shall be the duty of the county clerk to give public notice by publication in two or more newspapers published and circulating in the county that such submission will be made at the ensuing general election, stating briefly the question to be submitted, and cause to be printed upon the sample and official ballots to be used at such general election in the manner required by "An act regulating elections" (Revision, 1920), passed May fifth, one thousand nine hundred and twenty, and the acts amendatory thereof and supplemental thereto, the following public question, to wit: "Shall a county park commission be appointed pursuant to the provisions of Chapter (inserting the number of the Chapter of this act), P. L. 1928?" If upon the canvass of the vote at such election if it shall appear that a majority of those voting for or against the question so submitted have voted in favor of the appointment of a county park commission pursuant to this act, this act shall thereupon become operative and the board of chosen free- Referendum. Notice of election. Proposition. Result.

holders of such county shall within thirty days thereafter appoint the commissioners herein authorized to be appointed.

Existing laws not effected.

10. Nothing herein contained shall repeal any existing law relating to the establishment of county parks or be construed to apply to any county which may have heretofore established a county park system or a county park commission under the provisions of any other act;

Proviso.

provided, that in case proceedings have been had in any county to which this act is applicable, for the submission of the provisions of any other act for the establishment of county parks or the appointment of a county park commission, to the voters of such county and the board of chosen freeholders of such county shall, not less than thirty days prior to the general election at which such submission is to be made, adopt a resolution authorizing the submission of this act as hereinbefore provided, to the voters of such county, then and in that case the question of the submission of any other act shall not be submitted at the next succeeding general election and the question of the adoption of the provisions of this act shall be submitted in lieu thereof.

11. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 270.

An Act altering and resettling a part of the boundary line between the counties of Monmouth and Ocean, and annexing certain lands to the county of Ocean.

Preamble.

WHEREAS, In accordance with the provisions of Joint Resolution No. 7, of the legislative session of one thousand nine hundred and twenty-seven, there was appointed a joint commission for the purpose of ascertaining, determining and fixing the boundary line

between the counties of Monmouth and Ocean in this State; and

WHEREAS, In accordance with the provisions of said resolution said commission did meet for the aforesaid purpose, did unanimously determine said boundary, and embody its findings in this act; therefore, Preamble.

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

1. That the following described lands and tenements, now within the boundaries of the county of Monmouth, be and the same are hereby annexed to, and become a part of the county of Ocean: Boundaries of part of Monmouth county annexed to Ocean county.

Beginning at the point where the center of the north branch of the Metedeconk river intersects the dividing line between Freehold and Howell townships, Monmouth county, and Jackson township, Ocean county, the said point being the southeasterly corner of Freehold township and the northeasterly corner of Jackson township, thence southeasterly down the middle of the said north branch of the Metedeconk river to a point where the same intersects the division line of the township of Howell, county of Monmouth, and the township of Lakewood, county of Ocean, as now existing, thence along the said dividing line between the township of Howell, county of Monmouth, and the township of Lakewood, county of Ocean, northwesterly to the Jackson township line, thence northwesterly along the line dividing Jackson township and Howell township, as now existing, to the point in the middle of the north branch of the Metedeconk river, at the southeasterly corner of Freehold township, and the northeasterly corner of Jackson township, heretofore described as the beginning point.

The dividing line between the county of Monmouth and the county of Ocean is hereby determined and fixed as the center line of the north branch of the Metedeconk river from a point where the same is intersected by the dividing line between the townships of Howell and Freehold, in Monmouth county, and the township of Jackson, in Ocean county, to a point where the center line Division line between Monmouth and Ocean counties.

of the said north branch of the Metedeconk river intersects the former dividing line between the township of Howell, Monmouth county, and the township of Lakewood, Ocean county.

Act in effect.

2. This act shall take effect December thirtieth, one thousand nine hundred and twenty-eight.

Approved April 3, 1928.

CHAPTER 271.

An Act to grant and release the right, title, estate and interest of the State of New Jersey in and to certain real estate in the city of East Orange, Essex county, New Jersey, of which Michael Rantuscha died seized intestate, leaving no heirs capable of inheriting the same.

Preamble.

WHEREAS, Michael Rantuscha, late of the city of East Orange, county of Essex and State of New Jersey, died intestate on April twentieth, one thousand eight hundred and ninety-nine, seized of the following described tract of land in the township (now city) of East Orange, in the county of Essex and State of New Jersey, and leaving no heirs capable of inheriting the same, and which said real estate is more particularly described as follows: Beginning on the southeast side of Bedford street three hundred and twenty-five feet northeast from Tremont avenue; thence south fifty-nine degrees three minutes east one hundred feet; thence north thirty degrees fifty-seven minutes east twenty-five feet; thence north fifty-nine degrees three minutes west one hundred feet to Bedford street; thence along the same south thirty degrees fifty-seven minutes west twenty-five feet to the point and place beginning. Being the same premises which were conveyed by Ogden W. Lindsley and Eliza P. Lindsley, his wife, to said Michael Rantuscha, dated November sixth, one thousand eight hundred and ninety, and recorded on November twenty-ninth,

one thousand eight hundred and ninety, in Book W-25, of Deeds for Essex county, pages 188-189; and

WHEREAS, The said land was sold by Mary Rantuscha, administratrix of Michael Rantuscha, deceased, to Willard S. Muchmore, pursuant to an order dated March thirtieth, one thousand nine hundred, made by the Essex county Orphans' Court for the purpose of paying the debts of said Michael Rantuscha, deceased, and said sale was confirmed by an order of said court dated May sixteenth, one thousand nine hundred, and a deed for said land was executed and delivered by said Mary Rantuscha, administratrix of said Michael Rantuscha, to said Willard S. Muchmore, dated May twenty-sixth, one thousand nine hundred, and recorded in Book L-33 of Deeds for Essex county, on pages 145-146; and Preamble.

WHEREAS, Said land has been conveyed by sundry mesne conveyances to Joseph Pasapano of East Orange, New Jersey; and Preamble.

WHEREAS, Said Joseph Pasapano and Preasede Pasapano, his wife, mortgaged said land to Triumph Building and Loan Association of East Orange, New Jersey, to secure the sum of $2,200.00 by mortgage, dated March twenty-sixth, one thousand nine hundred and eighteen, and recorded in Book Q-38 of Mortgages for Essex county, on pages 462-464; and Preamble.

WHEREAS, Proper notice of intention to apply for the passage of this act has been given and duly published. Preamble.

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

1. All the right, title, estate and interest of the State of New Jersey in and to the above described lot or tract of land and premises whereof the said Michael Rantuscha died seized with the appurtenances thereunto belonging or in anywise appertaining, be and the same is hereby granted and released unto said Pasapano, his heirs and assigns forever. Title vested in Joseph Pasapano.

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

Approved April 3, 1928.

CHAPTER 272.

An Act providing for the retirement of life guard officers and life guards employed in cities of the fourth class in this State, and providing a pension for life guard officers and life guards so retired.

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

Retirement of life guards for age.

1. In all cities of the fourth class in this State, as ascertained by the preceding Federal census, any member of the life guard force in service during the year when this act takes effect, whether employed as an officer or a guard, who shall have served on such force for a period of fifteen consecutive years, and shall have attained the age of forty years, may be retired upon half pay by the governing body of any such city or upon his own application may be retired upon half pay as aforesaid.

Retirement for disability.

2. Any officer or member of any such life guard force, who shall have received permanent disability in the performance of his duty shall, upon the certificate of the beach surgeon, or other physician designated by the governing body, be retired upon a pension equal to half of his said salary at the time of retirement.

Sources of pension fund.

3. A fund shall be created in the following manner for the purpose of paying such pensions, to wit: There shall be deducted from every payment of salary to each member of the life guard force in such municipality two per centum of the amount thereof; municipalities shall raise by taxation and pay into such fund yearly an amount equal to four per centum of the total salaries paid to members of the life guard force. There shall be added to such fund the following moneys: All fines imposed upon any member of the life guard force; all moneys given or donated for the purpose of such fund; all moneys deducted from the salary of any member of the life guard force on account of absence, loss of time, and half of all rewards paid to the said life guard force,

or to any member thereof. In case at any time there shall not be sufficient money in such pension fund for the purposes of said fund the governing body shall include in any tax levy a sum in addition to amounts heretofore contributed which shall be sufficient to meet the requirements of the fund, and such sum shall be raised by tax levy no longer than is necessary to meet the requirements of such pension fund. Whenever such pension fund shall exceed an amount which the governing body shall by resolution from time to time determine to be adequate for such pension fund, no moneys, except the two per centum of salaries, and the fines, donations and rewards specified in this act, shall be paid into such fund unless and until the amount of such fund shall fall below the amount thus determined to be adequate.

Deficiency raised by taxation.

If fund exceeds requirements.

4. There shall be appointed by the mayor or chief executive officer, with the advice and consent of the governing body of such municipality, a life guard pension commission consisting of four members, one of which shall be a superior officer of such life guard force and one a life guard, and two citizens who are not members of such life guard force. The members of such life guard pension commission shall serve for a term of four years, and until their successors are appointed and duly qualified and shall not receive any compensation for their services. Each person so appointed to such life guard pension commission shall take an oath of office before the mayor or other chief executive officer of such municipality to the effect that he will faithfully discharge the duties of the office.

Commission on pensions.

Terms.

Oath.

5. The said life guard pension commission shall have the management and control of said fund and is hereby empowered to make all necessary rules and regulations not inconsistent with this act. All moneys belonging to said life guard pension fund shall be paid over to the treasurer of such municipality, who shall give bond in such amount from time to time as the governing body of such municipality shall determine. All moneys not needed for the immediate payment of such pensions shall be invested by such life guard pension commis-

Control of fund.

Investment.

sion in interest bearing bonds of such municipality or in other interest bearing securities in which savings banks of this State are authorized to invest their funds.

Payments.

No moneys shall be paid out of said fund by such treasurer except upon the warrant of such life guard commission, such warrant to be signed by such member or members of such life guard pension commission as shall be designated by such commission.

6. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 273.

An Act to regulate the purchase and owning by certain corporations of capital stock of banks, trust companies and national banks doing business in this State and in certain cases to limit and prohibit the purchase and ownership of such stock and to provide punishment for violation thereof.

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

Bank stock registered in name of owning corporation.

1. Any corporation, other than corporations specifically exempted from the provisions of this act, which now owns any of the shares of the capital stock of any bank or trust company or national bank, doing business in this State, and which shares of stock are not registered in the name of such corporation on the books of the bank or trust company or national bank issuing or which issued the same, shall within sixty days after the taking effect of this act cause the said shares of capital stock to be transferred on the books of such bank or trust company or national bank so that the same will be issued to and be registered in the name of such corporation, and shall keep the same so registered in the name of such corporation while it continues to be the owner of such stock.

Registration of bank stock.

2. Any corporation, other than corporations specifically exempted from the provisions of this act, which now or hereafter owns any shares of the capital stock of any bank or trust company or national bank doing business in this State, shall not cause or permit any such shares of capital stock to be issued to or to be registered on the books of the bank or trust company or national bank issuing the same, in any name or names other than the name of the corporation so owning such shares of stock.

Limitation of amount of stock purchased.

3. Any corporation, other than corporations specifically exempted from the provisions of this act, which now or hereafter owns more than ten per centum of the number of shares of the capital stock now or hereafter at any time issued and outstanding of any bank or trust company or national bank, now or hereafter doing business in this State, shall not purchase more than ten per centum of the number of shares of capital stock at any time issued and outstanding of any other bank or trust company or national bank, now or hereafter doing business in this State.

Voting on stock held by corporation.

4. Every bank and trust company doing business in this State, as to any of its shares of capital stock now or hereafter registered on its books in the name of any corporation and as a condition precedent to permitting such stock to be voted upon at any stockholders meeting, shall take and require from such corporation a statement in writing, dated and made on a date not more than seven days, including Sundays and holidays, prior to the date of such meeting or any adjournment thereof, stating (a) the number of shares of the capital stock of any and every bank, trust company and national bank, doing business in this State, owned by it on the date of taking effect of this act, and the names and addresses of the same; (b) the number of shares of the capital stock of any and every such bank, trust company and national bank, purchased by such corporation after the taking effect of this act and the names and addresses of the same; (c) the number of shares of the capital stock of any and every such bank, trust company and national bank owned by such corporation on

Requirements:

Shares held;

Shares purchased;

Shares of other banks;

the date of such statement and the names and addresses of the same; (d) the date or dates of purchase of all such shares of stock specified in (b) and (c) above; (e) the total number of shares of capital stock of any and every such bank, trust company and national bank issued and outstanding on the date or dates of such purchase or purchases and on the date of such statement; (f) that such corporation has not after the taking effect of this act purchased any of the shares of the capital stock of any bank, trust company or national bank in violation of the provisions of section three of this act. If such statement is not furnished such stock shall not be voted. If it appears from any such statement, that such corporation on the date of such statement owned shares of the capital stock of any such bank, trust company or national bank, purchased in violation of the provisions of section three of this act, the said shares of stock shall not be voted at such stockholders meeting. If it appears from any such statement that such corporation has violated the provisions of section three of this act, such bank or trust company shall inform the Attorney-General and the prosecutor of the pleas of the county in which its principal office is located, of the contents of such statement.

Date of purchase;

Total holdings;

No illegal purchases.

Not voted unless statement given.

Violations reported.

5. Every bank and trust company doing business in this State, as a condition precedent to transferring any of its shares of capital stock into the name of any corporation, shall take and require from such corporation and such corporation shall make and deliver to it, a statement in writing, dated and made on a date not more than seven days, including Sundays and holidays, prior to the date of offering the certificates of stock for transfer, stating the particulars required by subsections (a) to (f) inclusive of section four of this act. Until such statement is furnished such shares of stock shall not be transferred. If it appears from any such statement, that such corporation on the date of such statement, owned shares of the capital stock of any bank, trust company or national bank doing business in this

Transfer of bank stock.

Requirements.

No transfer if violation shown.

State, purchased in violation of the provisions of section three of this act or that the shares, transfer of which is requested were purchased in violation of section three of this act, such stock shall not be transferred. If it appears from any such statement that such corporation has violated the provisions of section three of this act such bank or trust company shall inform the Attorney-General and the prosecutor of the pleas of the county in which its principal office is located of the contents of such statement.

Reporting violations.

6. Every bank and trust company doing business in this State, as a condition precedent to paying dividends upon any of its shares of capital stock registered on its books in the name of any corporation, shall, on or after the date of each and every declaration of dividends upon such stock, take and require from such corporation and such corporation shall make and deliver to it a statement in writing, stating (a) the information required by subsection (a) of section four of this act; (b) the information required by subsection (b) of section four of this act; (c) the number of shares of the capital stock of any and every bank, trust company or national bank doing business in this State, owned by such corporation on the date of declaration of such dividends; (d) the date or dates of purchase of all such shares of stock specified in (b) and (c) above; (e) the total number of shares of capital stock of any and every such bank, trust company and national bank issued and outstanding on the date or dates of such purchase or purchases and on the date of declaration of such dividends; (f) the information required by subsection (f) of section four of this act. If any such statement is not furnished within six months after the date of declaration of such dividends, they shall be forfeited to and become the property of the corporation declaring the same. If it appears from any such statement, that such corporation on the date of declaration of such dividends owned shares of the capital stock of any such bank, trust company or national bank purchased in violation of the provisions of section three of this act, the dividends which would have been payable with respect to any such stock shall be forfeited to and

Certain information to be furnished banks before paying dividends to corporations.

If statement not furnished, dividend forfeited.

become the property of the bank or trust company declaring the same. If it appears from any such statement that such corporation has violated the provisions of section three of this act, such bank or trust company shall inform the Attorney-General and the prosecutor of the pleas of the county in which its principal office is located of the contents of such statement.

Violations reported.

In case of violations.

7. Any corporation, which purchases shares of stock of any national bank doing business in this State, in violation of the provisions of section three of this act shall not vote such shares of stock, nor shall it cause or permit the same to be transferred to it on the books of said national bank nor shall it take or receive any dividends declared on such shares of stock.

Proceedings by Attorney-General.

8. Whenever the Attorney-General of this State has reason or information to suspect or believe, or whenever it appears to the Attorney-General by complaint or otherwise that any stock of any bank or trust company doing business in this State has been purchased in violation of the provisions of this act, he shall, by proceeding in the Court of Chancery of this State, procure determination as to such purchase. Such proceeding shall be by petition in the name of the State of New Jersey, and in which, the bank or trust company whose stock is involved, and the registered holder of such stock and any other person or corporation having any interest therein to the knowledge or information or belief of the Attorney-General, shall be parties defendant, and of which they shall receive such notice as the court shall prescribe. Notice to any absent defendant shall be given according to the statute and rules of said court in such case made and provided.

Burden of proof.

In any hearing thereon the burden of proof that such stock has not been purchased in violation of the provisions of this act shall be upon the registered owner of such stock or upon any other party thereto claiming to own the same.

Decree if no purchase.

If it is determined that such stock has not been purchased in violation of the provisions of this act, it shall be so decreed.

In case of purchase, decree.

If it is determined that such stock has been purchased in violation of the provisions of this act, it shall be so

decreed, and it shall also be decreed that any and all dividends thereafter declared with respect to such stock while such stock is so owned shall be forfeited to and become the properly of such bank or trust company, and that while such stock continues to be owned in violation of the provisions of this act it shall not be voted at any stockholders meeting. Upon any such determination the costs of such proceedings and any counsel fees allowed by the court may be decreed to be paid by the registered owner of such stock or by any other party claiming to own the same.

Costs and fees.

If after such determination such stock ceases to be owned in violation of the provisions of this act, its status with respect to this act may be determined and its right to dividends and voting may be restored upon petition in said court by the registered holder of such stock or other person or corporation interested therein, of which such notice as may be prescribed by the court shall be given to the Attorney-General and to the bank or trust company whose stock is involved. If it is determined that such stock has ceased to be owned in violation of the provisions of this act it shall be so decreed and also that all dividends declared after cessation of such ownership shall be paid without interest, and that such stock may thereafter be voted. Upon any such determination the costs of such proceedings and any counsel fees allowed by the court shall be decreed to be paid by the petitioner.

Restoration rights.

Payment of dividends.

Costs.

9. The stock ownership permitted or prohibited by this act shall be construed to mean and include any ownership, owning, holding, having or controlling directly in any way whatsoever, or indirectly in any way whatsoever, through any agent or other representative.

Construing ownership.

10. The words "purchase," and "purchased," as used in this act shall be construed to mean and include any purchase or other acquisition of ownership, or of any right, title or interest, directly or indirectly in any way whatsoever, or indirectly in any way whatsoever, through any agent or other representative.

Definition.

11. Whenever in this act any statement in writing is required to be made by any corporation, such state-

Statement authenticated.

ment shall be made in the corporation's name, shall be under its corporate seal, and shall be signed for the corporation by its president, vice-president, treasurer or secretary.

Penalties for false statements.

12. Any corporation guilty of making in whole or in part any false statement required by the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished accordingly.

Any corporation guilty of violating any of the other provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished accordingly.

The making by any corporation of any false statement required by this act shall be deemed to be also a false statement by the individual officer or officers of such corporation making the same, and of the individual director or directors and officer or officers of such corporation ordering, or doing, or permitting the same, and he or they shall be guilty of a misdemeanor and upon conviction thereof shall be punished accordingly.

Any violation by any corporation of any of the other provisions of this act other than the making of such false statement, shall be deemed to be also the violation of the individual officer or officers, director or directors, ordering, or doing, or permitting such violation, and he or they shall be guilty of a misdemeanor and upon conviction thereof shall be punished accordingly.

Revocation of charter.

In addition to the penalties otherwise provided in this act for such violation or violations, the charter of any corporation making any false statement required by this act, or violating any of the other provisions of this act, shall be revoked in appropriate proceedings by the Attorney-General of this State; and in case of a foreign corporation authorized to do business in this State its permission granted to do business in this State shall be revoked in appropriate proceedings by the Attorney-General of this State.

Deceptive registration.

13. Any person or persons who for the purpose of enabling any corporation to evade or attempt to evade

the provisions of this act, shall permit any shares of the capital stock of any bank, trust company or national bank, doing business in this State, owned by any corporation to be held or registered in his or their names shall be guilty of a misdemeanor and upon conviction thereof shall be punished accordingly.

Exceptions to act.

14. The provisions of this act and the penalties thereof shall not apply to the following corporations, viz: Banks and trust companies organized under the laws of this State and national banks doing business in this State, nor to such banks, trust companies and national banks while acting in a fiduciary capacity representing any individual or individuals or the estate of any individual; nor to any other corporation the entire capital stock of which is owned by or held in trust for the shareholders of any bank or trust company organized under the laws of this State or any national bank doing business in this State, in the same relative proportion as the stock held in said bank, trust company or national bank.

Constitutionality of act.

15. If any part or parts of this act shall be held to be invalid or unconstitutional, the validity of the other parts hereof shall not thereby be affected or impaired.

16. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 274.

An Act to enable municipalities to adopt zoning ordinances limiting and restricting to specified districts and regulating therein buildings and structures, according to their construction, and the nature and extent of their use, and the repeal of sundry zoning laws.

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

Meaning of "Municipality."

1. Municipality. The term "Municipality," where used in this act, shall be construed to mean "City," "Town," "Village," "Borough," "Township," and any municipality governed by a board of commissioners or improvement commission, but shall not include counties.

"Governing Body."

2. Governing Body. The term "Governing Body," where used in this act, shall be construed to mean the board or body in each municipality empowered by statute to exercise general legislative power therein.

Municipalities may adopt ordinances fixing building zones and regulating use.

3. General Purpose. Any municipality of this State may, by a zoning ordinance, limit and restrict to specified districts and may regulate therein, buildings and structures according to their construction, and the nature and extent of their use, and the exercise of such authority, subject to the provisions herein contained, shall be deemed to be within the police power of the State. Such ordinance shall be adopted by the governing body of such municipality, as hereinafter provided, except in cities having a board of public works, and in such cities shall be adopted by said board of public works. The authority conferred by this act shall include the right to regulate and restrict the height, number of stories, and sizes of buildings, and other structures, the percentage of lot that may be occupied, the sizes of yards, courts, and other open spaces, the density of population, and the location and use and extent of use of buildings and structures for trade, industry, residence, or other purposes.

Passage of ordinance.

Authority conferred.

Municipality may be districted.

4. Districts. For any or all of said purposes the governing body or board of public works may divide the municipality into districts of such number, shape, and area as may be deemed best suited to carry out the purposes of this act; and within such districts it may regulate and restrict the erection, construction, reconstruction, alteration, repair, or use of buildings, or other structures. All such regulations shall be uniform for each class or kind of buildings or other structures throughout each district, but the regulations in one district may differ from those in other districts.

Regulations to be uniform.

Purposes of zoning.

5. Purposes in View. Such regulations shall be made in accordance with a comprehensive plan and designed for one or more of the following purposes: To lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote health, morals or the general welfare; to provide adequate light and air; to prevent the overcrowding of land or buildings; to avoid undue concentration of population. Such regulation shall be made with reasonable consideration, among other things, to the character of the district and its peculiar suitability for particular uses, and with a view of conserving the value of property and encouraging the most appropriate use of land throughout such municipality.

Regulations to be reasonable.

Appointment of zoning commission.

6. Zoning Commission. Prior to the adoption of any zoning ordinance, the governing body or board of public works shall appoint a commission of citizens of the municipality, to be known as the zoning commission, to recommend the boundaries of the various original districts, and appropriate regulations to be enforced therein. Such commission shall make a preliminary report and thereafter hold public hearings thereon before submitting its final report, and the governing body or board of public works shall not hold public hearing or public hearings, or adopt such zoning ordinance, until it has received the final report of such commission; *provided, however,* the foregoing provisions of this section shall not apply to an amendment or repeal of any zoning ordinance.

Report.

Proviso.

Hearing on proposed ordinance.

No zoning ordinance shall be adopted, amended, or repealed, until after public hearing thereon by the governing body or board of public works, at which parties in interest and citizens shall have an opportunity to be heard. Said ordinance and notice of the time and place of hearing thereon shall be published at least once in an official newspaper, if there be one, or otherwise in a newspaper of general circulation in the municipality, and such publication shall take place ten or more days prior to such hearing.

Prior ordinances to continue.

7. Existing Zoning Ordinances Saved. Whenever any municipality shall have adopted an ordinance, or ordinances, prior to the adoption of this act, for any of the purposes set forth in this act, such ordinance, or ordinances, shall continue in effect as if they had been adopted under the provisions of this act; and it shall not be necessary in such cases for the governing body or board of public works to appoint a zoning commission as provided by section six herein. All such ordinances shall remain in full force and effect, except insofar as they are inconsistent with the provisions of this act, until they shall have been amended, or repealed by the governing body or board of public works.

Changes may be made by ordinance.

8. Changes. Such regulations, limitations and restrictions may be amended, changed, modified, or repealed, and the boundaries of such districts may be changed, by ordinance.

In case of protest.

In case of a protest against such proposed change, signed by the owners of twenty per centum or more, either of the area of the lots included in such proposed change, or of those immediately adjacent in the rear thereof extending one hundred feet therefrom, or of those directly opposite thereto extending one hundred feet from the street frontage of such opposite lots, such amendment shall not become effective except by the favorable vote of three-fourths of all the members of the governing body or board of public works of such municipality, except that this provision shall not apply to the repeal of zoning ordinances in effect prior to the adoption of this act.

Favoring vote needed.

Board of adjustment.

9. Board of Adjustment. The governing body or board of public works, shall provide for the appointment of a board of adjustment and in the regulations

and restrictions adopted pursuant to the authority of this act shall provide that the said board of adjustment may, in appropriate cases and subject to appropriate conditions and safeguards, make special exceptions to the terms of the ordinance in harmony with its general purpose and intent and in accordance with general or specific rules therein contained. May except to terms of ordinance.

The board of adjustment shall consist of five members, who shall not hold any elective office or position under the municipality, each to be appointed for such term as the governing body or board of public works, may prescribe and be removable for cause by the governing body, or board of public works, upon written charges and after public hearing. The governing body, or board of public works, shall provide for the filling of vacancies resulting from the unexpired term of any member. Board of adjustment how composed. Terms. Vacancies.

The board of adjustment shall adopt rules in accordance with the provisions of any ordinance adopted or in force pursuant to this act. Meetings of the board shall be held at the call of the chairman and at such other times as the board may determine. Such chairman, or in his absence, the acting chairman, shall have power to issue subpœnas for the attendance of witnesses and the production of records and may administer oaths. Upon the failure of any person to answer in response to the subpœna of such officer, application may be made to the Supreme Court or any justice thereof, for an order compelling the attendance of such witness. All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the board and shall be a public record. Rules. Meetings. Subpœnas. Records.

Appeals to the board of adjustment may be taken by any person aggrieved or by any officer, department, board, or bureau of the municipality affected by any decision of the administrative officer. Such appeal shall be taken within a reasonable time, as provided by the Appeals.

rules of the board, by filing with the officer from whom the appeal is taken and with the board of adjustment a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken.

As to appeals.

An appeal stays all proceedings in furtherance of the action in respect of which the decision appealed from was made, unless the officer from whom the appeal is taken certifies to the board of adjustment after the notice of appeal shall have been filed with him that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board of adjustment or by the Court of Chancery on application on notice to the officer from whom the appeal is taken and on due cause shown.

Hearings.

The board of adjustment shall fix a reasonable time for the hearing of the appeal, giving due notice thereof to the appellant. Said appellant shall thereupon at least five days prior to the time appointed for said hearing, give personal notice to all property owners within two hundred feet (200') of the property to be affected by said appeal. Such notice shall be given either by handing a copy thereof to the said property owners or by leaving a copy thereof at the usual place of abode of said property owners, if said owners are the occupants of the property affected by such appeal or are residents of the municipality in which said property is located.

Notice.

Notice to nonresidents.

Whenever said owners are nonresidents of said municipality, such notice may be given by sending written notice thereof by registered mail to the last known address of the property owner or owners, as shown by the most recent tax lists of said municipality. Where the owner are partnerships, service upon any partner, as above outlined, shall be sufficient, and where the owners are corporations, service upon any officer, as above set forth, shall be sufficient. Said appellant shall by affidavit present satisfactory proof to the said board of adjustment at the time of the hearing that said

Notice to partners, etc.

notices have been duly served as aforesaid. Upon the hearing any party may appear in person or by agent or by attorney.

Rendering decision.

Whenever an appeal shall be taken to a board of adjustment pursuant to this act, said board shall render its decision upon such appeal within sixty days from the date of the hearing on such appeal, and in any event, within ninety days from the date of the filing of the appeal as herein provided, and upon failure so to do, such appeal at the expiration of such time, shall be deemed to be decided adversely to the appellant, in the same manner as though the said board had rendered a decision to that effect.

Powers of board:

The board of adjustment shall have the following powers:

Hearing appeals when error alleged;

1. To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of any ordinance adopted or in force pursuant to this act.

Hearing on exceptions;

2. To hear and decide special exceptions to the terms of the ordinance upon which such board is required to pass under such ordinance, provided that no such exception shall be made to grant or allow a structure or use in a district restricted against such structure or use unless the lands in respect of which the exception is made abut a district in which such structure or use is authorized by the zoning ordinance, and provided further that no such structure or use shall be allowed more than one hundred and fifty (150) feet beyond the boundary line of the district in which such structure or use is authorized by the zoning ordinance.

Appeal in specific cases;

3. To authorize upon appeal in specific cases such variance from the terms of the ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinance will result in unnecessary hardship, and so that the spirit of the ordinance shall be observed and substantial justice done; *and provided,* that no such variance shall be made to grant or allow a structure or use in a district restricted against such structure or use unless the lands in respect of which the variance is made

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abut a district in which such structure or use is authorized by the zoning ordinance; *and provided, further,* that no such structure or use shall be allowed more than one hundred and fifty (150) feet beyond the boundary line of the district in which such structure or use is authorized by the zoning ordinance.

Recommendations.

4. To recommend in writing to the governing board or board of public works, upon appeal in specific cases, that a structure or use be allowed in a district restricted against such structure or use where the lands in respect of which such recommendation is made do not abut a district in which such structure or use is authorized by the zoning ordinance or where such lands are more than one hundred and fifty (150) feet beyond the boundary line of the district in which such structure or use is allowed by the zoning ordinance. Whereupon, the governing body or board of public works may, by resolution, approve or disapprove such recommendation; and in case such recommendation shall be approved by the governing body or board of public works, then the administrative officer in charge of granting permits shall forthwith issue a permit for such structure or use.

Approval or disapproval;

Modification of orders, decisions, etc.;

In exercising the above mentioned powers, such board of adjustment may, in conformity with the provisions of this act, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from, and make such order, requirement, decision or determination as ought to be made, and to that end have all the powers of the administrative officer from whom the appeal is taken.

Reversing order or decision;

The concurring vote of three members of the board of adjustment shall be necessary to reverse any order, requirement, decision or determination of any such administrative officer, or to decide in favor of the applicant any matter upon which it is required to pass under any such ordinance, or to effect or recommend any exceptions to or variations from such ordinance.

Review by certiorari.

No writ of certiorari to review any decision of the board of adjustment shall issue unless application therefor be made within thirty days after the filing of the decision in the office of the board. The allowance of

the writ shall not stay proceeding upon the decision appealed from unless so ordered by the court.

Ordinance to enforce act.

10. Enforcement and Remedies. The governing body or board of public works may provide by ordinance for the enforcement of this act and of any ordinance or regulation made thereunder. In case any building or structure is erected, constructed, altered, repaired, converted, or maintained, or any building or structure is used in violation of this act or of any ordinance or other regulation made under authority conferred hereby, the proper local authorities of the municipality, in addition to other remedies, may institute any appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use, to restrain, correct, or abate such violation, to prevent the occupancy of said building, structure, or land, or to prevent any illegal act, conduct, business, or use in or about such premises.

Action to abate violations.

Continuance of present structures.

11. Nonconforming Building and Uses. Any nonconforming use or structure existing at the time of the passage of an ordinance may be continued upon the lot or in the building so occupied, and any such structure may be restored or repaired in the event of partial destruction thereof.

When this act governs.

12. Conflict With Other Laws. Wherever the regulations made under authority of this act require a greater width or size of yards, courts, or other open spaces, or require a lower height of building or less number of stories, or, require a greater percentage of lot to be left unoccupied, or impose restrictions more extensive than are required in any other statute or local ordinance or regulation, the provisions of the regulations made under authority of this act shall govern. Wherever the provisions of any other statute or local ordinance or regulation require a greater width or size of yards, courts, or other open spaces, or require a lower height of building or a less number of stories, or require a greater percentage of lot to be left unoccupied, or impose restrictions more extensive than are required by the regulations made under authority of this act, the provisions of such statute or local ordinance or regulation shall govern.

When other statutes or ordinances govern.

As to property used by public utilities.

13. This act or any ordinance or regulation made under authority of this act, shall not apply to existing property or to buildings or structures used or to be used by public utilities in furnishing service, if upon a petition of the public utility, the Board of Public Utility Commissioners shall after a hearing, of which the municipality affected shall have notice, decide that the present or proposed situation of the building or structure in question is reasonably necessary for the service, convenience or welfare of the public.

Repealers.

Proviso.

14. Repealer. The following acts are specifically repealed; *provided, however,* that any act repealed by the following acts hereby repealed, shall not hereby be restored or made valid:

Chap. 146, P. L. 1924, repealed.

An act entitled "A supplement to an act entitled 'An act concerning municipalities,' approved March twenty-seventh, one thousand nine hundred and seventeen," which said supplement was approved March eleventh, one thousand nine hundred and twenty-four, being chapter 146 of the Laws of 1924.

Chap. 58, P. L. 1925, repealed.

An act entitled "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 eleventh, one thousand nine hundred and twenty-four," which act was approved March twelfth, one thousand nine hundred and twenty-five, being chapter fifty-eight of the Laws of one thousand nine hundred and twenty-five.

Chap. 315, P. L. 1926, repealed.

An act entitled "A supplement to 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 eleventh, one thousand nine hundred and twenty-four," which supplement was approved March thirty-first, one thousand nine hundred and twenty-six, being chapter 315 of the Laws of 1926.

Chap. 203, P. L. 1927, repealed.

An act entitled "A supplement to an act entitled 'A supplement to 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 eleventh, one thousand nine hundred and twenty-four,' which supplement was approved March thirty-first, one thousand nine hundred and twenty-six," which supplement was approved March twenty-eighth, one thousand nine hundred and twenty-seven, being chapter 203 of the Laws of 1927.

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

16. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 275.

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," approved March eleventh, one thousand nine hundred and twenty-five.

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

1. Said act is hereby amended to read as follows: Act amended.

1. For the purpose of constructing a joint municipal trunk line sewer, including sewer disposal plant and appurtenances, any municipality that shall enter into a joint contract for the construction of such sewer facilities may exceed the net bonded debt limit as prescribed by the act to which this act is a supplement to such extent as the net bonded debt of such municipality when added to its share of the costs of such sewer construction, may necessitate; *provided, however,* that the total net bonded debt of any municipality which shall take advantage of this act shall not exceed ten per centum of the average Exceeding net bonded debt for joint sewer. Proviso.

of the three next preceding assessed valuations of the taxable real property (including improvements); *provided further,* that any indebtedness in excess of the seven per centum limitation prescribed by the act to which this act is a supplement which may be incurred under the provisions of this act shall mature and be paid within forty years.

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Deduction in annual debt statement.

2. Any municipality which shall take advantage of this act may, in any annual or supplemental debt statement thereafter filed, deduct the sum by which the indebtedness incurred for its share of the cost of such sewer construction shall have increased its bonded indebtedness as of the time of issue over and above the seven per centum limitation prescribed by the act to which this act is a supplement; any municipality which has heretofore issued bonds under the provisions of the supplement to which this act is an amendment may take advantage of this act even though said bonds were issued for a term longer than fifteen years; this act is remedial in its nature and shall be liberally construed.

Municipalit.es affected.

Repealer.

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

Approved April 3, 1928.

CHAPTER 276.

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 fourteenth, one thousand nine hundred and fourteen.

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

Section 8 amended.

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

Record of school attendance given.

8. No age and schooling certificate shall be issued until there shall have been filed with the officer authorized to issue the same, satisfactory proof that the child for whom such certificate is requested has regularly attended a public school, or has received instruction equivalent to that provided in the public schools, for a period of not less than one hundred and thirty days during the twelve months next preceding the date of the application for such certificate, is able to read intelligently and write legibly simple sentences in the English language; has completed a course of study equivalent to five yearly grades, after the first of September, one thousand nine hundred and twenty-nine, equivalent to six yearly grades, in reading, writing, spelling, English language and geography, is familiar with the fundamental operation of arithmetic, up to and including simple fractions or has completed a program in a prevocational or vocational school equivalent to one year beyond the fifth grade approved by the Commissioner of Education; *and provided,* that such child is able to perform the work in which he or she may be lawfully employed.

Proficiency.

Proviso.

Approved April 3, 1928.

CHAPTER 277.

An Act to annex a portion of the township of Pohatcong, in the county of Warren, to the town of Phillipsburg, in the county of Warren.

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

Boundaries of part of Pohatcong township annexed to Phillipsburg.

1. All that certain tract or portion of land lying and being in the township of Pohatcong, in the county of Warren and State of New Jersey, which is included in the within following boundaries, viz.:

Beginning at the present southerly boundary line of the town of Phillipsburg, at the Delaware river; thence along said boundary line in a northeasterly direction to

a point where said line crosses the Morris canal at or near Hunt's bridge; thence along the westerly line of the lands now or formerly of the Morris Canal and Banking Company, still being the southerly boundary line of the town of Phillipsburg, to a point in said line where it is intersected by the boundary line of Lopatcong township; thence along the southerly boundary line of Lopatcong township to the point where it is intersected by the boundary line of Greenwich township; thence in a southeasterly course along the boundary line of Greenwich township and in the middle of the road leading from Still Valley to Port Warren to the intersection of said road with the center of the State Highway Route, No. 9; thence in a westerly direction following the center line of said State Highway Route, No. 9, to a point where it intersects the boundary line of the borough of Alpha; then northeasterly and along the several courses and the boundary line of the said borough of Alpha (being the northerly boundary lines), to an iron pin on the west bank of the Lehigh Valley Railroad Company and in the center of the public road now known and designated as High street; thence following the several courses of said boundary line of the borough of Alpha, and the center line of said public road extended, to the Delaware river; thence along the several courses thereof to the place of beginning.

Referendum.

2. This act shall take effect immediately; *provided,* its provisions shall not be operative until it shall have been submitted to the voters residing in that part of the township of Pohatcong, in said county, in said act described, at a special election to be held within the said described territory of Pohatcong township, and at said special election adopted by a majority of the legal voters residing in said territory aforesaid, voting at said special election. Said special election shall be held within said territory described in the township of Pohatcong, on a certain day to be agreed upon by the township clerk of the township of Pohatcong, which said day shall be within forty-five days from the passage of this act. Such special election shall be held between the hours of six o'clock A. M. and seven o'clock P. M., and at the regular polling place within said territory in the town-

Special election.

When held.

ship of Pohatcong, to be fixed by the clerk of the township of Pohatcong, in said county of Warren. The clerk of the township of Pohatcong shall cause public notice of the time and place of the holding of such election, to be given by advertisement signed by the clerk of the township of Pohatcong and set up in at least five public places within said described territory of the township of Pohatcong at least ten days prior to said election, and said clerk of the township of Pohatcong shall provide for the electors voting at said special election, a ballot, printed or written or partly written or partly printed, upon which ballot shall appear the proposition to be submitted to the voters, with instructions in the following form:

Notice of election.

"If you favor the proposition printed below, make an × mark or a + mark in the square to the left of and opposite the word 'Yes'; if you are opposed thereto, make an × mark or a + mark in the square to the left of and opposite the word 'No.'"

Marking ballot.

	Yes.	Shall an act entitled, "An act to annex a portion of the township of Pohatcong, in the county of Warren, to the town of Phillipsburg, in the county of Warren," be adopted?
	No.	

Proposition.

If the voter makes an × mark 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 such proposition.

Counting votes.

If the voter makes an × 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, and in case no mark shall be made in the square to the left of and opposite either the word "Yes" or "No" it shall not be counted as a vote for or against such proposition.

Such election shall be held at the time and place so appointed, and shall be conducted by the officers of the board of registry and election of the township of Pohat-

Election, how conducted.

cong and shall be conducted within the territory of this act described, by the clerk of the township of Pohatcong and such assistants as he may designate.

Registration.

3. The register of voters used at the last general election in the said township of Pohatcong shall be used at such special election provided for in section two of this act, and the said board of registry and election and such assistants as the clerk of the township of Pohatcong may designate shall meet for registration purposes at the designated polling place or places in the township of Pohatcong aforesaid, on the Tuesday next preceding such special election, between the hours of one P. M. and nine 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 Pohatcong, with the county board of elections, 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.

Return of result.

4. The officers of said board of registry and election and the clerk of the township of Pohatcong, shall within two days after such special election make return thereof, one to the township committee of the township of Pohatcong, in the county of Warren, and one to the clerk of the county of Warren, of the results of such election, by statements in writing and under their hands; the returns to the township committee may be filed with the clerk of the township of Pohatcong as aforesaid, and shall be entered at length upon the minutes of the township committee and the return to the county clerk of the county of Warren shall be filed by him in the office of the clerk of the county of Warren and said clerk of the county of Warren shall 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 in said territory above described, of the township of Pohatcong, aforesaid, voting at the special election called for that purpose as aforesaid, and not otherwise, this act shall in all respects be

operative and the territory aforesaid described shall thereupon become a part of the town of Phillipsburg, in the county of Warren, and be governed by the laws of this State, and the ordinances of the town of Phillipsburg, in the county of Warren. When operative.

Approved April 3, 1928.

CHAPTER 278.

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

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

1. The procedure for the passage of ordinances for the laying out, opening, straightening, establishing, widening, extending, altering or changing in any manner the location of any street, road, avenue, alley or public highway or portion thereof may, in the discretion of the governing body of any municipality, which exercise of discretion shall be evidenced by the passage of a preliminary resolution, and in lieu of any other procedure now provided, be as follows: Procedure for passing ordinances relating to streets, etc.

Every such ordinance, after being introduced and having passed a first reading, shall be referred to the officer or board in the municipality charged with the duty of making assessments for benefits for local improvements, who, or a majority of whom, shall thereupon cause a map of such improvement to be made by the municipal engineer or surveyor, showing the real estate and improvements to be taken therefor, the property which, in the judgment of the said assessing officer or board, will be specially benefited thereby, designating each lot and parcel on said map by a letter or number. Said officer or board shall also ascertain, so far as practicable, the names of the owners of said real estate to be taken and Reference. Map. Owners.

of the property to be benefited by the proposed improvement, the interest, in the real estate so to be taken, of each owner thereof, and when such names or estates are not known, they shall so report. They shall further appraise the value of the interest of each known owner of real estate to be taken and the damage which will be done to such owner by the taking. Where the estates in any plot of land are unknown, they shall appraise the value of or the damage done to the fee simple. They shall estimate all other expenses likely, in their judgment, to attend the completion of the improvement, shall estimate the amount likely to be realized from the sale of any buildings, or parts of buildings, required to be taken on account of said improvement, and shall so determine the probable net cost of making the improvement. After hearings held upon notice, in the same way and manner as provided in Article XX of the act to which this is a supplement, in case of assessment for benefits and awards for incidental damages where no lands are taken, they shall make an award to such owner for said land and real estate, or right or interest therein, to be taken and damage done to the remaining property, if any. This probable net cost they shall then assess upon the land to be specially benefited in proportion to the benefit to be received.

Value appraised.

Expenses.

Award.

Thereupon they shall, under hands, make a report to the governing body of the municipality, certifying the facts ascertained as above required, the appraisements, estimates, determinations, awards and assessments made by them concerning said improvement, and shall thereupon file such report and map with the clerk of the municipality, who shall present the same to the governing body.

Report.

2. Upon the receipt of such report by the governing body, the same shall be filed by it, and it shall then, or at a subsequent regular meeting, fix a time and place when and where it will meet to consider all objections to said report or improvement which are presented in writing, and it shall cause said ordinance to be published once in a newspaper published and circulating in the municipality, if there be one, and if not, in a newspaper printed in the county and circulating in the munici-

Hearing objections.

pality, together with a notice of the introduction thereof, and of the filing of said map and report. Said notice shall contain a general description of the improvement intended, of the land to be taken, of the land to be assessed for the improvement, and of the awards made, and shall state the time and place when and where the governing body will meet to hear and consider any objections, to said report or to said improvement, which are presented in writing. The publication of such ordinance and notice shall be at least ten days prior to the time fixed for the consideration of said report and the further consideration of the said ordinance for final passage. At least one week prior to the time so fixed, a copy of such ordinance, together with a notice of the introduction thereof, of the filing of said map and report, and of the time and place when and where the governing body will meet to hear and consider any objections to said report or improvement, shall be mailed to every person whose lands may be affected by such ordinance or any assessment which may be made in pursuance thereof, so far as the same may be ascertained, directed to his last known post office address. Failure to mail the notice herein provided for shall not invalidate any ordinance, proceeding or assessment.

Notice given.

Publication.

Parties affected notified.

At the time and place so stated in such publication, or at any time and place to which such meeting or the further consideration of such ordinance, map and report, shall from time to time be adjourned, all persons interested shall be given an opportunity to be heard concerning such ordinance, map and report, and to file objections in writing to any of them.

Opportunity to object.

3. At the time and place so stated, or at any adjourned meeting thereof, the governing body shall consider and adjudicate upon all objections filed in writing as above provided, and may proceed to correct, increase or diminish any award accordingly, without further or other notice to the person or persons interested, or if no corrections are made, or if the governing body shall then determine to make the improvement notwithstanding any objections to the same, it shall by resolution confirm said awards as certified to it or with corrections, if any, and give such ordinance a second reading or amend the same,

Action on objections.

and thereupon pass or reject such ordinance, with or without amendment; *provided, however,* that in case any amendment should be adopted, substantially altering the substance of said ordinance, such ordinance as so amended shall not be finally adopted until such amended ordinance, and the report and map theretofore submitted, shall be referred to the officer or board of the municipality charged with the duty of making assessments for local improvements, for the purpose of making any alteration or correction in such map or report as may be rendered necessary by reason of such amendment. Said officer or board and the governing body shall proceed in all respects, on the amended ordinance being referred, as is herein provided for him or them in the case of a new or original ordinance.

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Any corrections made to the report shall be entered in full on the minutes of the governing body and a copy thereof, certified to by the clerk of the governing body, shall be appended to the report of the officer or board making the report of said awards or assessments.

Corrections.

4. At least two days prior to the time fixed for the further consideration for final passage of such ordinance, said ordinance shall be again published; but such final passage must be at least one week after the first reading.

Ordinance republished.

5. Whenever, by the report and map of the officer or board charged with the duty of making assessments for benefits from local improvements in the municipality, as confirmed by the governing body, it shall appear that an award has been made to any person for property taken or damages sustained and that such person is also assessed for benefits received on account of the same improvement, then if the assessment equal or exceed the award, no payment shall be made on account of such award; and if the award exceed the assessment, only so much of the award as is in excess shall be paid, and the resolution of the governing body confirming the award to be paid shall be framed accordingly; and when the amount to be assessed shall be finally determined, as provided in section six of this act, such amount shall be set off against the amount of the award unpaid, and if the amount of the award unpaid be in excess, the assessment shall be canceled and such excess only shall be paid to

Making assessments.

the person to whom the award is made; and if the amount of the assessment be in excess, the award unpaid shall be canceled and such excess only shall be a lien upon the property assessed; the rest of the award or assessment, as the case may, being also canceled.

Assessment for benefits.

6. Whenever proceedings have been commenced under this act for any or all of the works set forth in section one of this act, and the municipality has become vested with the title to land or real estate, or right or interest therein, required for such proposes such proceedings shall be deemed to be a local improvement and assessments for benefits may be immediately made therefor, and the officer or board charged with the duty of making assessments for benefits, or a majority of such board, shall make an assessment for benefits conferred upon any lands or real estate benefited by reason of such improvement, after hearing held upon the same notice, in the same way and manner as provided for in Article XX of the act to which this act is a supplement, in case of assessments for benefits and awards for incidental damages where no lands are to be taken, and the procedure after said assessment shall be the same as provided for in said Article XX of the act to which this is a supplement, except as otherwise herein provided. If the total cost of the improvement shall exceed the aggregate assessable special benefits, the excess shall be borne and paid by the municipality at large.

Excess met.

If two-thirds in value object.

7. No such local improvement shall be undertaken by a municipality where objections thereto in writing are filed by the owners of two-thirds in value of the lands proposed to be assessed for benefits accruing from such improvement. Such objections shall be filed with the clerk of the governing body before the final passage of the ordinance providing for such improvement. The question as to whether the necessary two-thirds have joined in such determination shall be determined by the governing body, which shall use for that purpose the last preceding valuation for the purpose of taxation; *provided, however,* that if the governing body shall determine that such local improvement is a public necessity, then such municipality may undertake such local improvement, notwithstanding such objections. The per-

Fixing value.

Proviso.

Appeal.

son or persons filing such objections may, however, within ten days after passing of such ordinance, appeal from the determination of the governing body as to the public necessity of such improvement, to the judge of the Circuit Court of the county wherein such municipality is located, by a notice in writing, filed with the clerk of such municipality, which appeal may be brought on by either party on five days' notice, and the determination of the judge of said Circuit Court as to the public necessity of such improvement shall be final.

Award tendered.

8. When any award made under this act is confirmed by the governing body, the amount thereof, less deductions for assessments as ascertained in section five hereof, shall promptly, after such confirmation, be tendered to the person or persons entitled thereto before the commencement of the work. In case of uncertainty as to who is entitled thereto, or where the municipality is unable to tender any such award by reason of the incapacity or absence of any person entitled thereto, or otherwise, or where any person or persons refuse to accept or receive such award, the same may be paid into the Court of Chancery and shall be distributed to the persons entitled thereto according to law.

Uncertainty of ownership.

Right vested in municipality.

Upon the acceptance of any such award or payment of the same into the Court of Chancery, title to such land and real estate, or right or interest therein, shall vest in the municipality, which may thereupon enter upon and take possession of such land and real estate, or right or interest therein, and remove all persons therefrom, and a duplicate original of the report of awards as confirmed, or a copy thereof, certified by the clerk of the municipality as a true copy of the awards as confirmed by the governing body, shall be recorded in the county in which such municipality is situate, in the records of deeds for such county; and the officer in charge of such office shall cause the names of the owners or owner of the property taken, as shown by such awards, to be indexed under "grantors" in the index of deeds for such county, and the names of mortgagees named in such awards, under "releasors" in the index of releases of mortgages for such county. A copy of the map accompanying the report of the awards shall be filed in the same office.

Confirmed awards recorded.

Index of property taken.

Appeal from award.

9. Any owner or owners of lands or real estate taken for such improvement, or of any interest in such lands or real estate, may appeal, from the amount awarded, to the Circuit Court of the county wherein such municipality is situate, at any time within thirty days after the confirmation, by the governing body, of the award complained of. Such appeal shall be taken in the manner prescribed in section twenty-three-A of Article XX of the act to which this act is a supplement. The court to which appeal is had shall order a trial by struck jury, to assess such damages and benefits anew. Such trial shall be conducted as in other cases of trial by jury in condemnation appeal actions, upon an issue to be framed under the direction of or by the court. No such appeal or trial shall delay the prosecution or completion of the improvement, but the municipality may proceed therewith as though said appeal had not been taken. The judgment entered in any Circuit Court in such appeal shall fix the amount to be recovered by the appellant, and such judgment may be enforced in the same manner as are other judgments of said court. Such judgment (except as to costs) shall not be enforceable against the municipality until thirty days after the final judgment is entered; and such judgment shall be discharged (except as to costs) and the land freed from the award on filing in said court, within thirty days, a certified copy of an ordinance repealing the improvement ordinance. In case the judgment of the Circuit Court is appealed to or otherwise reviewed by any appellate court, the words "final judgment," as used in this section, shall mean the judgment of the final appellate court to which the case shall be taken.

Hearing appeal.

Judgment.

Final judgment.

10. This act shall take effect immediately.

Approved April 3, 1928.

CHAPTER 279.

An Act to amend an act entitled "An act relating to, regulating and providing for the government of cities of the second class which now have or may hereafter have a population of less than twenty thousand," approved April twenty-third, one thousand nine hundred and seven.

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

Section 84 amended.

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

Recorder's court created by ordinance.

Appointment.

Powers of court.

Exceptions.

84. There may be in every such city a court to be called "Recorder's Court of " (inserting the name of such city). Such court shall be created by ordinance only, and shall be held by a recorder, who shall be appointed by the city council of such city. The said court shall have, possess and exercise all the jurisiction, powers and authority in civil and criminal matters which are or may be conferred upon justices of the peace in and for the several counties of this State, excepting such as are conferred upon the justices by the following acts: An act entitled "An act constituting courts for the trial of small causes (Revision of 1903)," an act entitled "An act concerning landlords and tenants," approved March twenty-seventh, one thousand eight hundred and seventy-four; an act entitled "An act for the relief of creditors against absent and absconding debtors (Revision of 1901)," approved March twentieth, one thousand nine hundred and one, and the various supplements thereto; an act entitled "An act concerning forcible entries and detainers," approved April sixteenth, one thousand eight hundred and forty-six, and the various supplements thereto; and the said court shall have exclusive jurisdiction for the purpose of enforcing and recovering any penalty for the violation of any ordinance or regulation of said city, or any board or department thereof,

Exclusive jurisdiction.

and is hereby empowered, on oath or affirmation made according to law, that any person or persons has or have been guilty of any violation of any of the ordinances or regulations of said city, or any board or department thereof, to issue process at the suit of such city, board or department, either in the nature of a summons or warrant, as to the recorder thereof shall seem most advisable, against the person or persons, corporation or corporations so violating such ordinances or regulations, which process shall, when in the nature of a warrant, be returnable forthwith; and when in the nature of a summons, be returnable in not less than two nor more than fifteen days. Such process shall state what ordinance or regulation has been violated by the defendant or defendants named therein, and on the return day of such process, or at the time to which the matter shall have been adjourned, the said court shall proceed to hear testimony, and to determine and give judgment in the matter without the filing of any pleadings; and such court shall, if judgment be rendered for the plaintiff, forthwith issue execution against the goods and chattels or body of the defendant or defendants, which execution shall be executed and returned as near as may be in the manner in which executions are now by law issued and returned in courts for the trial of small causes. Such recorder is further empowered to inflict and impose fines, in his discretion, not exceeding the sum of two hundred dollars, on such person as shall be brought before him charged with disorderly conduct or breach of the peace, if found guilty; or, in his discretion, to order such person committed to the city prison, workhouse or county jail for any period not exceeding ninety days; and such recorder is hereby empowered to cause any person or persons who shall be found guilty of the violation of any ordinance or regulation of said city, or any board or department thereof, and any person or persons found guilty of disorderly conduct, breach of the peace or any other offense within his jurisdiction, and who may refuse to pay any fine or penalty imposed by him by reason of the same, to be sent to the city prison, workhouse or county jail for a term consisting of one day for every dollar of such fine or penalty, not exceeding a term of ninety days, and

Process issued.

Hearing.

Execution issued.

Penalties.

each day's imprisonment of the defendant or defendants shall be taken to satisfy one dollar of such fine or penalty; and at any time upon the payment to such court of such fine, or the amount remaining due thereon, the recorder shall issue a warrant for the discharge of said prisoner; *provided, however,* that nothing in this act contained shall be held to repeal or alter any law of this State concerning any misdemeanor or crime.

Proviso.

Passed April 5, 1928.

CHAPTER 280.

An Act relating to potable water supplies in certain counties of this State.

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

County water supply commission.

1. The board of chosen freeholders of any county of the second class with a population of more than two hundred and five thousand inhabitants shall have power, by resolution passed by a majority vote, to establish in and for said county a county water supply commission to consist of seven persons, who shall be appointed by said board of chosen freeholders and who shall serve without compensation and shall hold office for a term of two years from the date of their appointment.

Term.

Power.

2. Said commission shall have power, with the approval of the board of chosen freeholders, to enter into contract or contracts with the district water supply commission for a technical survey of the potable water supply in and for said county and to report to the board of chosen freeholders as to the sources of potable water supply, developed and undeveloped, available for said county.

Provision for funds.

3. Said county water supply commission may by and with the approval of the board of chosen freeholders of said county expend such money or funds as may be re-

quired to carry out the purposes hereof, provided prior thereto such funds shall have been appropriated therefor by the said board of chosen freeholders.

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

Passed April 5, 1928.

CHAPTER 281.

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).

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

ARTICLE I.

DEFINITIONS.

1. Definitions, as used in this act, shall for the purposes of this act have the meanings respectively ascribed to them in this article except in those instances where the context clearly indicates a different meaning: Definitions.

2. Alley. A public highway wherein the roadway does not exceed twelve feet in width. Alley.

3. Authorized Emergency Vehicle. Vehicles of the fire department, police vehicles, and such ambulances Emergency vehicle.

and vehicles of public service corporations as are approved by the local authorities when operated in response to an emergency call.

Business district.

4. Business District. The territory contiguous to a highway when fifty per centum or more of the frontage thereon for a distance of three hundred feet or more is occupied by buildings in use for business.

Commissioner.

5. Commissioner. The Motor Vehicle Commissioner of this State.

Crosswalk.

6. Crosswalk. That portion of the roadway ordinarily included within the prolongation of curb and property lines at street intersections, or that portion of a roadway clearly indicated for pedestrian crossing by lines marked on the surface of the roadway.

Driver.

7. Driver. The rider or driver of a horse, bicycle or motor cycle, and driver or operator of a motor vehicle, unless otherwise specified.

Department.

8. Department. The Motor Vehicle Department of this State acting directly or through its duly authorized officers and agents.

Horse.

9. Horse. Includes mules and all other domestic animals used as draught animals or beasts of burden.

Highway.

10. Highway. Every way or place of whatever nature open to the use of the public as a matter of right for purposes of vehicular travel. The term "highway" shall not be deemed to include bridle paths or foot paths or roadways or driveways upon grounds owned by private persons, colleges, universities or other institutions.

Intersection.

11. Intersection. The area embraced within the prolongation of the lateral curb lines, or, if none, the lateral boundary lines of two or more highways which join one another at an angle, whether or not one such highway crosses another.

Local Authority.

12. Local Authorities. Every county, municipal and other local board or body having authority to adopt local police regulations under the constitution and laws of this State.

Motor vehicle.

13. Motor Vehicle. Every vehicle, as herein defined, excepting street railway cars, which is self-propelled.

Operator.

14. Operator. Any person who is in actual physical control of a vehicle or street car.

Owner. 15. Owner. A person who holds the legal title of a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this act.

Parking. 16. Parking. The standing or waiting on any street, road or highway of any vehicle not actually engaged in receiving or discharging passengers or merchandise, unless in obedience to traffic regulations or traffic signs or signals.

Person. 17. Person. Every natural person, firm, copartnership, association or corporation.

Pedestrian. 18. Pedestrian. Any person afoot.

Private road. 19. Private road or driveway. Every road or driveway not open to the use of the public for purposes of vehicular travel.

Residential district. 20. Residence district or residential district. The territory contiguous to a highway not comprising a business district when the frontage on such highway for a distance of three hundred feet or more is mainly occupied by dwellings, or by dwellings and buildings in use for business.

Right-of-way. 21. Right-of-way. The privilege of the immediate use of the highway.

Roadway. 22. Roadway. That portion of a street or highway between the regularly established curb lines or that part devoted to vehicular traffic.

Street. 23. Street. Same as highway.

Sidewalk. 24. Sidewalk. That portion of a street between the curb lines and the adjacent property lines.

Slow moving vehicle. 25. Slow Moving Vehicle. A vehicle running at a speed less than the maximum speed then and there permissible.

Street car. 26. Street Car. Every device traveling exclusively upon rails upon a highway, other than cars or trains propelled or moved by steam.

Safety zone. 27. Safety Zone. The area or space officially set aside within a highway for the exclusive use of pedestrians and which is so plainly marked or indicated by proper signs as to be plainly visible at all times while set apart as a safety zone.

Sign. 28. Sign. Any device, mark, marker, board, plate, or other contrivance so designed as apparently to guide traffic or to inform of a traffic regulation.

Traffic. 29. Traffic. Pedestrians, vehicles, and street cars either singly, or together, while using any street for purposes of travel.

Traffic signal. 30. Traffic Signal. Any device using words or colored lights, or a combination thereof, either manually or otherwise controlled, by which traffic is alternately directed to stop and go.

Vehicle. 31. Vehicle. Every device in, upon or by which any person or property is or may be transported upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.

ARTICLE II.

ACCIDENTS.

Driver to stop on injury or death of person. 1. The driver of any vehicle involved in an accident resulting in injury or death to any person shall immediately stop such vehicle at the scene of such accident.

Stop in case of damage. 2. The driver of any vehicle involved in an accident resulting in damage to property shall immediately stop such vehicle at the scene of such accident.

Action by driver. 3. The driver of any vehicle involved in any accident resulting in injury or death to any person or damage to property shall also give his name, address and the registration number of his vehicle and exhibit his operator's license to the person struck or the driver or occupants of any vehicle collided with, and shall render to any person injured in such accident reasonable assistance, including the carrying of such person to a hospital or a physician, for medical or surgical treatment, if it is apparent that such treatment is necessary or is requested by the injured person.

Report by driver. 4. The driver of any vehicle involved in an accident resulting in injuries or death to any person or damage

to property to an apparent extent of twenty-five dollars or more shall within forty-eight hours forward a report of such accident to the department.

Supplemental reports may be required.

5. The department may require operators involved in accidents to file supplemental reports of accidents upon forms furnished by it whenever, in the opinion of the department, the original report is insufficient. Such reports shall be without prejudice, shall be for the information of the department, and shall not be open to public inspection. The fact that such reports have been so made shall be admissible in evidence solely to prove a compliance with this section, but no such report or any part thereof or statement contained therein shall be admissible in evidence for any other purpose in any proceeding or action arising out of such accidents.

Report not used as prejudicial.

Certain damages reported by repairman.

6. The person in charge of any garage or repair shop to which is brought any motor vehicle which shows evidence of having been involved in a serious accident or struck by any bullet shall report to the nearest police station or sheriff's office within twenty-four hours after such motor vehicle is received, giving the engine number, registration number and, if known, the name and address of the owner or operator of such vehicle.

Vehicle left on street marked by red light.

7. When in case of an accident or emergency it becomes necessary to leave a vehicle in the street at night, a red light must be conspicuously displayed thereon by the owner or the operator thereof.

ARTICLE III.

BICYCLES.

Lights on bicycles.

1. All bicycles when in use on any street at night shall carry at least one lighted lamp on the front of such bicycle, which said lamp shall show a white light and shall be of such a nature and so displayed that it may be seen at least two hundred feet distant in the direction toward which the bicycle is proceeding; and if such front lamp is so arranged that it will show a red light visible for a distance of at least two hundred feet in the rear thereof, then no red light attached to the rear of such bicycle will be necessary; *provided, however,* that where such front light does not show a red light

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visible for a distance of at least two hundred feet from the rear thereof, then there shall be attached to the rear of such bicycle one lighted lamp showing a red light visible for a distance of at least two hundred feet from the rear thereof, such lamp to be attached thereto and kept lighted from one-half hour after sunset to one-half hour before sunrise.

Audible signal.

2. Bicycles shall be equipped with an audible signal which can be heard easily at a distance of two hundred feet.

Position of hands and feet.

3. The rider of any bicycle shall not allow the same to proceed in any street by inertia momentum, with his feet removed from the pedals, nor shall such rider remove both hands from the handle-bars while riding the bicycle nor practice any trick or fancy riding in any street; nor shall he carry upon his bicycle any other person.

Not use sidewalk.

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4. No person shall ride a bicycle, tricycle, or similar machine on any sidewalk; *provided,* nothing in this article shall be deemed or construed to prevent the use of velocipedes or similar machines by children on any sidewalk in any public square, park or city.

Not hold to moving vehicle.

5. It shall be unlawful for the rider of a bicycle or a person on roller skates to hold fast to or to hitch on to trolley cars or other vehicles.

ARTICLE IV.

HORSES.

Sleigh bells on horses.

1. No person shall drive any horse or horses attached to any sleigh or sled on any highway unless there shall be a sufficient number of bells attached to the harness of such horse or horses to give warning of their approach.

Stopping on signal from driver of horse.

2. Every person driving a motor vehicle shall, at the request of or upon signal by putting up the hand or otherwise, from a person riding or driving a horse or horses in the opposite direction, cause the motor vehicle to stop and remain stationary so long as may be necessary to allow said horse or horses to pass.

Horses tied.

3. No horse shall be left unattended in any highway unless securely fastened or unless the wheels of the vehicle to which he is harnessed are securely tied, fast-

ened or chained, and the vehicle is of sufficient weight to prevent its being dragged at a dangerous speed with the wheels so secured.

Use of bit.

4. No horse shall be unbitted in any highway unless secured by a halter.

Removing part of vehicle or harness.

5. No person shall remove a wheel, pole shaft, whiffletree, swinglebar, or any part of a vehicle or any part of harness likely to cause accident if the horse start, without first unhitching the horse or horses attached to said vehicle.

Tying horses.

6. No person shall at any time fasten any horse or horses in such a manner that the tie rope, reins, or lines shall be an obstruction to the free use of any sidewalk or crosswalk.

Horses not tied to trees, poles, etc.

7. No horse shall be hitched or fastened to any pole carrying wires of any description, nor to any public lamp post, or pole, nor to any shade tree or its protecting box or casing, nor to any water hydrant in any street.

Racing.

8. No person shall run or race any horse in any highway, whether the running, racing or trotting be for trial of speed or for the purpose of passing another horse or vehicle; *provided, however,* that this provision shall not apply where permission for racing is given by the proper municipal authorities and the portion of such highway which may be devoted to such racing is properly closed to other traffic.

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Driving on sidewalks.

9. No person shall drive or back any horse or vehicle across or allow same to stand upon any sidewalk unless it be in crossing same to go into a yard or lot and then not without the consent of the owners of the premises. This does not prohibit the passing of any horse or vehicle over any sidewalk in front of any alley or passageway with the consent of the owner. No vehicle or horse shall be driven or ridden across any sidewalk at a greater speed than at the rate of four miles per hour.

Reins held.

10. No person shall cease to hold the reins in his hands while riding, driving, or conducting a horse.

Cruelty.

11. No person shall either ill-treat, over-drive, override or cruelly or unnecessarily beat any horse.

Use of whip.

12. No person shall crack or so use a whip as to annoy, interfere with or endanger any person, or excite any horse other than that which he is using.

ARTICLE V.

PEDESTRIANS.

Not cross against stop signal.

Right of pedestrian.

1. On highways where traffic at intersections is controlled by a traffic signal or by traffic or police officers, pedestrians shall not cross a roadway against the "Stop" signal. A pedestrian crossing or starting across any such intersection on a "Go" signal shall have the right of way over all vehicles, including those making turns, until such pedestrian has reached the opposite curb or place of safety, and it shall be unlawful for the operator of any vehicle to fail to yield the right-of-way to any such pedestrian.

Use designated walk.

2. At intersections where traffic is directed by a police officer or by a traffic signal, it shall be unlawful for any pedestrian or pedestrians to enter upon or to cross a highway at any point other than a designated crosswalk.

Cross at right angle to curb.

3. At all intersections where traffic is not controlled and directed either by a police officer or by a traffic signal, no pedestrian or pedestrians shall cross the highway other than at right angles to the curb, and when crossing at any point other than a designated crosswalk shall yield the right of way to all vehicles upon the highway.

Yielding to vehicles.

Pedestrian's right to complete crossing.

4. It shall be unlawful for the operator of any vehicle to fail to give the right-of-way to a pedestrian or pedestrians at any crosswalk where such pedestrian or pedestrians having started to cross with the proper signal finds himself still within the intersection when the signal changes.

Right of way over vehicles at uncontrolled points.

5. In all business and residential districts pedestrians shall have the right-of-way over all vehicles at any and all crossings where traffic is not controlled by traffic signals or by a police or a traffic officer.

ARTICLE VI.

PARKING.

Stopping or parking.

1. The operator of a vehicle shall not stop, stand or park such vehicle in a roadway other than parallel with the edge of the roadway headed in the direction of

traffic; on the right-hand side of the road, and with the curb side of the vehicle within six inches of the edge of the roadway, except as provided in the following two subsections: Right side.

(A) Upon those streets which have been marked or signed for angle parking, vehicles shall be parked at the angle to the curb indicated by such marks or signs. Angle parking.

(B) Upon one-way streets, local authorities may, by ordinance, designate parking upon the left side of the roadway, instead of on the right side. Parking on one-way street.

2. (a) No person shall park or leave standing any vehicle, whether attended or unattended, upon the paved or improved main traveled portion of any highway, outside of a business or residence district, when it is practicable to park or leave such vehicle standing off the paved or improved or main traveled portion of such highway; *provided, however,* that in no event shall any person park or leave standing any vehicle, whether attended or unattended, upon any highway, unless a clear and unobstructed width of not less than fifteen feet upon the main traveled portion of said highway opposite such standing vehicle shall be left for free passage of other vehicles thereon, nor unless a clear view of such vehicle may be obtained from a distance of two hundred feet in each direction upon such highway. Where to park. Proviso.

(b) Whenever any peace officer shall find a vehicle standing upon a highway in violation of the provisions of this article he is hereby authorized to move such vehicle or require the driver or person in charge of such vehicle to move such vehicle to a position permitted under this article. Removing vehicle.

(c) The provisions of this article shall not apply to the driver of any vehicle which is disabled while on the paved or improved or main traveled portion of a highway in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving such vehicle in such position. Temporary stopping.

3. No person having control or charge of a motor vehicle shall allow such vehicle to stand on any highway unattended without first effectively setting the brakes thereon and stopping the motor of said vehicle, and, Brakes set when without driver.

when standing upon any grade, without turning the wheels of such vehicle to the curb or side of the highway.

Unlawful stopping:

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:

Intersections;

(a) Within an intersection.

Crosswalk;

(b) On a crosswalk.

Between zone and curb;

(c) Between a safety zone and the adjacent curb or within a least twenty (20) feet of a point on the curb immediately opposite the end of a safety zone.

Private driveway.

(d) In front of a private driveway.

Approaching intersection or stop street;

(e) Upon the approach to an intersection, 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.

Near fire-house or hydrant.

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

Loading or unloading:

5. (a) It shall be unlawful for the operator of a vehicle to stand or park said vehicle for a period of time longer than is necessary for the loading or unloading of passengers or materials, provided that the loading or unloading of passengers shall not consume more than three (3) minutes, in any of the following places:

In alley;

(b) In any alley.

Three-minute period.

(c) It shall be unlawful for the operator of any vehicle to stand or park such vehicle for a period of time longer than is necessary for the loading or unloading of passengers, in the following places, and in no event longer than three minutes: at any curb adjacent to the entrance of a school, church, theatre, hotel, hospital, or any other place of public assemblage during hours designated by official signs.

ARTICLE VII.

REGULATIONS.

Regulations.

1. On all public roads, streets, highways and turnpikes, the following regulations shall be in force:

Observance of directions.

2. Drivers of vehicles, street cars or horses must at all times comply with any direction, by voice or hand, of any member of the police department, any peace officer, Commissioner of Motor Vehicles, or inspector of motor vehicles, when enforcing any of the provisions of this act.

Begging rides.

3. It shall be unlawful for any person or persons to stand in a roadway for the purpose of or while soliciting a ride from the operator of any private vehicle.

Soliciting trade or contributions.

4. It shall be unlawful for any person or persons to stand in the roadway of a highway to stop, impede, hinder, or delay the progress of any vehicle for the purpose of soliciting the purchase of goods, merchandise or tickets, or for the purpose of soliciting contributions for any cause whatsoever, and the only question of law and fact in determining guilt under this subdivision shall be whether goods, merchandise or tickets were tendered or offered for sale, or whether a contribution was solicited.

On steep grades.

5. The driver of a motor vehicle traversing a steep grade or mountain highway shall hold such motor vehicle under control and as near the right-hand side of the highway as reasonably possible, and upon approaching any curve where the view is obstructed within a distance of two hundred feet along the highway shall give audible warning with a horn or other warning device.

Warning signal.

Coasting.

6. The driver of a motor vehicle, when traveling upon a down grade upon any highway, shall not coast with the gears of such vehicle in neutral.

On divided parkways.

7. On a highway divided longitudinally by a parkway, walk, viaduct, or traffic lines, vehicles shall keep to the right of such division.

Backing to curb.

8. No vehicle shall stand backed to the curb when loading or unloading, except when it is impracticable to load or unload such vehicle while standing parallel to the curb; *provided,* that no vehicle shall be permitted to

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completely block the passage of other vehicles, or any street car, by remaining backed up to the curb. If necessary to back up to the curb, if the vehicle is horse-drawn, the horse must stand parallel to the curb and facing the direction of traffic.

Carrying metals.

9. No person shall so load a vehicle or drive a vehicle so loaded with iron or other materials that may strike together without its being properly deafened so as to cause no unnecessary noise.

Not load or drive to delay traffic.

10. No person shall drive or conduct any vehicle in such condition, so constructed or so loaded, as to be likely to cause delay in traffic or accident to man, beast or property.

Tail-board riding.

11. No person shall ride upon the rear end of any vehicle without the consent of the driver, and when so riding, no part of the person's body must protrude beyond the limits of the vehicle.

Overloading so as to spill.

12. No person shall cause or permit any vehicle to be loaded with manure sand, earth, mud, clay, or rubbish, so that the contents or any part thereof shall be scattered in any street.

Leaving curb.

13. A vehicle waiting at the curb shall promptly give place to a vehicle about to take on or let off passengers.

View of traffic.

14. No person shall drive a vehicle that is so constructed, so loaded, or so covered in, as to prevent the driver thereof from having a clear view of the traffic following and at the sides of such vehicle, unless such vehicle is equipped with some device that will show the driver the road to the rear and the road to the side.

Stop at police signal.

15. Any driver shall, upon one blast of a police whistle given by a police officer with hand raised, bring the vehicle to a full stop, and shall not proceed again until receiving a signal so to do from such officer. Three

Alarm signal.

or more blasts of the police whistle is the signal for alarm and indicates the approach of a fire engine or other danger.

Application of act.

16. The provisions of this act applicable to the drivers of vehicles upon the highways, shall apply to the drivers of all vehicles owned or operated by this State or any county, city, town, district or any other political subdivision of the State, subject to such specific exceptions

Road work excepted.

as are set forth in this act. The provisions of this act

shall not apply to persons, teams, motor vehicles and other equipment while actually engaged in work upon the surface of a highway, but shall apply to such persons and vehicles when traveling to or from such work.

Throwing matter from vehicles.

17. It shall be unlawful for any person to throw from any vehicle, while same is in motion, any goods, merchandise, or bundles of any kind whatsoever.

Taking on or letting off persons.

18. It shall be unlawful for the operator of any vehicle to stop said vehicle on the street or highway for the purpose of letting off or taking on any person or persons, other than at the curb or side of the road or highway, or to knowingly permit any person or persons to alight from or to enter upon said vehicle while the same is in motion.

Emerging from side.

19. The operator of any vehicle emerging from an alley, driveway or garage, shall stop such vehicle immediately prior to driving upon the sidewalk.

ARTICLE VIII.

RIGHT OF WAY.

Right-of-way.

1. Right-of-Way. On all highways, the following rules and regulations shall be in force:

Vehicle at right.

2. Excepting as herein otherwise provided, every driver of a vehicle when entering or crossing any intersection shall grant the right-of-way at all times to any vehicle approaching from his right.

Traffic control by police.

3. Whenever traffic or police officers are stationed in any highway for the purpose of directing traffic, they shall have full power to regulate and control traffic at such point or points, and all drivers of vehicles shall obey the orders and directions of any such traffic officer, notwithstanding anything in this article contained.

Observing traffic signals.

4. When traffic on any highway, or at any intersection thereof, is controlled by traffic signals, all drivers of vehicles shall obey such traffic signals unless otherwise specially directed by a traffic or police officer engaged in regulating traffic.

Keep to right.

5. Upon all highways of sufficient width, except upon one way streets, the driver of a vehicle shall drive the same upon the right half of the highway and shall drive a slow moving vehicle as closely as possible to the right-

Slow moving vehicles.

hand edge or curb of such highway, unless it is impracticable to travel on such side of the highway and except when overtaking and passing another vehicle subject to the limitations applicable in overtaking and passing set forth in sections seven and eight of this article.

At intersections.

6. In crossing an intersection of highways or the intersection of a highway and a railroad right of way, the driver of a vehicle shall at all times cause such vehicle to travel on the right half of the highway unless such right half is obstructed or impassable.

Pass to right.

7. Drivers of vehicles proceeding in opposite directions shall pass each other to the right, each giving to the other at least one-half of the available traveled portion of the highway as nearly as possible.

Overtaking; pass to left.

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.

Signaling to pass overtaken vehicle.

(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.

Left of center line.

9. (a) The driver of a vehicle shall not drive to the left side of the center line of a highway in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be made in safety.

On crown of grade or curve.

(b) The driver of a vehicle shall not overtake and pass another vehicle proceeding in the same direction upon the crest of a grade or upon a curve in the highway where the driver's view along the highway is obstructed within a distance of five hundred feet.

Passing at grade crossings.

(c) The driver of a vehicle shall not overtake and pass any other vehicle proceeding in the same direction, at any steam or electric railroad grade crossing, unless permitted so to do by a traffic officer or police officer.

Overtaken vehicle to give way.

10. The driver of a vehicle upon a highway, about to be overtaken and passed by another vehicle, approaching from the rear, shall give way to the right in favor of the overtaking vehicle on suitable and audible signal being

given by the driver of the overtaking vehicle, and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

Following.

11. (a) The driver of a vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard to the speed of such preceding vehicle and the traffic upon, and condition of, the highway.

Space between trucks.

(b) The driver of any motor truck when traveling upon a highway, outside of a business or residence district, shall not follow another motor truck within one hundred feet, but this shall not be construed to prevent one motor truck overtaking and passing another.

Approaching intersection—right.

12. When two vehicles approach or enter an intersection at approximately the same time, the driver of the vehicle on the left shall yield the right of way to the vehicle on the right.

Right of fire, police, motor inspectors.

13. The driver of a vehicle upon a highway shall yield the right of way to police and fire department vehicles and motor vehicle inspectors when they are operated upon official business and the drivers thereof sound audible signal by bell, siren or exhaust whistle. This provision shall not operate to relieve the driver of a police or fire department vehicle or motor vehicle inspector from the duty to drive with due regard for the safety of all persons using the highway, nor shall it protect the driver of any such vehicle from the consequences of an arbitrary exercise of such right of way.

Liability of drivers.

Clearance for fire and police apparatus.

14. (a) Upon the approach of any police or fire department vehicle giving audible signal by bell, siren or exhaust whistle, the driver of every other vehicle shall immediately drive the same to a position as near as possible and parallel to the right-hand edge or curb of the highway, clear of any intersection of highways, and shall stop and remain in such position unless otherwise directed by a police or traffic officer until the police or fire department vehicle shall have passed.

Street cars to stop for fire apparatus.

(b) The driver or person in control of a street car shall immediately stop said car upon the approach of a fire engine or other fire apparatus and keep it stationary until such engine or other fire apparatus shall have passed.

Following fire apparatus.

(c) It shall be unlawful for the driver of any vehicle other than one on official business to follow any fire apparatus, traveling in response to a fire alarm, closer than two hundred feet, or to drive into or park such vehicle within two hundred feet of where fire apparatus has stopped in answer to a fire alarm.

Right of way of certain vehicles.

15. Police, fire department, fire patrol, traffic emergency repair, United States mail vehicles, physicians and hospital ambulances shall have the right of way in any street, and in addition thereto, shall have the right of way through any procession. If any procession shall take longer than five minutes to pass any given point, such procession shall be interrupted every five minutes for the passage of traffic which may be waiting.

As to processions.

Blocking travel.

16. It shall be unlawful for any employee of any steam or electric railroad company to operate any locomotive or train, or crossing gate in such a manner as to unnecessarily prevent or interfere with the use of any highway for the purpose of travel.

ARTICLE IX.

SPEED AND SPEEDS.

Reckless driving.

1. Any person who shall drive any vehicle, upon a highway, carelessly and heedlessly, in willful or wanton disregard of the rights or safety of others, or without due caution and circumspection, and at a speed or in a manner so as to endanger, or to be likely to endanger, any person or property, shall be guilty of reckless driving, and upon conviction shall be punished as provided in section two of this article.

Penalties for reckless driving.

2. Every person convicted of reckless driving, as defined in section one of this article, shall be punished by imprisonment in the county or municipal jail for a period of not more than thirty days, or by a fine of not more than one hundred dollars, or by both such fine and imprisonment, and on a second or subsequent conviction shall be punished by imprisonment for not more than two months, or by a fine of not more than two hundred dollars, or both such fine and imprisonment.

Care and prudence to be exercised.

3. Any person driving a vehicle on a highway shall drive the same at a careful and prudent speed, not greater nor less than is reasonable and proper, having

due regard to the traffic, surface and width of the highway, and of any other conditions then existing, and no person shall drive any vehicle upon a highway at such a speed as to endanger the life, limb or the property of any person.

Rates of speed:

4. Subject to the provisions of section one of this article, and except in those instances where a lower speed is specified in this act, it shall be prima facie lawful for the driver of the vehicle to drive the same at a speed not exceeding the following, but in any case when such speed would be unsafe, it shall not be lawful; *provided, however,* that the word vehicle, as used in Article IX, shall be construed to mean and include street cars:

Street cars included.

Passing schools;

(a) Ten miles an hour, when passing a school during recess or while children are going to or leaving school, during opening or closing hours.

When view obstructed;

(b) Fifteen miles an hour when approaching within fifty feet, and in traversing, an intersection of highways, when the driver's view is obstructed. A driver's view shall be deemed to be obstructed when, at any time during the last fifty feet of his approach to such intersection, he does not have a clear and uninterrupted view of such intersection, and of traffic upon all of the highways entering such intersection, for a distance of two hundred feet from such intersection.

On curves and grades.

(c) Fifteen miles an hour, in traversing or going around curves or traversing a grade upon a highway when the driver's view is obstructed within a distance of one hundred feet along such highway in the direction in which he is proceeding.

Business districts under control;

(d) Twenty miles an hour on any highway in a business district, as defined herein, when traffic on such highway is controlled at intersections by traffic officers or traffic signals.

Business district;

(e) Fifteen miles an hour on all other highways in a business district.

Residence district;

(f) Twenty miles an hour in a residence district.

Forty-mile rate;

(g) Forty miles an hour under all other conditions.

Exceeding limitations.

5. It shall be prima facie unlawful for any person to exceed any of the foregoing speed limitations. In every charge of violation of this article the complaint, also the summons or notice to appear, shall specify the speed at which the defendant is alleged to have driven, also the

Speed specified in charge.

speed which this article declares shall be prima facie lawful at the time and place of such alleged violation.

State authority paramount.

6. Local authorities shall have no power or authority to alter any speed limitations declared in this article, or to enact or enforce any rule or regulation contrary to the provisions of this act, except that local authorities shall have power by ordinance for the regulation of traffic by means of traffic officers, semaphores, or electric signaling devices on any highway where traffic is heavy or continuous, and may increase the speed which shall be prima facie lawful where said through highway is continuously controlled at each intersection by traffic signals operated on the synchronized, progressive or similar systems, where the timing of the lights and local conditions warrant such regulation; *provided,* that such increase in speed shall not exceed a maximum speed of thirty miles per hour; *and provided, further,* that local authorities shall first place and maintain upon all such highways upon which the permissible speed is increased, adequate signs giving notice of such special regulations.

Certain local rights.

Proviso.

Proviso.

Speedways.

7. Nothing in this article shall be construed as applying to any speedway built, or intended, for the exclusive use of motor vehicles, if the said speedway at no point crosses any highway, or any railroad or railway at grade; the said speedway having been constructed with the permission of the local authorities or the board of freeholders, as the case may be, of the county or counties in which said speedway shall be located.

Speeding by physicians in emergencies.

8. If a physician shall have his motor vehicle stopped, for exceeding the speed limit, while he is in the act of responding to an emergency call, the registration number of the vehicle and the driver's license number may be inspected and noted, and the physician shall then be allowed to proceed, in the vehicle, to his destination, and subsequently such proceedings may be taken as would have been proper had the person violating the provisions as to speed not been a physician.

Exemptions—police; military.

9. Motor vehicles belonging to the military establishment, while in use for official purposes, in time of riot, insurrection or invasion, and motor vehicle inspectors appointed under Chapter 208, Laws of 1921, and all police officers are exempt from the provisions of this act pertaining to speed, while said inspectors and police

officers are engaged in the apprehension of violators of the provisions of this act, or of persons charged with, or suspected of, any such violation.

Penalty.

10. Any person violating any section of this article shall, for each violation, be subject to a fine of not more than fifty dollars, or to imprisonment for a period not exceeding ten days, or both, except as herein otherwise provided; *provided, however,* that nothing in this article shall be construed to alter or change the maximum rate of speed for commercial vehicles, trailers, semitrailers, and tractors as set forth in paragraph 10, section 21, Chapter 208, Laws of 1921.

Proviso.

ARTICLE X.

STOP STREET.

Stop street.

1. All highways, or any section thereof, in which there shall be operated a street car, and all State highway routes, or any highway, or section thereof, which may be designated by ordinance of the board or body charged with the duty of the maintenance thereof, shall be known as a "stop street," and only such highways shall be so marked by "stop street" signs.

Stop street signs erected.

2. The board or boards, body or bodies, charged with the maintenance of any such highway, or a section thereof, shall within thirty days after the passage of this act, and within thirty days after any such designation, place a "stop street" sign not less than three feet, nor more than eight feet, above the surface of the ground, and so located as to be plainly visible at all times at a distance of one hundred and fifty feet, and such sign shall be illuminated at night, or so placed as to be illuminated by the headlights of the approaching vehicles, or by street lights. Such signs shall be placed on the near right-hand side of each highway intersecting such "stop street," at a distance of not more than forty feet from the nearest curb line, or side line in case no curb line shall be established, of such "stop street," and shall bear upon it the following words: "stop street."

Illuminated.

Where placed.

Driver must stop.

3. It shall be unlawful for the driver of any vehicle or street car to enter upon or cross any "stop street," so designated and marked unless he shall have first brought his vehicle or street car to a complete stop at a point

within five feet of the nearest crosswalk, or a "stop" line, marked upon the pavement, at the nearest side of such "stop street," unless authorized or ordered otherwise by a traffic or police officer stationed at such intersection, or unless such intersection shall be controlled by signal lights; *providing, however,* that where "stop streets" intersect each other, the board or boards, body or bodies having control of the highway shall designate the highway to be known as the "stop street," and shall post but one of the said highways.

Proviso; intersecting stop streets.

ARTICLE XI.

STREET CARS.

Notice of approach.

1. The driver or person in control of any vehicle traveling upon a regular street car route, and proceeding upon the tracks in front of any such street car, shall immediately upon signal from the motorman or person in control of such street car, give way thereto.

Distance behind street car.

2. Any driver of any vehicle when following a street car, upon the street car tracks, shall keep at least ten feet behind such car.

Passing street car.

3. (a) The driver of a vehicle shall not overtake and pass upon the left, any street car proceeding in the same direction, whether actually in motion or temporarily at rest, when a travelable portion of the highway exists to the right of such street car, even though such portion of the highway is occupied by traffic. *Provided, however,* this provision shall not apply to one way streets.

Proviso.

Stopping at rear of car.

(b) The driver of a vehicle overtaking any street car, stopped for the purpose of receiving or discharging any passenger, or passengers, shall bring such vehicle to a full stop, at least ten feet in the rear of the nearest entrance or exit, then in use, of such street car, and shall remain stationary until any such passenger or passengers shall have boarded such car or reached the adjacent sidewalk; *provided, however,* that where a safety zone has been established a vehicle if otherwise permitted to proceed need not be brought to a full stop before passing any such street car but may proceed past such car at a speed not greater than is reasonable and proper and with due caution for the safety of pedestrians; *and provided, further,* that where a clearance of

Proviso.

Proviso.

at least eight feet between such passing vehicle and such street car be observed the vehicle if otherwise permitted to proceed need not be brought to a full stop before passing such street car but may proceed past such car at a speed not greater than is reasonable and proper and with due caution for the safety of pedestrians.

Not drive in safety zone.

4. The driver of a vehicle shall not at any time drive through a safety zone as defined in Article one, section twenty-six, of this act, unless directed to do so by a police or traffic officer.

In case of collision.

5. In the event of collision on the part of a street car with any person or vehicle, the motorman or driver of such car shall stop immediately, give his name and address, and render any assistance, to any injured person, that may be required.

Crossing signals.

6. The motorman or driver of any street car, on approaching road intersections or street crossings, shall sound his signal in quick succession at a reasonable distance from such intersection, and no person shall knowingly delay or hinder the passage of the car.

Danger signal on projecting load.

7. Street cars and vehicles when carrying materials projecting behind, shall, in the daytime carry a red flag at least eighteen inches square, and at night a red light, which flag or light shall be attached to the end of the materials projecting.

Position of passengers in vehicles.

8. It shall be unlawful for any person to ride on any street car or vehicle, or upon a portion thereof, not designed or intended for the conveyance of passengers. This provision shall not apply to an employee engaged in the necessary discharge of a duty.

Doors closed.

9. It shall be unlawful for the operator of any street car or auto bus to knowingly operate the same while any door or doors of said street car or auto bus is or are open.

Car stops.

10. (a) Every street railway company may establish certain road intersections, street crossings or other points along its railway as regular stops, and unless otherwise ordered by the Board of Public Utility Commissioners, or by the board or body having charge of streets in any municipality, it will not be necessary for said railway company to stop its cars for the purpose of taking on or letting off passengers at any place other than at such established stops.

Near side stops.

(b) When such established stops are at road intersections or street crossings, the near side of said intersection or crossing shall be designated as the established stop, except that, at special intersections or crossings or under special conditions where in the judgment of the street railway company or the Board of Public Utility Commissioners, or the local authorities, the convenience or safety of the public will be better served, the far side may be designated as the established stop.

Crosswalks cleared.

11. The cars of any street railway company shall not be allowed to obstruct the crosswalks of any street.

Not obstruct passage.

12. No vehicle or street car shall so occupy any street as to interfere with or interrupt the passage of other street cars or vehicles.

ARTICLE XII.

SIGNS AND PAVEMENT MARKINGS.

Signs kept clear and legible.

1. Maintenance: Signs shall be maintained continuously in good order and clear legibility by

(a) Use of enamel signs;

(b) Painting according to specifications;

(c) Self-illumination to be provided wherever possible;

(d) So placing signs not self-illuminated that they will be suitably illuminated by street lights or headlights;

(e) Prompt replacement of broken or defaced signs and cleaning as required.

Shapes:

2. Shape: The shape of signs shall conform to the following specifications:

Stop—octagonal;

(a) Stop signs shall be octagonal;

R. R.—circular;

(b) Railroad grade crossing signs shall be circular;

Slow—diamond;

(c) Slow signs indicating conditions inherent in the street and requiring caution shall be diamond shaped;

Caution—square;

(d) Caution signs indicating conditions adjacent to the street shall be square shaped;

One-way and detour—arrow;

(e) One-way and detour signs shall be arrow shaped;

Direction—rectangular.

(f) Direction, information and restriction signs shall be rectangular.

Color:

3. Color: The color of signs shall be as follows:

Stop;

(a) Stop signs shall have a yellow background with red letters, and the word "stop", preferably in red reflecting glass;

(b) Slow and caution signs shall have yellow background with black letters; Slow;

(c) Direction, information, restriction, one-way and detour signs shall have white background with black letters. Direction, etc.;

(d) Restriction signs shall have an orange background with white letters, excepting "limited parking" signs, which shall have a green background with white letters. Restriction.

4. Corners and edges of all signs shall be rounded slightly for safety. Corners and edges rounded.

5. Location and Height: (a) All signs shall be located, as nearly as possible, at the point where the message is to be obeyed, except as otherwise specially authorized. Location;

(b) Signs carrying reflectors shall be mounted so that the reflecting element is not over three feet in height. Other stop, slow or caution signs shall be mounted at a height of not less than three feet and not more than eight feet. Direction and detour signs if mounted on movable stands shall be not over four feet in height and if mounted on stationary poles shall be not over eight feet in height. Height.

STOP SIGNS.

6. All stop signs shall be octagonal 18" x 18" outside, with the word "Stop" in four and one-half to five inch letters through the horizontal center of the octagon. Upper and lower brackets shall carry messages as indicated below. All stop signs shall be clearly visible at all times at a distance of one hundred and fifty feet. Size of stop signs. Visibility.

7. Full Stop Street: The word "Street" shall be inserted on a stop sign, below the word "Stop." This sign shall be used only where full stop streets are established. Sign at full stop street.

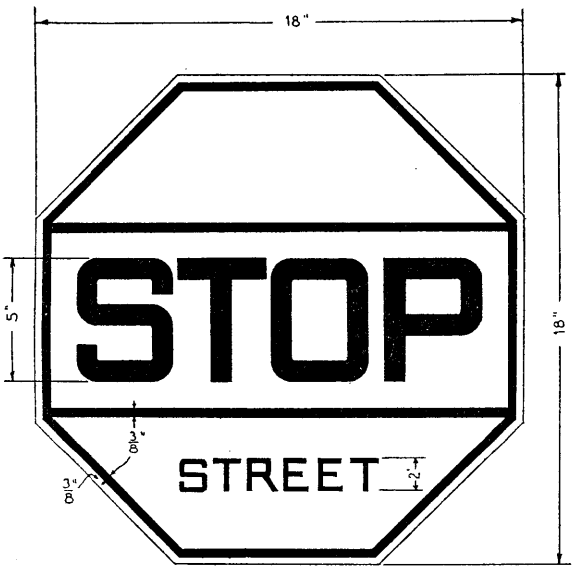
8. Dead End Street: The words "Street" and "End" shall be inserted on a stop sign, above and below the word "Stop." This sign shall be used only where the street ends with no outlet and shall not be used at the end of "T" or "L" streets. Dead end street.

9. No Traffic Zone: The word "No" shall be inserted on a stop sign, above, and the word "Traffic", below, the word "Stop." To be placed as conditions require. No traffic sign.

STOP SIGNS

OCTAGON 18"X18" OUTSIDE

FULL STOP STREET SIGN



NOTE: STOP SERIES

1 FULL STOP STREET - WORD "STREET" BELOW.
2 DEAD END STREET WORD "STREET" ABOVE, "END" BELOW
3 NO TRAFFIC ZONE - WORD "NO" ABOVE, "TRAFFIC" BELOW

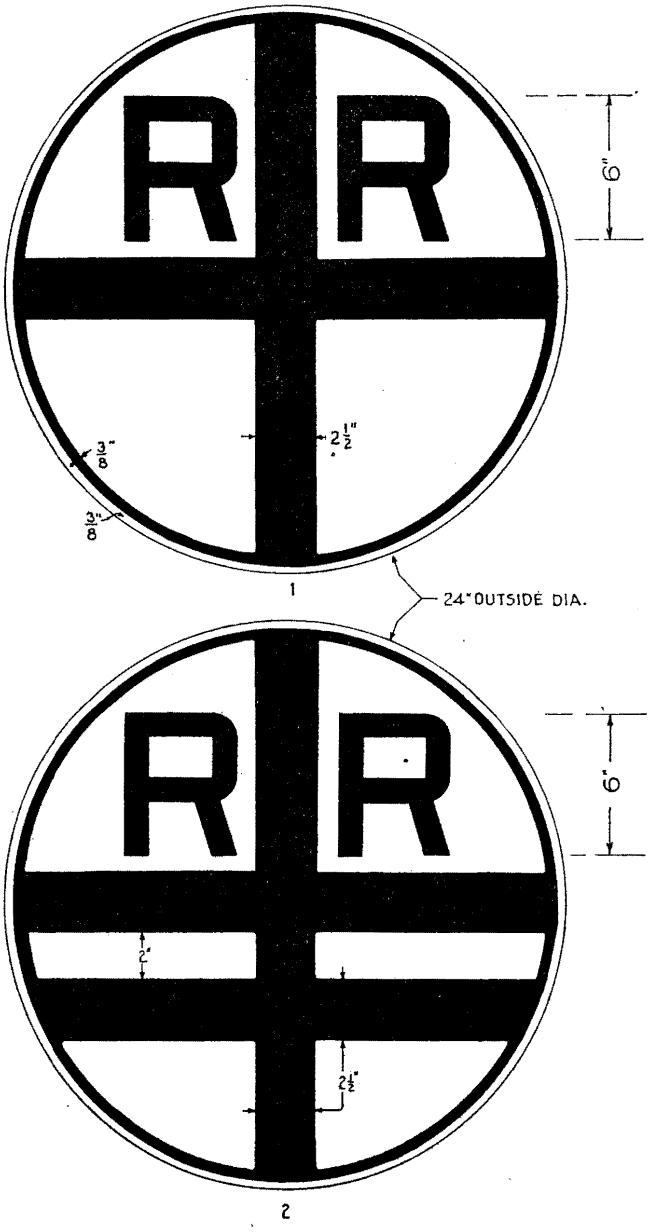
ALL STOP SIGNS TO HAVE YELLOW BACKGROUND

RAILROAD SIGNS.

Signs at railroad crossings.

10. Railroad crossing signs shall be twenty-four inches outside diameter, with yellow background divided into quadrants by horizontal and vertical lines two and one-half inches wide with black letters. "R. R." six inches high placed in upper quadrants of circle. Signs shall be placed within one hundred feet of the railroad crossing.

RAILROAD SIGNS



NOTE: ALL RAILROAD SIGNS TO HAVE A YELLOW BACKGROUND

SLOW SIGNS.

Dimension of slow signs.

11. Signs shall be eighteen inches by eighteen inches, used in the form of a diamond with the word "slow" in four-inch to six-inch letters across the horizontal center of the diamond. All "Slow" signs shall be clearly visible at a distance of one hundred feet.

Signs at street car zones.

12. Street Car Zones: The words "safety" and "zone" shall be respectively above and below the word "slow" in two-inch letters, and in addition an arrow pointing to the right just below the word "Slow." Signs shall be placed at the end of the zone from which traffic approaches and at least two such signs along the side away from the car track if the zone is not raised. If loading zone is longer than fifty feet, additional signs shall be used. Such signs, lettering and placement shall be the same as for street car zones.

Hill signs.

13. Hill: The word "Hill" shall be used in four or five-inch letters, placed slightly above the horizontal center of the diamond, and with a vertical arrow in the lower space, pointing downward. Sign shall be placed at approximately fifty feet in front of the point where the grade begins. It shall be shown on all grades of six per centum or more if longer than three hundred feet.

Signs to indicate curve.

14. Curves: The word "Curve" shall be used in four or five-inch letters, placed slightly above the horizontal center, with a bent arrow indicating the direction of the curve, below it. Sign shall be placed at approximately fifty feet from beginning of curves having radii up to six hundred feet, depending on speed permitted on approach.

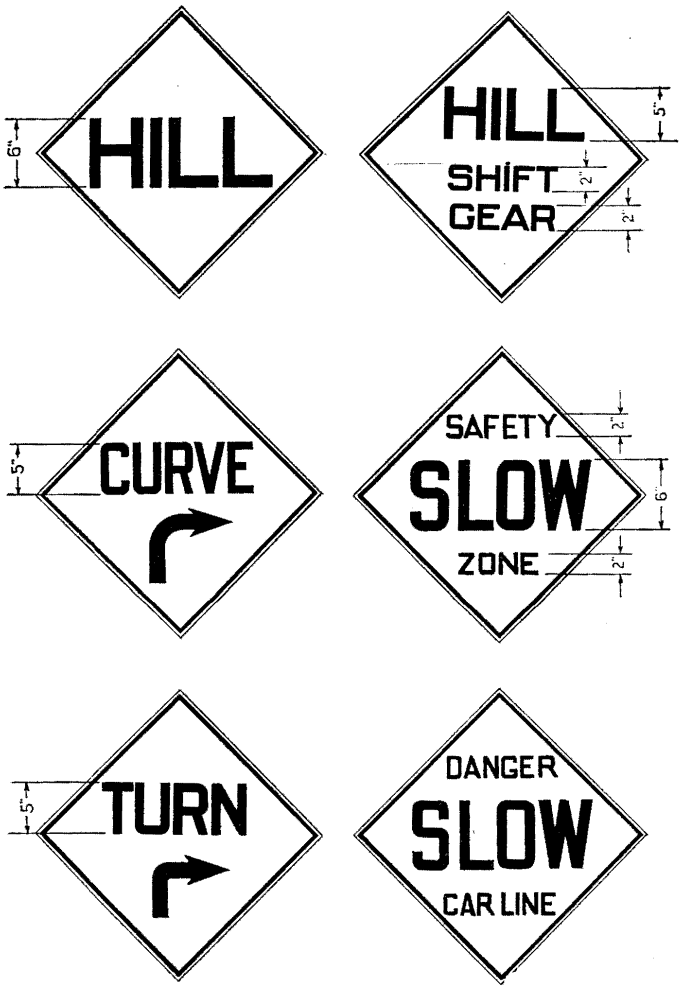
Signs at intersections.

15. Dangerous Intersections: The words "Dangerous" and "Intersection" shall be placed above and below the word "Slow."

Special slow signs.

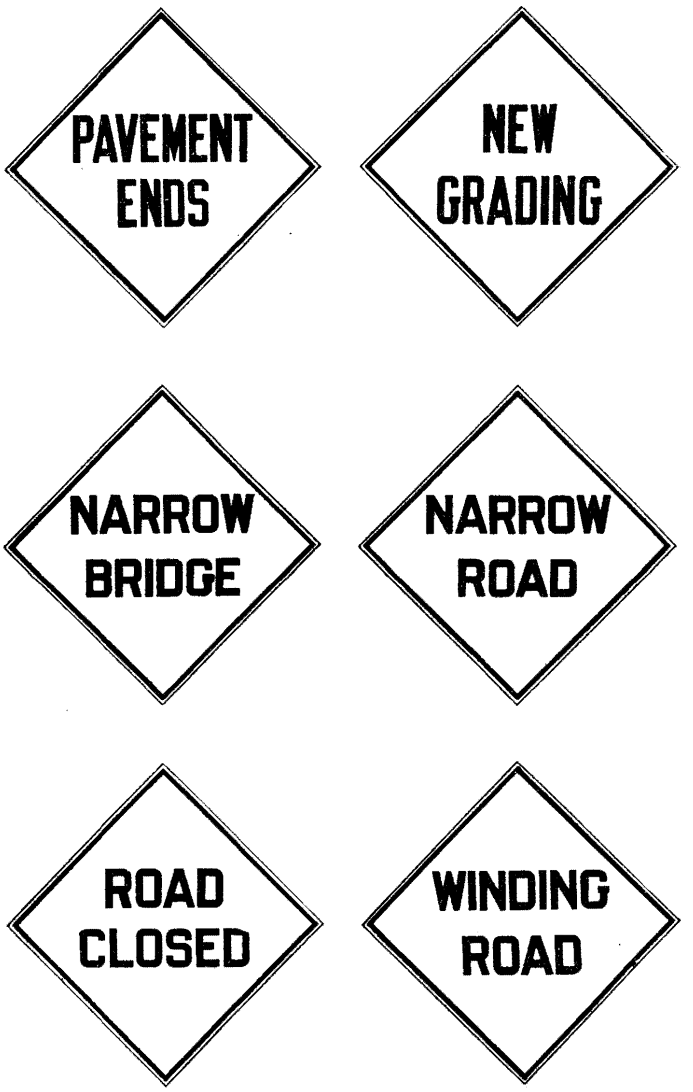
16. Special Slow Signs: "Bridge Caution," "Narrow Road," "Street Under Repair," et cetera, where required for special purposes, shall be the regular diamond slow sign with letters of suitable size to carry the message.

SLOW SIGNS
18"X18"



NOTE: ALL SLOW SIGNS TO HAVE YELLOW BACKGROUND

SLOW SIGNS



CAUTION SIGNS.

Size of caution signs.

17. Caution signs shall be eighteen inches, used as a square with word "Caution" across the horizontal center

in four-inch letters. All "Caution" signs shall be clearly visible at all times at a distance of one hundred feet.

Marking school zones.

18. School Zones: The words "School" and "Zone," respectively, shall be used on a caution sign, above and below the word "Caution." They shall be placed at the beginning of the zone.

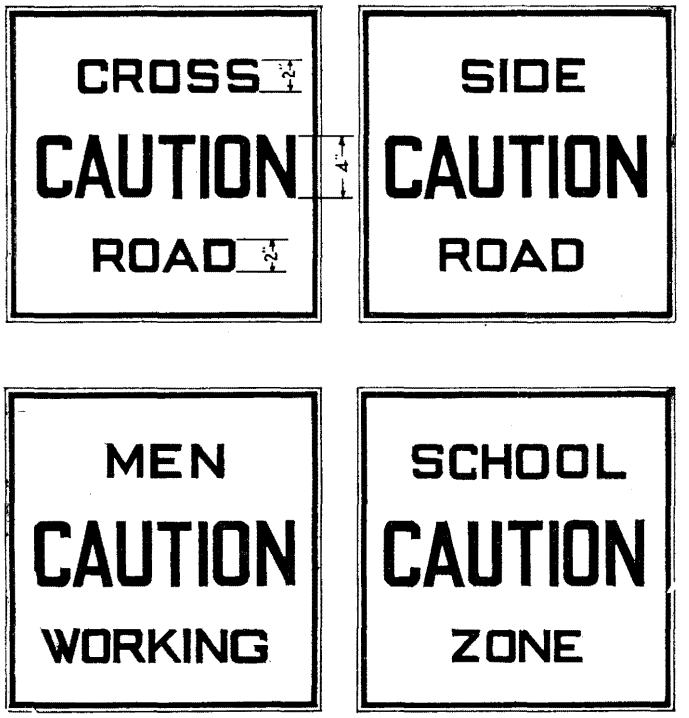
Playground.

19. Playground Zone: The word "Play" shall be placed on a caution sign, at the top, and "Ground" below the word "Caution." Variations in the wording of this sign may be used to indicate "Play Street Closed." Signs shall be placed at each end of the block where the playground is located.

Caution.

20. Caution Intersections: A "Caution" sign shall be used with words "Cross" and "Roads" above and below the word "Caution." This sign shall be used where warning is required only in minor degree.

CAUTION SIGNS
18"×18"



ONE WAY SIGNS.

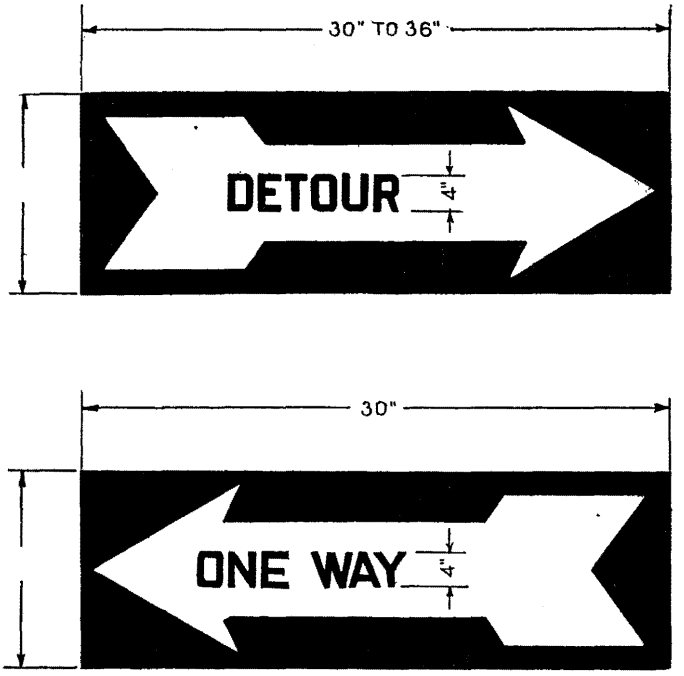
Size and shape of one-way signs.

21. One Way: Sign shall be arrow-shaped, thirty inches long and four or five inches wide, with the words "One Way" written on the face of the arrow in four-inch letters. Or a rectangular plate shall be used, thirty-six inches long and eight inches wide, the arrow to be painted on a black background in white, the letters to be in black. These markings shall be placed not over fifteen feet from the entrance to the street which they control.

Detour signs.

22. Detour: Sign shall be an arrow twenty-four inches long and six or eight inches wide, with the word "Detour" in letters three or four inches high. If it is desired to place additional information on this sign, it shall be lengthened accordingly. The sign shall be placed at the point where the detour begins and at points where question may arise as to the direction of the detour.

ONE WAY SIGNS



DIRECTION AND RESTRICTION SIGNS.

Direction signs.

23. Direction and restriction signs shall be made so that one dimension will be a multiple of six inches. These signs shall be so placed as to be either well illuminated by street lights or carry lights of their own.

Speed limit signs.

24. Speed Limit Signs—General: Signs shall be twenty-four inches by thirty inches, with words "Speed Limit" in letters four inches high, the numerals to be in figures six inches high, and the word "miles" to be in small letters at the bottom of the sign. Signs shall be placed at the point where the limit starts.

Keep to right.

25. Drive to Right: Signs shall be twelve inches by eighteen, with the words "Keep to the Right" in letters approximately four inches high. Signs shall be placed at the point where the message is to be obeyed.

No right or left turn.

26. No Right or Left Turn: Signs shall be twelve inches by eighteen inches and to carry wording "No Right or Left Turn" or "No Left Turn" or "No Right Turn," as may be required. Words to carry the former instructions shall be three or four inches high. Signs shall be placed at the point where turn is prohibited. Where the intersection is controlled by an automatic signal, the sign shall be attached to the signal and be continuously illuminated during the time such turns are not permitted.

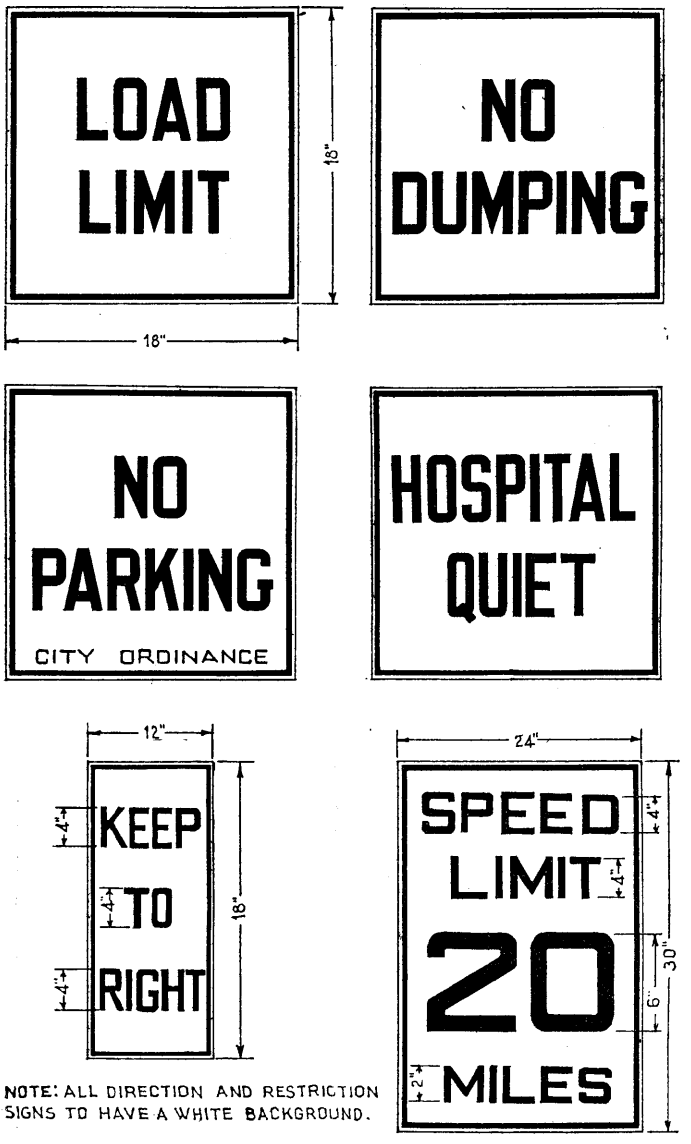
No through street.

27. No Through Street: Signs shall be twelve inches by eighteen inches and to carry wording "No Through Street." Height of letters shall be three or four inches. Signs shall be placed at the corner of street entrance.

No parking sign.

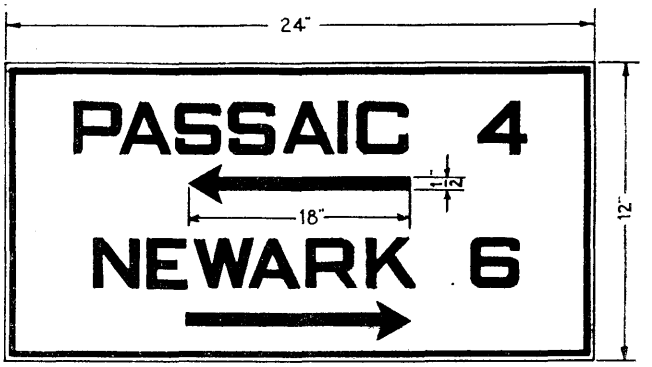
28. No Parking: Signs shall be square, eighteen inches on a side; largest letter to be three inches in height and letters for explanatory words to be from one to two inches in height, depending upon the number of words used. Signs shall be placed at the point or points where the message is to be obeyed.

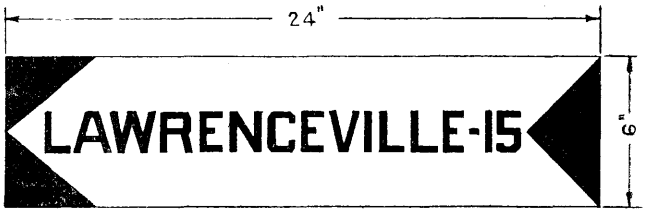
DIRECTION AND RESTRICTION SIGNS

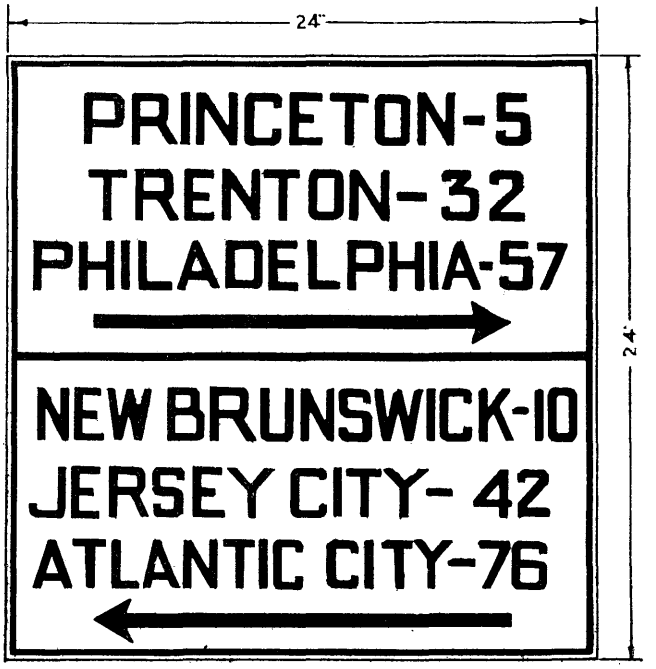


NOTE: ALL DIRECTION AND RESTRICTION SIGNS TO HAVE A WHITE BACKGROUND.

DIRECTION AND RESTRICTION SIGNS







Time limit signs.

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 at the point where the message is to be obeyed. Color to be green background with white letters.

Loading zones.

30. Loading Zones: "No Parking" signs described above shall be used with additional explanation desired, to fill special requirements, the height dimension to be increased, if necessary, to get the entire message on. Signs shall be placed at the point where message is to be obeyed.

Jay walking.

31. Jay Walking: Where this sign is used it shall be rectangular, twelve inches by eighteen inches and high enough to carry the message desired.

Routes and distances.

32. Routes and Distances: Signs shall be twenty-four inches long and eighteen inches wide or more (to be of such dimension as to carry the message required). Below the message an arrow about eighteen inches long shall be placed to indicate the direction desired.

Indicating fire house.

33. Fire House Zones: Signs shall be eighteen inches by eighteen inches with words "No Parking" in letters three or four inches high and the word "Fire House" underneath in letters three inches high. The sign shall be the same height and proportion as regular "No Parking" signs. Signs shall be placed at the point where the restricted parking for the protection of fire houses is necessary.

Special signs.

34. Special and Miscellaneous Restriction and Instruction Signs: "Emergency," "No Trucking," "No Loitering," "Taxi Stand," "Bus Stand," and other restriction signs where required for special purposes shall conform to the specifications for "Direction" and "Restriction" signs.

Various markings authorized on curb and pavement.

35. Types—Markings shall be of the following types:
(a) Lines on pavement.
(b) Colors on curbing.
(c) Words on pavements or curbs.
(d) Mass colors on obstructions.

How made.

36. Methods—Markings on pavements may be made by

(1) Inserts embedded in the pavement so as to form lines or words.

(2) Paint applied to the surface.

(3) Canvas attached by cement.

Use of lines.

37. Lines—The uses for which lines shall be employed are:

(a) Center line on a curve having a radius less than six hundred feet.

(b) Center line on a grade of over six per centum.

(c) Traffic lanes on streets wide enough for three or more lanes.

(d) Boundaries of pedestrian crosswalks.

(e) Vehicle turning limits at street intersections.

(f) Street car clearance limits at turning points.

(g) Parking space limits.

(h) Stalls for parking other than parallel. When lines are used to indicate the turning course for traffic to follow, they shall be made in short lengths with arrow heads on each to indicate direction.

Curb markings.

38. Curb Markings—The principal uses for curb markings shall be to define regulations applying to vehicles stopping or standing next to curb, for which purpose they shall be of different colors to distinguish the various regulations.

(a) Prohibited parking, orange.

(b) Loading zone (passengers and material), yellow.

(c) Passenger zone (loading and unloading of passengers only), white.

(d) Limited parking (limited as to time), green.

Wording.

39. Words—The use of words shall be limited to very brief messages expressed in the shortest possible words.

Specifications:

40. Material Specifications—The following standards shall be adopted:

Round inserts;

(1) Round inserts shall be made of aluminum, non-rusting steel, brass, or other material that will show a bright surface under traffic. Diameter not less than three inches, spacing about twelve inches on transverse lines and about eighteen inches on longitudinal lines. Such inserts shall be attached to the pavement with anchor bolts or similar devices so that they will retain their position; they shall not project above the pave-

ment level more than one-half inch, and they shall have rounded surfaces so that they will offer a smooth contour to passing traffic.

Rectangular inserts;

(2) Rectangular inserts of any material such as brick, stone, rubber or metal shall be of distinctive color from that of the pavement; they shall be set to form a continuous or broken line, and shall be embedded in the pavement so that the upper surface is even with the pavement level.

Width;

(3) The width of line shall be not less than six inches. Frequent renewals shall be made to insure full visibility at all times.

Canvas.

(4) Canvas shall be firmly attached to the pavement surface with cement such that lines will remain true under all conditions of use and weather. Color shall be white or yellow.

Use of mushroom buttons.

41. Mushroom Buttons—Large diameter buttons projecting several inches above the pavement shall not be used at any point in the highway where they may interfere with moving traffic even if illuminated.

Obstructions marked.

42. Obstructions—All obstructions shall be marked clearly with black and white as follows:

(a) Alternate lines three to six inches wide with a slope of forty-five degrees.

(b) Checkerboard squares six to twelve inches on a side.

SAFETY ZONES.

Safety zones for pedestrians:

43. Safety zones at points where there is heavy pedestrian traffic exposed to vehicular hazard, may be established in the following locations:

At car stops;

(a) Street car stops where there is heavy traffic.

At crosswalks.

(b) Crosswalks where highways between curbs are forty feet or more wide or otherwise hazardous intersections.

Type of zones:

Type—Safety zones shall be of the following types:

Raised platform;

(1) Raised platform of concrete or wood with adequate protection against collision at the end from which traffic approaches.

Protected space.

(2) Pavement space without platform, protected at the end and also along the side next to the traffic lane.

Traffic lane.

44. Location—A traffic lane having a minimum width of nine feet shall be allowed between the edge

of the zone and the curb. This traffic lane shall be kept clear as provided for in Article VI, section four, subsection (c).

Dimensions of raised zones.

45. Dimensions—All raised safety zones shall not be less than five or more than six inches high, and shall not be less than three feet wide and six feet long. Those used for street car loading shall be four feet wide and as long as may be necessary to provide adequate access to the street car entrances.

Construction of safety zones.

46. Construction—Safety zones of both 1 and 2 types shall be protected at the end from which traffic approaches by substantial obstructions, either posts or abutments extending three and one-half feet above the street surface. Posts may be made of heavy timber or of iron filled with concrete, and may be located at the corners or around the end of a zone in a curve. Behind this protection may be placed a flashing beacon or fixed light with a white globe having a blue band two inches wide, in accordance with the specifications for signals and mounted either on the posts or the beacon support section twelve of this article "Street Car Zone" sign.

Protections.

Illumination.

It is especially important that both the obstructions protecting the safety zone and the platform itself should be adequately illuminated. It is equally important that posts or other protective obstructions should be marked in accordance with the specifications for markings.

Use of portable signs.

For safety zone of the two type having no platform to define its boundaries and to protect it from the intrusion of vehicles, the side of the zone next to the traffic lane shall be protected by movable standards or portable signs spaced at intervals not exceeding eight feet for the entire length of the zone next to the traffic lane and at the ends of the zones.

Imitation of official signs unlawful.

47. No person or persons shall place, maintain or display on any premises by him owned, leased or occupied, any sign, device or other contrivance in imitation of, or of a nature as to be mistaken for, an official warning or direction sign; nor shall any person or persons place, maintain or display, on any highway, any sign, device, or other contrivance in imitation of, or of a nature as to be mistaken for an official warning or direction sign, unless such sign, device or other contriv-

ance conform substantially to the signs, devices or contrivances fixed by this act.

Nuisances.

48. Any sign, device, or other contrivance prohibited in section thirty-five of this article, shall be deemed a public and a private nuisance; and any citizen shall have the right to maintain an action at law, or in equity, for the removal of the same, and the sole question of law and fact shall be whether said sign, device or other contrivance is in imitation of, or of a nature as to be mistaken for, an official warning or direction sign.

Right to action at law.

Damaging signs.

49. It shall be unlawful for any person to willfully or intentionally deface, injure or remove any official warning or direction sign or signal described in this act.

Size of signs in rural sections.

50. *Provided, however,* that nothing in this article shall prohibit the authorities having control of highways in rural sections from increasing the dimensions of the signs by twenty-five per centum.

ARTICLE XIII.

TRAFFIC SIGNALS.

Traffic signals:

1. Traffic signals or signal devices shall conform strictly with the following particulars:

Green light;

2. A three-color system shall be used; red, amber and green. *Green* shall mean permission for traffic to go, subject to the safety of others or the specific directions of an officer; *red* shall mean traffic to stop before entering the intersection or crosswalk, and remain standing until *green* is shown; *amber* (or yellow) shall be for the exclusive use of pedestrians; *amber* shall mean vehicles and street cars to stop before entering the intersection or crosswalk, unless when the *amber* so appears the vehicle or street car is so close to the intersection that it can not be stopped within fifty feet. If within fifty feet of an intersection the vehicle or street car may proceed across the intersection, or make right or left turns. No vehicles or street cars shall enter the intersection or crosswalk if not within this distance of fifty feet, while the *amber* is displayed but must wait for the *green* to appear alone.

Red light;

Amber light.

Other lights discontinued.

3. All other uses of *green, red, amber* or *yellow* lights, so located as to be confused with traffic signals, shall be discontinued.

Order of lights.

4. The colors shall be shown in the following sequence: a *green* light displayed for a predetermined number of seconds followed by an *amber* light for a reasonable time for pedestrian traffic, followed by a *red* light, followed by a *green* light. The timing of all lights shall be determined by the volume of traffic.

Semaphores.

5. Semaphores shall have four vanes or sides, the stop vanes having a red field with the words "Stop" plainly visible thereon, and the go vanes a green field with the word "Go" plainly visible thereon.

Semaphores lighted at night.

6. When used at night, semaphores shall be equipped with red and green lights, corresponding with the vanes, or sides, and with the same meaning and visibility as electrically equipped signals.

Order of lenses—vertical;

7. Lenses. Where a vertical arrangement of lenses is used, red shall be placed at the top, amber in the middle, and green at the bottom.

Horizontal.

8. When it is necessary to place the lights horizontally, the order of the lights shall be red at the left, amber in the middle, and green at the right.

Visibility of lights.

9. The light shall be of such power, as to cause the signal to be visible for at least three hundred feet.

Location of traffic signals.

10. All traffic signals shall be so located as to be plainly visible to all traffic to be regulated. This shall be accomplished by: (a) One-way or two-way lights on four corners; or (b) three-way or four-way signal on one corner; or (c) two-way or four-way signal on diagonal corners, or mast arm suspension.

Location of poles.

11. Poles carrying signal supports shall be so placed as to be out of pedestrian crosswalk lanes.

Control at intersections.

12. Each intersection on a continuously controlled highway shall be controlled by signals or by suitable signs.

Proviso.

Provided, however, that if traffic signals are not erected at every intersection, it shall not be construed as a continuously controlled highway.

No traffic signal in paved roadway.

13. Hereafter no traffic signal shall be so located as to obstruct the paved width of the highway, but where such signal is now located, no change shall be mandatory until after three years from the date of the passage of this act, nor shall it be mandatory until after three years from the date of the passage of this act to change or remove, any traffic signal, sign or device now in use to

conform with the provisions of this act; *provided, nevertheless,* that no new traffic signal or device not conforming with the provisions of this act shall be installed or put to use; *provided, however,* that where there is, or may hereafter be erected a fixed raised safety zone, the highway area covered by said raised safety zone shall not be construed to mean the paved width of the highway. Proviso. Proviso.

14. All traffic signals shall be placed at such height as to be plainly visible to approaching traffic at a distance of at least fifty feet from the intersection. Height of signal.

15. Traffic signals, operated by electricity, if within the curb line, shall be placed at a height of from eight to ten feet above the pavement. Signals within curb line.

16. If on bracket or mast arm, a signal shall clear the pavement by fourteen feet. Signal on bracket.

17. The period or cycle shall be based on counts of turning and through traffic, study of turns, study of special intersections, distance between intersections and speeds permitted. Period or cycle.

ARTICLE XIV.

TURNS, HAND SIGNALS, STARTING, STOPPING.

1. Except as otherwise provided in this article, the driver of a vehicle intending to turn to the right at an intersection, shall approach such intersection in the lane for traffic nearest to the right-hand curb or side of the highway, and in turning shall keep as closely as practicable to the right-hand curb or side of the highway until the turn is completed, and when intending to turn to the left shall approach such intersection in the lane for traffic to the right of and nearest to the center line of the highway, and in turning left shall pass immediately to the left of the center of the intersection, passing as closely as shall be practicable to the left of the center of the intersection. Right-hand turn. Left-hand turn.

2. For the purpose of this article, the center of the intersection shall mean the meeting point of the medial lines of the highways intersecting one another. Center of intersection.

3. Local authorities, in their respective jurisdictions, may modify the foregoing method of turning at inter- Municipalities may determine turnings.

sections, by clearly indicating by buttons, markers or other direction signs, within an intersection, the course to be followed by vehicles turning therein, and it shall be unlawful for any driver to fail to turn in a manner as so directed, when such direction signs are installed by local authorities.

Driver's duty before starting, etc.

4. (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.

Method of signaling.

(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 of by the department.

Arm and hand signaling.

5. Whenever the signal is given by means of the hand and arm, the driver shall indicate his intention to start, or stop, or turn by extending the hand and arm from and beyond the side of the vehicle.

Indicating right turn.

6. For a right turn, make a sweeping motion from the rear to the front to indicate to drivers of vehicle behind that they may pass to the left;

Indicating left turn.

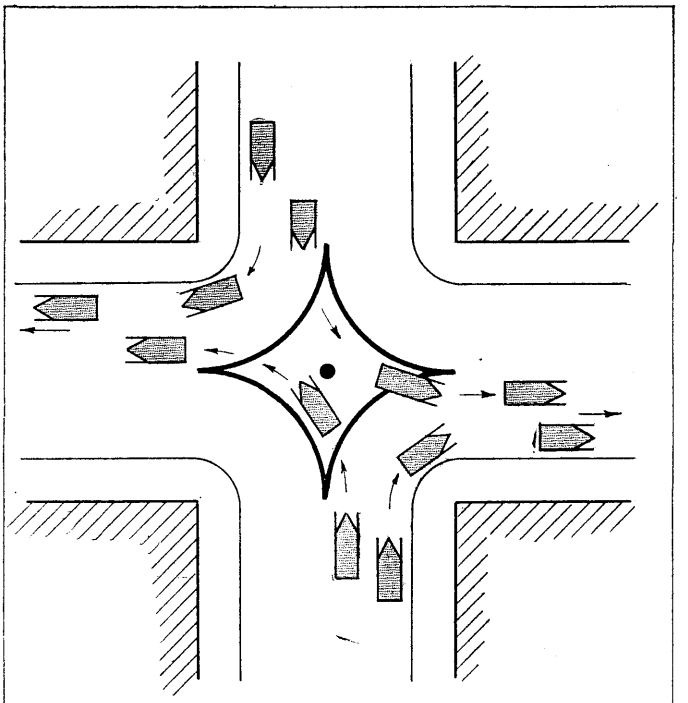
7. For a left turn, point with index finger to the left, to indicate to drivers of vehicles behind that he intends to turn in that direction;

Indicating slow or stop.

8. When stopping or slowing up, keep the arm and hand in a steady position, with palm to the rear.

Backing or turning in street.

9. No vehicle shall back or make a turn in any street, if by so doing it interferes with other vehicles, but shall go around a block or to a street sufficiently wide to turn in without backing.



LANES FOR TURNS

Lines may be marked on the pavement to indicate the lanes or channels in which vehicles should turn. Width of line ~ 6".

ARTICLE XV.

ENFORCEMENT.

Enforcement of act invested in sundry officers.

1. The enforcement of all the provisions of this act shall be vested in the police officers, peace officers of, or inspectors, duly appointed for that purpose by any town, township, city, borough, or other municipality, or by any county or by the State, and in the Commissioner of

Motor Vehicles and the inspectors appointed under his authority.

General liability.

2. For any violation of any section or subsection of any article of this act, for which no specific penalty is provided, the offender upon conviction shall be liable to a penalty of not more than fifty dollars or imprisonment for a term not exceeding five days or both.

PROCEDURE.

Summons or warrant to issue on complaint.

3. On Complaint Summons or Warrant to Issue.—A complaint having been made in writing upon oath or affirmation, that any person has violated any of the provisions of this act, any magistrate of the county, or recorder or police magistrate of any municipality, or any judge of any criminal judicial District Court of any county in which the offense is committed may, within thirty days after the commission of said offense, issue either a summons or a warrant directed to any constable, police officer, the inspector of motor vehicles or the Commissioner of Motor Vehicles of the State, for the appearance or arrest of the person so charged, and the warrant or summons shall state what article, section and subsection of this act has been violated by the defendant, and the time, place and nature of said violation, and upon the return of said summons or warrant the said magistrate shall proceed, in a summary way, to hear and determine the guilt or innocence of such person, and, upon conviction, may impose upon the person so convicted the penalty by this act prescribed, together with the cost of prosecution for such offense.

Hearing and determination.

In case of corporations.

Such magistrate, upon receiving complaint in writing, duly verified, of the violation of any provision of this act by an corporation, is hereby authorized and required to issue a summons directed to any constable, police officer, inspector of motor vehicles, or the Commissioner of Motor Vehicles of this State, requiring such corporation to be and appear before said magistrate on a day therein named, to answer to said complaint, which said summons shall be served on the president, vice-president, secretary, superintendent, or manager of such corporation, or the agent upon whom other process against it may be served, at least five days before the

Serving summons.

time of appearance mentioned therein, and thereafter proceedings shall be the same as against individuals, except where a different procedure is provided by this act.

ADJOURNMENT OF TRIAL.

Detention of defendant.

4. Adjournments.—Any hearing to be held pursuant to this act shall, on the request of the defendant, be adjourned for a period of not exceeding thirty days from the return day named in any summons, or from the return of any warrant, as the case may be, but in such case it shall be the duty of the magistrate to detain the defendant in safe custody, unless he shall make a cash deposit or enter into a bond to the State of New Jersey, with at least one sufficient surety (unless said defendant shall himself qualify and justify, in real estate security situated in this State, in twice the amount fixed by said magistrate for bond with a surety) to or in amount not exceeding five hundred dollars, conditioned for his appearance on the day to which the hearing may be adjourned; and then from day to day until the case is disposed of; and such bond, if forfeited, may be prosecuted by the Commissioner of Motor Vehicles in any court of competent jurisdiction; and such cash deposit, if forfeited, shall be paid to said Commissioner of Motor Vehicles by said magistrate, with whom the same shall have been deposited, to be, by said commissioner paid over to the State Treasurer of the State of New Jersey.

If bond forfeited.

RIGHT OF APPEAL.

Defendant may appeal.

5. Defendant May Appeal.—The defendant in any proceeding instituted under this act may appeal from the judgment or sentence of the magistrate to the Court of Common Pleas of the county in which proceeding shall have taken place; *provided,* the said defendant shall, within ten days after the date of judgment, deliver to the magistrate a bond to the State of New Jersey, with at least one sufficient surety, or make a cash deposit with him of such amount as the magistrate shall direct, not exceeding the amount of five hundred dollars (unless said defendant can himself qualify and justify in real estate security in this State in twice said amount),

Proviso.

conditioned to stand to and abide by such further order or judgment as may thereafter be made against the said party; *and provided, further,* that if the said magistrate shall have imposed a sentence of imprisonment, the defendant, if he does not duly appeal, shall be imprisoned forthwith upon the imposing of said sentence; but that an appeal, properly taken in accordance with the provisions of this act, shall be a stay of and upon the enforcement of a sentence of imprisonment, whether the execution of such sentence shall have been entered upon or not, as well as of such other judgment as may be pronounced; *and provided, further,* that if said defendant shall after the rendition of said judgment or sentence, announce to said magistrate his intention to appeal therefrom, and either give bond, make the deposit as herein provided, he shall have ten days from the date of the rendition of said judgment or sentence within which to complete his appeal, during which said ten days the execution of whatever sentence or judgment shall have been rendered, whether of imprisonment or fine, shall be stayed, and in case said defendant shall fail to complete his appeal within said ten days, the like proceedings may be had as would by the provisions of this act follow an appeal taken and a judgment of affirmance thereupon.

Proviso.

Proviso.

Appeal to stay sentence.

RECORD OF APPEAL.

On appeal all papers sent to court.

6. On Appeal, All Papers and Recorders Sent to Court by Magistrate.—Whenever an appeal shall be taken as aforesaid, it shall be the duty of the magistrate to send all papers and all money, if any, deposited according to the provisions of this act and all money paid for costs of prosecution, together with a transcript of the proceedings in the case, to the next Court of Common Pleas of the said county, which court shall, de novo, and in a summary way, try and determine all such appeal, and in case the judgment or sentence of the magistrate shall be reversed on such appeal, the said Common Pleas Court shall order the return of all money deposited as aforesaid, and all costs of prosecution paid by said defendant to said defendant.

New trial.

PROCEEDINGS MAY BE INSTITUTED ON SUNDAY.

Proceedings taken on Sunday.

7. Proceedings Taken on Sunday.—Proceedings under this act may be instituted on any day of the week, and the institution of such proceedings on Sunday shall be no bar to the successful prosecution of the same and any process served on Sunday shall be as valid as if served on any other day of the week.

PROCEEDINGS, WHEN BOND FOR COSTS MAY BE DEMANDED.

Title to proceedings.

8. Title in Proceedings.—All proceedings for the violations of the provisions of this act shall be entitled and shall run in the name of the State of New Jersey, with the Commissioner of Motor Vehicles, or a motor vehicle inspector, or a police officer, peace officer, or a constable, or such other person as shall by complaint institute the proceedings as prosecutor; and any magistrate may, at his discretion, refuse to issue a warrant on the complaint of any person other than the Commissioner of Motor Vehicles, or a motor vehicle inspector, or a police officer, until a sufficient bond to secure costs shall have been executed and delivered to the said magistrate.

Bond may be demanded to secure costs.

ARREST WITHOUT WARRANT.

Arrest at sight.

9. Arrest at Sight.—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 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

Defendant brought before magistrate.

Detention by magistrate.

office of the magistrate until the officer making such arrest shall make a complaint, under oath or affirmation, which he shall do forthwith, declaring that the person under arrest has violated one or more of the provisions of this act, and specifying the provision or provisions violated, whereupon said magistrate shall issue a warrant, returnable forthwith, and the said magistrate shall proceed summarily to hear or postpone the case as provided in this act. And any such constable or police officer, or motor vehicle inspector, or the Commissioner of Motor Vehicles, upon satisfying himself that such offender is a resident of this State, may, instead of arresting such offender as 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.

Hearing.

May direct a later appearance.

Blank summons provided.

VALIDITY OF WARRANT—CASH DEPOSIT OR RECOGNIZANCE.

Summons or warrant valid throughout State.

10. Validity of Summons or Warrant.—A summons or warrant issued by any magistrate in accordance with the provisions of this act shall be valid throughout the State, and any officer who has power to serve the said warrant and make arrests thereon in the county where the same shall have been issued, shall have like power to serve said summons and to serve said warrant and make arrest thereon in any of the several counties of the State.

Service.

Person arrested taken before magistrate.

If any person shall be arrested for a violation committed in the county other than that in which the arrest shall take place, the person so arrested may demand to be taken before a magistrate of the county in which the arrest may have been made for the purpose of making

a cash deposit or of entering into a recognizance with sufficient surety; whereupon the officer serving the said warrant shall take the person so apprehended before a magistrate of the county in which the arrest shall have been made, who shall thereupon fix a day for the matter to be heard before the magistrate issuing the said warrant, and shall take from the person apprehended a cash deposit or recognizance to the State of New Jersey, with sufficient surety or sureties for the appearance of the said person at the time and place designated in accordance with the provisions of this act. The cash deposit or recognizance so taken shall be returned to the magistrate issuing the warrant to be retained and disposed of by him as by this act provided.

Time fixed for hearing.

Cash or recognizance given.

FEES.

11. Schedule of Fees.—The fees provided in the following schedule, and no other charges whatsoever, shall be allowed the magistrate and officers in proceedings under this act, and where no fee is provided for any necessary service to be performed the same shall be performed without any charge therefor.

Schedule of fees.

JUSTICES.

Justices' fees.

Complaint	10 cents
Summons or warrant when necessary to be issued, but not in case of arrest without warrant based on complaint	10 cents
Copies, each	5 cents
Subpœna	10 cents
Administering oath to each witness	10 cents
Each adjournment	15 cents
Entry of judgment	20 cents
Recognizance of bond, drawing entry and approval of	25 cents
Making return to certiorari	50 cents
Granting appeal and necessary papers	50 cents
Hearing contested case	50 cents
Hearing noncontested case	25 cents
Serving of summons or warrant (except in cases of arrest on view where no costs for service)	30 cents

Service of subpœna (except where subpœna to party present at time of arrests where no costs)	30 cents
Service of execution	75 cents
For every mile of travel in serving any summons or warrant, after first mile, computing the number of miles in and out by the most direct route from the place where such process is returnable	3 cents
Execution	25 cents

WITNESSES.

Witness fees; by whom paid.

For each witness, not exceeding three to each party, twenty-five cents, and which shall be paid by the defendant if the defendant be found guilty of the charge laid against him, but if, on appeal, said judgment be reversed, said costs shall be repaid to said defendant as hereinbefore provided. If the defendant be found not guilty of the charge or charges laid against him, then the costs must be paid by the prosecutor, except that when in such instances the Commissioner of Motor Vehicles or the inspector of motor vehicles, a peace officer, or a police officer shall have been prosecutor.

Supreme Court justice may review proceedings.

12. Review of Proceedings.—It shall be lawful for a justice of the Supreme Court or the judge of the Court of Common Pleas of the county in which any conviction may be had, upon application made to him, by a verified petition for that purpose, by any person against whom a judgment or sentence for the violation of any of the provisions of this act shall have been rendered, who may desire to have the legality of his conviction reviewed or the reasonableness of the sentence of penalty imposed, to order the said complaint, process, proceedings, evidence and record of conviction to be forthwith brought before him, that the legality of such proceedings and sentence or judgment or the reasonableness of the sentence or penalty may be summarily reviewed and determined; and if such proceedings and sentence or judgment shall thereupon be found to be illegal, or the sentence or penalty be unreasonable, forthwith to set aside the same and to order the remission or reduction of any fine and costs that may have

Finding.

been imposed or the discharge of any offender from custody.

"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.

Disposition of moneys.

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.

Proviso.

Certain moneys used for road repairs.

ARTICLE XVI.

POWERS OF MUNICIPALITIES.

Municipalities not to pass ordinances covering traffic act.

1. Cities, Et Cetra, Not to Pass Ordinances Relative Hereto.—Towns, boroughs, townships, cities, or other municipalities are prohibited from passing any ordinance on any matter covered by this act or to pass ordinances altering or in anywise nullifying the provisions of this act; *provided, however,* that ordinances may be passed regulating special conditions existent in such municipality on the following subjects and within the following limitations:

Proviso.

Certain rights reserved to municipalities.

(A) As provided in Article IX, section six of this act;

(B) Limiting use of streets to certain class of vehicles;

(C) Designation of one-way street;

(D) Regulation of public hacks and designation of hack-stands and auto bus stops or stations;

(E) Regulating the stopping or starting of street cars at special places, such as railroad stations public squares, or in front of certain public buildings;

(F) Special regulations governing the passage or stopping of traffic at certain congested street corners, or other designated points;

(G) Regulations governing the parking of vehicles on streets and portions of streets.

(H) To erect, construct and maintain signs, pavement markings and safety zones as provided for in Article XII of this act, subject to the provisions of section six of this article.

Certain ordinances submitted to commissioner.

2. All ordinances passed under the provisions of this act, shall not be in force and effect until the same have been submitted to the Commissioner of Motor Vehicles and approved by him after he has satisfied himself that such ordinances are not contrary to the provisions of this act and are not in excess of the powers and authority granted under this section. The said commissioner shall be given ten days after receipt of any such proposed ordinance to examine same, and shall before or at the expiration of that time forward such ordinance to the proper municipal authority, with a certificate indicating whether such ordinance is a proper ordinance or whether such ordinance is an improper ordinance. In the event of the failure of the commissioner to make such return within the prescribed time, such ordinance shall become effective without his approval.

Examination and action thereon.

Commissioner's action reviewable.

3. Any action taken by the Commissioner of Motor Vehicles either approving or disapproving any ordinance passed in accordance with the provisions of this act, on the application of any person affected thereby, may be reviewed by certiorari or by petition to the Supreme Court of the State of New Jersey within thirty days from the date upon which such approval or disapproval as above becomes effective. Said petition shall be filed with the Clerk of the Supreme Court and a copy thereof

Petition.

served on the Commissioner of Motor Vehicles, either personally or by leaving same in the office of the said commissioner in the city of Trenton. The Supreme Court is hereby given jurisdiction to review said action of the commissioner as above, and to declare that such approval or disapproval by the said commissioner is contrary to the provisions of this act.

Court of review.

4. The procedure for review, except as herein provided, shall be prescribed by the rules of the Supreme Court. The allowance of a writ of certiorari or the institution of any proceedings to review any action of the Commissioner of Motor Vehicles by the Supreme Court as aforesaid shall in no case supersede or make inoperative the approval or disapproval, as the case may be, of the said Commissioner of Motor Vehicles, unless the Supreme Court or a justice thereof shall so direct. Any proceedings in the Supreme Court of this State as above affecting the approval or the disapproval of the Commissioner of Motor Vehicles as above shall have preference over all other civil proceedings pending in such court, except such civil proceedings as are provided for under sections thirty-eight, thirty-nine, and forty of an act entitled "An act concerning public utilities, to create a Board of Public Utility Commissioners, and to prescribe its duties and powers," approved April twenty-first, one thousand nine hundred and eleven.

Rules of procedure.

Effect of writ.

Proceedings to have preference.

5. No special ordinance passed under the powers as contained in any article of this act shall be effective unless due notice of same be given to the public by placing a sign at the places where such ordinance is effective, and by briefing its provisions on signs according to specifications contained in this act. Signs to be so placed as to be easily read by pedestrians or operators of vehicles.

Sign of special ordinance.

6. No safety zones or platforms, commonly called "safety isles"; traffic signal devices, guideposts, or other structures of any kind whatsoever shall be hereafter erected, constructed, operated, or maintained in, over, or upon any State highway of this State, without the permission of the State Highway Commission first having been obtained.

Safety zones, signals, etc., must be approved by Highway Commission.

ARTICLE XVII.

As to validity of act.

1. As to Validity of Any Part of Act.—In case for any reason any section or any provision of this act shall be questioned in any court, and shall be held to be unconstitutional or invalid, the same shall not be held to affect any other section or provision of this act.

Compendium of traffic act furnished.

2. At the time of the issuance or the renewal of a driver's license, the Commissioner of Motor Vehicles shall give to each applicant for such license a compendium of the traffic act.

Repealer.

3. Repealer.—All acts or parts of acts inconsistent herewith are hereby repealed, but nothing herein contained shall effect the powers of regulation now vested in the Public Utilities Commission.

Act in effect.

4. This act shall take effect September 1, 1928.

Approved July 14, 1928.

CHAPTER 282.

An Act to repeal 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 the 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 twenty-ninth, one thousand nine hundred and twenty-six.

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

Act repealed.

1. An act entitled "An act to amend an act entitled 'An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers

thereof; fixing rules and 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 twenty-ninth, one thousand nine hundred and twenty-six, be and the same is hereby repealed.

2. This act shall take effect September 1, 1928. When effective.

Approved July 14, 1928.

CHAPTER 283.

An Act to amend an act entitled "An act to regulate the keeping of employment agencies," 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 act is amendatory be and the same is hereby amended so as to read as follows: Section 1 amended.

1. Definitions. (a) The term "person" when used in this act shall mean and include any individual, company, association or corporation, or their agents. Person.

(b) The term "fee" when used in this act shall mean and include any payment of money, or the promise to pay money, or the excess of money received by any person furnishing employment or employees over what he has paid for transportation, transfer or baggage or lodging for any applicant for employment; it shall also mean and include the difference between the amount of money received by any person who furnishes employees and performers for any entertainment, exhibition or performance, and the amount paid by him to said employees or performers. Fee.

(c) The term "privilege" as used in this act shall mean and include the furnishing of food, supplies, tools or shelter to contract laborers, commonly known as Privilege.

commissary privileges. The furnishing of food, supplies, tools or shelter to laborers, if performed within New Jersey or if paid for within New Jersey, both in connection with the promise or offer to provide help or employment regardless of where such offer is made or where such help is obtained, shall be considered proof of violation of this act.

Employment agency.

(d) The term "employment agency" when used in this act shall mean and include the business of procuring or offering to procure help or employment, or the giving of information as to where help or employment may be procured, whether such business is conducted in a building or on the street or elsewhere; or the business of keeping an intelligence office, employment bureau, or shipping agency, nurses' registry, or agency for procuring engagements for vaudeville or theatrical performers, or other agency or office for procuring work or employment for persons, where a fee or privilege is exacted, charged or received directly or indirectly for procuring or assisting or promising to procure employment, work, engagement or a situation of any kind, or for procuring or providing help or promising to provide help for any person, whether such fee is collected from the applicant for employment or the applicant for help.

Section 2 amended.

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

Act does not apply to certain employment agencies.

2. Application. The provisions of this act shall not apply to employment agencies which procure employment for persons as teachers or in technical or executive positions exclusively in recognized institutions, or to registries conducted by duly incorporated associations of registered nurses, or employment bureaus of registered medical institutions or incorporated hospitals, nor shall it apply to departments maintained by persons, firms, corporations or associations for the purpose of securing help for themselves where no fee is charged the applicant for employment, or to departments maintained by either federal, State, municipal or charitable agencies where no fee is charged.

Section 3 amended.

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

Agencies licensed.

3. License. (a) No person shall open, keep or carry on any employment agency as defined above unless such person shall procure a license therefor from the Commissioner of Labor. Such license shall be posted in a conspicuous place in said agency. Any person who shall open or conduct an employment agency without first procuring said license, or who shall conduct such an agency after revocation of such license, shall be guilty of a misdemeanor and shall be punishable by a fine of not less than fifty dollars and not more than two hundred and fifty dollars, or by imprisonment of not more than one year or both at the discretion of the court.

Penalty.

Applying for license.

(b) An application for such license shall be made in writing to the Commissioner of Labor, and shall state the name and number of the building and place where the employment agency is to be conducted. The application for such license shall be filed not less than one week prior to the granting of said license, and the Commissioner of Labor shall act upon such application within thirty days from the time of such application.

Proof of character and responsibility required.

(c) Every such applicant shall be required to furnish satisfactory proof of good moral character in the form of affidavits by at least two reputable citizens of the State, and to furnish proof of citizenship of the United States, and any person may protest against the issuance or the transfer of any license. The Commissioner of Labor, or his representative, shall investigate, or cause to be investigated, the character and responsibility of the applicant, and shall examine, or cause to be examined, the premises designated in such application as the place in which it is proposed to conduct such agency.

What license to show.

(d) Such license shall contain the name of the person licensed, a designation of the city, street and number of the house in which the person licensed is authorized to carry on the said employment agency, and the number and date of such license. Such license shall not be valid to protect any other than the person to whom it is issued and shall not authorize the carrying on of any such agency at any place other than that designated in the license, and it shall not be transferred or assigned to any other person unless consent is obtained from the Commissioner of Labor and no such agency shall be conducted in rooms used for living purposes, or where

Transfer.

Where agency kept.

boarders or lodgers are kept, or where meals are served, or where persons sleep, or in connection with a building or on the premises where intoxicating liquors are sold. If said licensed person shall conduct a lodging house for the unemployed, separate and apart from such agency, it shall be so designated in the license. Unless sooner revoked by the Commissioner of Labor, such license shall run to the first day of January next ensuing the date thereof and no longer.

Expiration of license.

Schedule of license fees.

(e) Every person licensed under the provisions of this act to carry on the business of an employment agency shall pay the Commissioner of Labor a license fee according to the population of the municipality as shown by the last preceding federal census, viz.:

In cities of 150,000 and upwards, ..	$100 00
In cities of 100,000 and upwards, ..	75 00
In cities of 50,000 and upwards, ..	50 00
In cities of less than 50,000, ...	25 00

Surety bond given.

Before such license is issued he shall also deposit with the Commissioner of Labor a bond in the penal sum of one thousand dollars, with two or more sureties, or a duly authorized surety company, as surety, to be approved by the Commissioner of Labor.

Condition of bond.

(f) The bond executed as provided in the preceding subdivisions of this section shall be payable to the State of New Jersey and shall be conditioned that the person applying for the license will comply with this act and shall pay all damages occasioned to any person by reason of any misstatement, misrepresentation, fraud or deceit, or any unlawful act or omission of any licensed person, his agents, or employees, while acting within the scope of their employment, made, committed or omitted in the business conducted under such license, or caused by any violation of this act in carrying on the business for which such license is granted. In case of a breach of the condition of any such bond, application may be made to the Commissioner of Labor by the person injured by such breach for leave to sue upon such bond, which leave shall be granted by the Commissioner of Labor if it be proven to his satisfaction that the condition of such bond has been breached and the party applying has been injured thereby. The person obtaining such leave to sue may take the bond from the files of the said

In case of breach right to sue.

commissioner and institute suit thereon in his own name for the recovery of damage sustained by such breach.

New bond may be required.

(g) If any time, in the opinion of the Commissioner of Labor, the sureties on any such bond, or any of them, shall be become irresponsible, the person holding such license shall, upon notice from the Commissioner of Labor, give a new bond, subject to the provisions of this section. The failure to give a new bond within ten days after such notice, in the discretion of the Commissioner of Labor, shall operate as revocation of such license, and the license shall be thereupon returned to the Commissioner of Labor, who shall destroy the same.

Section 5 amended.

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

Schedule of fees to be filed.

5. Fees. (a) Every employment agent shall file with the Commissioner of Labor, a schedule of fees proposed to be charged for any services rendered to employers seeking employees, and persons seeking employment, and all charges must conform thereto. Such schedule of fees, on blanks provided by the Commissioner of Labor, shall be posted in a conspicuous manner in the office of the agency. No such licensed person shall receive or accept any valuable thing or gift as a fee or in lieu thereof. No such licensed person shall divide, directly or indirectly, fees with any person securing help, or his agents, or other employees, or any one in their employ to whom applicants for employment are sent, nor shall any licensed person offer to so divide any fees.

No gratuities or division of fees.

Repayment of fee.

(b) In case the applicant shall not accept or obtain help or employment through such agency, then such licensed person shall, on demand, repay the full amount of the said fee, allowing three days' time to determine the fact of the applicants' failure to obtain help or employment. If an employee furnished an applicant for help fails to remain one week in the situation, or if such employee is discharged for cause, a new employee shall be furnished if said applicant for help so elects, or three-fifths of the fee returned within four days of demand; *Provided, however,* that said applicant for help notifies said licensed person within thirty days of the failure of the applicant for employment to accept the position, or of the applicant's discharge for cause.

If employee does not remain or discharged.

Proviso.

In case of discharge.

If the employee is discharged within one week without said employee's fault, another position shall be furnished, or three-fifths of the fee returned to the applicant for employment if he so elects. Failure of said applicant for help to notify said licensed person that such help has been obtained through means other than said agency shall entitle said licensed person to retain or collect three-fifths of the said fee.

Applicant must have bona fide order.

No such licensed person shall send out any applicant for employment without having obtained, either orally or in writing, a bona fide order therefor, and if it shall appear that no employment of the kind applied for existed at the place to which said applicant was directed, the said licensed person shall refund to such applicant, within three days of demand, any sums paid by said applicant for transportation in going to and returning from said place, and all fees paid by said applicant.

Section 8 amended.

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:

Not send servants to immoral places.

8. Character of Employer; Fraud. (a) No such licensed person shall send or cause to be sent any female to become a servant or inmate or to enter any place of bad repute, house of ill fame, or assignation house, or to any house or place of amusement kept for immoral purposes, or to a place resorted to for the purpose of prostitution, or to a gambling house. No such person shall knowingly permit any person of bad character, prostitutes, gamblers, intoxicated persons or procurers to frequent such agency.

Children under sixteen not accepted.

(b) No such licensed person shall accept any application for employment made by or on behalf of any child under the age of sixteen years, or shall place, or assist in placing any such child in any employment whatever.

No force used.

(c) No licensed person, his agents, servants or employees, shall induce or compel any person to enter such agency, for any purpose, by the use of force or by taking forcible possession of said person's property.

As to saloons.

(d) No such person shall procure or offer to procure help or employment in rooms or on premises where intoxicating liquors are sold (to be consumed on the premises, except as heretofore provided in subdivision

(d), (section three), whether or not dues or a fee or privilege is exacted, charged or received directly or indirectly.

False advertising.

(e) No such licensed person shall publish or cause to be published any false or fraudulent or misleading notice or advertisement; all advertisements of such employment agency by means of cards, circulars or signs, or in newspapers and other publications, and all letter-heads, receipts and blanks shall contain the name and address of such employment agency, and no such licensed person shall give any false information, or make any false promise or false representation concerning employment to any applicant who shall register for employment or help. For the violation of any of the foregoing provisions of this section the person so violating shall be guilty of a misdemeanor and shall be punishable by a fine of not less than fifty dollars and not more than two hundred and fifty dollars, or by imprisonment for a period of not more than one year or both, at the discretion of the court.

Penalty.

Section 10 amended.

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

Enforcement of act.

10. Enforcement. The enforcement of this act shall be entrusted to the Commissioner of Labor, who shall cause to be made at least bimonthly visits to every such agency by such inspectors he shall designate for that purpose. Said inspectors shall have a suitable badge, which they shall exhibit on demand of any person with whom they may have official business, and said inspectors shall see that all the provisions of this act are complied with. The said Commissioner of Labor may refuse to issue and may revoke any license for any good cause shown within the meaning and purpose of this act, and when it is shown to his satisfaction that any licensed person is guilty of any immoral or illegal conduct in connection with the conduct of said business, it shall be his duty to revoke the license of such person; but notice of the charge shall be presented and reasonable opportunity shall be given said licensed person to defend himself. Whenever for any cause such license is revoked, a license shall not be issued to said licensed person or his representative, or to any person with whom

Duties of inspectors.

Revocation of license.

Renewal of license.

he is to be associated in the business of furnishing employment; nor shall a license be granted to anyone for conducting an employment agency at said place of business within the space of twelve months following date of revocation of said license.

Commissioner may withhold licenses.

Licenses may also be withheld if it appears to the satisfaction of the Commissioner of Labor, after due investigation and hearings, if necessary, that the needs of employers and employees in any given municipality are adequately served by public free employment offices and, or, by licensed private employment agencies.

Section 11 amended.

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

Recovery of penalty.

11. Any person who shall violate any provision of this act, except as provided in sections three and eight, shall be liable to a penalty of not to exceed twenty-five dollars, which penalty shall be sued for and recovered by and in the name of the Commissioner of Labor.

Issuing process.

Every District Court in any city or judicial district in any county, and every Court of Common Pleas in any county, and every justice of the peace with due jurisdiction, is hereby empowered upon the filing of complaint in writing by the Commissioner of Labor, to issue process at the suit of the said Commissioner of Labor, such

Summons or warrant.

process shall be either in the nature of a summons or warrant which warrant may issue without any order of the court or judge first being obtained against the person or persons so charged, which process when in the nature of a warrant, shall be returnable forthwith, and when in the nature of a summons shall be returnable in not less than five nor more than fifteen entire days, such process shall state what provision of the law is alleged to have been violated by the defendant or defendants, and on the return of such process, or at any time to which the trial shall be adjourned, the said court shall

Hearing.

proceed in a summary manner to hear testimony and to determine and give judgment in the matter without the filing of any pleadings for the plaintiff for the recovery of such penalty, with costs, or for the defendant, and the said court shall, if judgment be rendered for the plaintiff, cause any such defendant, who may refuse or neglect to forthwith pay the amount of the judgment

rendered against him and all the costs and charges incident thereto, to be committed to the county jail for any period not exceeding one hundred days; that the officers to serve and execute all process under this act shall be the officers authorized to serve and execute process in said courts. Commitment on refusal to pay judgment.

All convictions in prosecutions under this act 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, CD, defendant was by (the District Court of the city of....., or the Court of Common Pleas of the county of....., or as the case may be) convicted of violating the....section of an act entitled "An act to regulate the keeping of employment agencies," approved March fourth, one thousand nine hundred and eighteen, and amendments thereto, in a summary proceeding at the suit of the Commissioner of Labor, upon a complaint made by ..... and further, that the witnesses in said proceeding, who testified for the plaintiff were (name them) and the witnesses who testified for the defendant were (name them), wherefore, the said court doth hereby give judgment that the plaintiff recover of the defendant.....dollars, penalty and.....dollars, costs of this proceeding.

The conviction shall be signed by the judge of the District Court or Court of Common Pleas or justice of the peace before whom the conviction is had. In case the defendant is committed to jail in default of payment of the penalty, a commitment in the following form shall be added, beneath the judge's signature, to the conviction:

"And the said CD neglecting and refusing to pay the amount of the penalty above mentioned with costs, it is hereby ordered that the said CD be and he hereby is committed to the common jail of the county of..... for the period of..... days, unless the said penalty and costs are sooner paid." This commitment shall also be signed by the judge and in case of commitment of any defendant to jail the conviction and commitment shall be signed in duplicate, and one of the duplicate Form of commitment.

copies shall serve the purposes of a warrant of commitment.

Docketing judgment.

Any judgment recovered for a penalty under the provisions of this act in any District Court may be docketed in the same manner as judgments in said court are docketed under the provisions of an act entitled "An act concerning District Courts," approved June fourteenth, one thousand eight hundred and ninety-eight, and the acts amendatory thereof. Execution may issue for the collection of any judgment obtained under this act against the goods and chattels and body of the defendant without any order first obtained for such purpose. All money collected under the provisions of this act shall be paid into the treasury of the State of New Jersey.

Issuing execution.

Appointment of inspectors, clerks, etc.

The Commissioner of Labor shall have the power to appoint such inspectors, department clerks, or other assistants, for carrying on the work required by this act as may in his judgment be necessary, and shall fix the salaries to be paid. Such inspectors, department clerks, or other assistants may be used for such other work of the Department of Labor as the Commissioner of Labor shall deem fit, and shall be entitled to necessary traveling expenses.

Their use.

Section 13 added.

8. Add a section thirteen to read as follows:

As to constitutionality of act.

13. Section thirteen: If any portion of this act, or of the amendments thereto, shall be declared unconstitutional, the validity of the remainder thereof shall not thereby be impaired.

9. This act shall take effect immediately.

Approved July 14, 1928.

CHAPTER 284.

An Act making further appropriations for the support of the agencies of the State government in this act enumerated, and for the purpose of meeting deficiencies in appropriations.

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 and special funds, for the several purposes herein specified, to meet deficiencies in appropriations: Supplemental appropriations to meet deficiencies.

1. DEPARTMENT OF AGRICULTURE.

Additional allowance for appraisement of and indemnification for condemned cattle, $50,000.00 Condemned cattle.

2. COMMITTEE TO MAKE SURVEY OF ALL QUESTIONS OF PUBLIC INTEREST, ETC.

Additional allowance for expenses pursuant to Joint Resolution No. 13, Laws of 1928, approved April 3, 1928, ... $50,000.00 Survey of question of public interest.

3. JOINT COMMISSION TO INQUIRE INTO MATTERS RELATION TO THE DEPARTMENT OF BANKING AND INSURANCE.

Additional allowance for expenses pursuant to Joint Resolution No. 1, Laws of 1928, approved January 31, 1928, and as amended by Joint Resolution No. 16, Laws of 1928, approved April 3, 1928, $25,000.00 Investigation as to banking and insurance.

4. COMMISSION ON TRAFFIC RULES AND REGULATIONS.

Traffic regulations.

Additional allowance for expenses of the commission appointed pursuant to Joint Resolution No. 8, Laws of 1927, approved March 28, 1927, ...		$5,000.00

5. DEPARTMENT OF STATE POLICE.

State Police.

Replacement of stables, ...	$14,128.00	
Replacement of garage, including heating and plumbing, ..	32,500.00	
Replacement of mechanical shop equipment, ...	2,222.00	
Purchase of horses, ...	4,150.00	
Purchase of saddles and saddle equipment, ...	3,000.00	
Installation of water pipe for fire protection, ...	4,000.00	
		$60,000.00

6. COMMISSION TO INVESTIGATE AND REPORT CONCERNING THE NEED AND ADVISABILITY OF DEVELOPMENT OF PROPERTY IN AND NEAR NEWARK BAY, ETC.

Developing Newark bay.

Expenses of the commission appointed pursuant to Joint Resolution No. 11, Laws of 1928, approved April 3, 1928, ...	$10,000.00

7. NATIONAL GUARD.

Hangar at Newark Air Port.

On account of construction of a hangar at Newark Air Port, ...	$50,000.00

2. This act shall take effect immediately.

Approved July 14, 1928.

CHAPTER 285.

An Act to amend an act entitled "A further supplement to an act entitled 'An act entitled "An act to regulate elections" (Revision of 1898), approved April fourth, one thousand eight hundred and ninety-eight,' passed February twenty-eight, nineteen hundred and twenty-three," the title to which said act was changed by an act entitled "An act to change the title of an act entitled 'A further supplement to an act entitled "An act entitled 'An act to regulate elections' (Revision of 1898), approved April fourth, one thousand eight hundred and ninety-eight," passed February twenty-eighth, one thousand nine hundred and twenty-three,' passed March twenty-third, nineteen hundred and twenty-three," the title to which said act now reads as follows: "A further supplement to an act entitled 'A further supplement to an act entitled "An act to regulate elections" (Revision of 1898), approved April fourth, one thousand eight hundred and ninety-eight,' approved March fourth, one thousand nine hundred and eighteen," passed March twenty-third, nineteen hundred and twenty-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 so that the same shall henceforth read as follows: Section 1 amended.

1. The office of superintendent of elections in counties of the first class in this State is hereby established. Office created. The said offices shall be filled by some suitable persons who shall be appointed by the Senate and General Assembly of his 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 Appointment. Term.

Removal.

Successor.

Superintendent subject to removal.

Salary.

Filling vacancies.

are appointed and have qualified. The Senate and General Assembly in joint meeting may remove at will any superintendent of elections in any county of the first class in this State during his term of office without specifying any cause for such removal and shall in joint meeting assembled elect a successor to such superintendent of elections so removed, which successor shall hold his said office for a term of five years. Any superintendent of elections in counties of the first class holding office at the time of the passage of this act, as well as any superintendent of elections hereafter appointed, may be removed from his said office in the manner aforesaid. 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 except removal from office as in this act otherwise provided at any time during the sitting of the Legislature, 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 Governor of the State, or in case of his death, absence or other disqualification, the person administering the government for the time being may make a temporary appointment, 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 the term of the present incumbent and he shall hold office for five years and until his successor is appointed and has qualified.

2. This act shall take effect immediately.

Passed July 24, 1928.

JOINT RESOLUTIONS

Joint Resolutions.

JOINT RESOLUTION No. 1.

Joint Resolution creating 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 thereof, who shall constitute a joint commission to inquire into matters relating to the Department of Banking and Insurance.

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

Commission to investigate Department of Banking and Insurance.

1. There is hereby created 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 thereof, who are hereby constituted a joint commission for the purpose of conducting an investigation of the Department of Banking and Insurance.

Duties.

2. The commission shall be charged with the duty of inquiring into the practices and methods of the said department and/or any individual, firm or corporation having any connection therewith, concerning the issuance or rejection by the commissioner of said department of charters and/or approvals to trust companies, State banks and building and loan associations. The commission shall also have the power to investigate and inquire into any and all other matters relating to the Department of Banking and Insurance.

Organization.

3. Said commission so constituted shall organize by the selection of a chairman and secretary, and is further authorized to employ necessary legal, clerical and other assistance. It shall have power to issue subpœnas signed by the chairman and secretary of said commission, to

Subpœnas.

Witnesses. Hearings. Report. compel the attendance of witnesses and the production of books, papers and records. The said commission shall hold such hearings as may be necessary and at such places in the State as it may deem advisable, and shall report to this or the next regular session of the Legislature the results of its inquiry, with such recommendations as it may deem necessary.

Appropriation. 4. For the purpose of carrying into effect this joint resolution, there is hereby appropriated the sum of fifteen thousand dollars or so much thereof as may be necessary.

5. This joint resolution shall take effect immediately.

Approved January 31, 1928.

JOINT RESOLUTION No. 2.

Joint Resolution providing for a commission to investigate and report with respect to the relations between the State of New Jersey and the educational functions and activities of the State University of New Jersey and Rutgers College, popularly known as Rutgers University.

Preamble. WHEREAS, His Excellency the Governor has recommended the constitution of a commission on higher education to examine the existing relations of the State of New Jersey with Rutgers University;

BE IT RESOLVED *by the Senate and General Assembly of theState of New Jersey:*

Commission on relation between State and Rutgers University. 1. There is hereby created a commission consisting of three citizens to be named by the Governor, and three members of the Senate to be named by the President of the Senate, and three members of the House of Assembly to be named by the Speaker thereof; which commission is hereby authorized and directed to examine the existing relations of the State with Rutgers University and to recommend to the present Legislature

such reorganization and means of adequate support as may be deemed to be to the best interests of the State.

2. This resolution shall take effect at once.

Approved February 7, 1928.

JOINT RESOLUTION No. 3.

Joint Resolution providing for the appointment of a commission to investigate and consider the need and advisability of giving State and county aid by annual appropriations to hospitals, in which free surgical and medical services are rendered, and making an appropriation to carry out such an investigation.

Preamble.

WHEREAS, By the provisions of Joint Resolution No. 6, of the legislative session of one thousand nine hundred and twenty-seven, a commission of six persons was appointed to consider the question of the need and advisability of this State giving or furnishing State aid to hospitals in which free surgical and free medical service is rendered; and

Preamble.

WHEREAS, The said commission in the course of its investigation found it necessary to determine to what extent county appropriation should be made, and in order that the investigation may be continued; therefore

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

Commission on free service in hospitals continued.

1. That the commission created pursuant to the provisions of Joint Resolution No. 6 of the legislative session of one thousand nine hundred and twenty-seven, be continued for the purpose for which said commission was created, and in addition the commission be charged with the duty of investigating and determining to what extent county appropriations should be made to hospitals in which free surgical and medical services are rendered.

As to county aid.

Appropriation.

2. For the purpose of this resolution there is hereby appropriated the sum of three thousand dollars, or so much thereof as may be necessary when included in any annual or supplemental appropriation bill.

3. This joint resolution shall take effect immediately.

Approved March 12, 1928.

JOINT RESOLUTION No. 4.

Joint Resolution for the approval of the bill introduced in the Senate and House of the United States Federal Congress to divest goods, wares and merchandise manufactured, produced or mined by convicts or prisoners of their interstate character in certain cases, and to urge its passage by the Senate and House.

Preamble.

WHEREAS, A bill has been introduced in the Senate and House of the United States Federal Congress which has for its purpose granting to the States the power to legislate for self-protection against the products of convict labor from other States; and

Preamble.

WHEREAS, The bill reads as follows: "A bill to divest goods, wares and merchandise manufactured, produced or mined by convicts or prisoners of their interstate character in certain cases;

Nature of proposed enactment.

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembly, That all goods, wares and merchandise manufactured, produced or mined, wholly or in part, by convicts or prisoners, except paroled convicts or prisoners, or in any penal and/or reformatory institutions, transported into any state or territory of the United States and remaining therein for use, consumption, sale or storage, shall, upon arrival and delivery in such state or territory be subject to the operation and effect of the laws of such state or territory to the same extent and in the same manner as though such goods, wares and

merchandise had been manufactured, produced or mined in such state or territory, and shall not be exempt therefrom by reason of being introduced in the original package or otherwise." And

Preamble.

WHEREAS, This bill will empower the States that do not permit the products manufactured in their penal institutions to be placed on the public market, to protect themselves from the products of penal institutions of other States, and to protect free labor which is now and for many years has been suffering from the competition of products made by the inmates of penal institutions.

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

Approval of bill.

1. The said bill be approved and recommended for enactment into law by the Federal Congress; and be it further resolved, that copies of this resolution be forwarded to the President of the Senate and the Speaker of the House of Representatives of the Federal Congress, and to Representatives of the State of New Jersey in the United States Senate and House of Representatives.

Aproved March 15, 1928.

JOINT RESOLUTION No. 5.

Joint Resolution creating a commission to survey the activities and work of the public schools and educational institutions within our States supported in whole or in part by public funds, to recommend a comprehensive program of public education and sources of revenue for its support, and making an appropriation therefor.

Preamble.

WHEREAS, The program of free public education is contained in the State Constitution adopted in one

thousand eight hundred and forty-four as follows: "The Legislature shall provide for the maintenance and support of a thorough and efficient system of free public schools for the instruction of the children in this State between the ages of five and eighteen years," and

Preamble. WHEREAS, There have, from time to time, been authorized many educational features and branches of educational work which receive all or part of their support from public funds, which are seemingly not comprehended by the mandate of our Constitution, and

Preamble. WHEREAS, There is demand for increasing funds for the maintenance of and enlargement of such features and departments, and

Preamble. WHEREAS, Demands, which have a measure of popular support, for new and broader educational work are continually being made, and

Preamble. WHEREAS, The cost of education to the public has increased tremendously in the past decade until the present cost is approximately one hundred million dollars yearly, and

Preamble. WHEREAS, The State has no clearly unified educational program, consequently, duplications of effort, lack of economy, and confusion on the part of the taxpayers, the public and the Legislature, are bound to result from such a situation, and

Preamble. WHEREAS, Inasmuch as it is desirable and economically necessary that such a program be defined, therefore,

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

Commission on public school system. 1. There is hereby appointed a commission of fifteen members, consisting of three members of the Assembly to be appointed by the Speaker thereof, three members of the Senate to be appointed by the President thereof, the President of the State Board of Education, the Commissioner of Education, three members to be appointed by the Commissioner of Education from among the superintendents and principals of the public schools and the trustees of the same of the State, and four citizens of the State not in any way connected with any public school or educational institution receiving any

support from public funds, to be appointed by the Governor.

2. Such commission shall organize as soon as may be after their appointment upon the call of the Governor and shall elect a chairman and vice-chairman from its members and appoint a secretary, who may be or not be a member of said commission. Organization.

3. The commission shall be charged with a duty of inquiring into the scope of the work and activities of public schools and other educational institutions of this State receiving public funds for all or part of their support, for the purpose of ascertaining the said scope of work being done therein. Duty to inquire into working of schools.

4. To inquire into and ascertain the scope of public education in other States supported in whole or in part by public funds, the manner of such support and the manner and methods by which such funds are raised. Ascertain scope of education in other states.

5. To recommend an adequate and comprehensive program of public education for New Jersey, the type of schools or institutions that should furnish the facilities for such program, and any other recommendations that would put in practical and economic operation the program as recommended. Suggested program.

6. To indicate what features of the proposed educational program come within the mandate of the constitutional requirement and what taxes and revenues should be dedicated for the support of such portion of the program. Features to be indicated.

7. To recommend the scope of that portion of the program (as recommended) which does not fall within the mandate of the Constitution and the revenues and taxes recommended for its support. Recommend certain features.

8. Said commission is authorized to employ necessary, legal, clerical and other assistance. It shall have power to issue subpœnas signed by the chairman or vice-chairman and by the secretary of the commission, to compel the attendance of witnesses and the production of books, papers and records. The said commission shall hold such hearings as may be necessary at such places in the State as it may deem advisable. The commission shall serve without pay, but shall be allowed reasonable hotel and traveling expenses for travel within or without the State. Assistance. Hearings. Expenses met.

Report.

9. The commission shall report its findings and recommendations to the next regular session of the Legislature.

Not interfere with other survey.

10. This survey shall not in any way interfere with or overlap the survey or work of any other commission that may be appointed to make a survey of any educational institution of this State.

Appropriation.

11. For the purpose of carrying into effect this joint resolution there is hereby appropriated the sum of twenty-five thousand dollars.

12. This resolution shall take effect immediately.

Approved March 21, 1928.

JOINT RESOLUTION No. 6.

A Joint Resolution relative to the dumping of garbage at sea by the city of New York.

Preamble.

WHEREAS, The dumping of refuse at sea by the city of New York has been and is continuing to be a great menace to the attractiveness and development of our shore resorts; and

Preamble.

WHEREAS, The present dumping ground has proven of insufficient distance from our shores and scows transporting said refuse are too heavily loaded, causing large portions of their cargo to shift overboard in heavy winds and seas; and

Preamble.

WHEREAS, This grave menace has caused great financial losses both to the concessionaires on our beaches and to the shore resorts through depreciating rentals; and

Preamble.

WHEREAS, The State of New Jersey has had the actual support of the War Department, which has called the attention of the mayor of New York to the objectionable features of the present method of garbage disposal and the early completion of that city's program for the construction of incinerators for disposal of the garbage on shore; and

Preamble.

WHEREAS, It is evident that this menace will never be entirely removed until the dumping of refuse at sea shall cease; therefore

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

Dumping garbage at sea—distance.

1. The Congress of the United States and the Secretary of War are hereby requested to extend the dumping ground for garbage and refuse to a minimum of forty miles east of the city of New York.

Rules for loading.

2. The War Department be requested to establish rules and regulations governing the maximum loading of refuse scows.

Incineration.

3. The Congress of the United States and the Secretary of War are hereby requested to direct that a time limit be set for the completion of the incinerators by the city of New York, at the expiration of which time all dumping of garbage at sea shall cease.

Dumping to cease.

Copies forwarded to certain officials.

4. Copies of this joint resolution, duly authenticated, be sent to the Vice-President of the United States, the Speaker of the House of Representatives, the Senators and Representatives in the Congress of the United States from the State of New Jersey, and the Secretary of War.

Effectuation of request.

5. The Senators from this State and the Representatives from this State in the Congress of the United States be requested to use every effort to effectuate this resolution.

7. This joint resolution shall take effect immediately.

Approved March 26, 1928.

JOINT RESOLUTION No. 7.

Assembly Joint Resolution to amend a joint resolution entitled "Joint resolution providing for a commission to investigate and report with respect to the relations between the State of New Jersey and the educational functions and activities of the State University of New Jersey and Rutgers College, popularly known as Rutgers University," approved February seventh, one thousand nine hundred and twenty-eight.

Preamble.

WHEREAS, His Excellency the Governor has recommended the constitution of a commission on higher education to examine the existing relations of the State of New Jersey with Rutgers University;

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

Section 1 amended.

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

Report by commission on relation existing between State and Rutgers University.

1. There is hereby created a commission consisting of three citizens to be named by the Governor, and three members of the Senate to be named by the President of the Senate, and three members of the House of Assembly to be named by the Speaker thereof; which commission is hereby authorized and directed to examine the existing relations of the State with Rutgers University and to recommend to the present Legislature or to the succeeding Legislature such reorganization and means of adequate support as may be deemed to be to the best interests of the State.

2. This joint resolution shall take effect immediately.

Approved March 26, 1928.

JOINT RESOLUTION No. 8.

Joint Resolution for describing and for engraving an amended Great Seal of the State of New Jersey.

Preamble. WHEREAS, In the description of the Great Seal of the State of New Jersey, as reported by the joint committee to the Legislature on October third, one thousand seven hundred and seventy-six (and now on file in the office of the Secretary of State), it was among other things stated as follows: "That a silver seal should be prepared, which should be round, of two and a half inches in diameter and three-eighths of an inch thick, and that the arms shall be three ploughs in an escutcheon, the supporters, Liberty and Ceres, and the crest a horse's head; these words to be engraved in large letters around the arms, viz., 'The Great Seal of the State of New Jersey.'" And

Preamble. WHEREAS, The engraver, without authority from the Legislature, placed above the shield and beneath the crest a sovereign's helmet and inserted below the escutcheon the date in Roman letters, MDCCLXXVI; and while there is no motto adopted for use with the seal, nevertheless the words "Liberty and Prosperity" have largely been adopted as a motto in sundry representations of the Great Seal. And

Preamble. WHEREAS, Although the description of the Great Seal of New Jersey is intended to be heraldic it totally omits heraldic colors or tinctures, in contradistinction of the rule of heraldry and of the description of the Great Seal of the United States provided for in the joint resolution of Congress of June twentieth, one thousand seven hundred and eighty-two, which is strictly heraldic and provides for colors and motto. And

Preamble. WHEREAS, The original silver seal of New Jersey, being of softer metal, is not used, but a replica or copy of it in brass, is employed in stamping in the office of the Secretary of State, and the brass seal has been so long used that it has become blunted and does not make a

good impression; and it contains a helmet, date and mantling, which are unauthorized; and

Preamble. WHEREAS, The time is ripe for the cutting of a new seal, one that shall describe everything that is to be included in the achievement (as in the case of the United States) adopting the Great Seal of New Jersey as already in use as far as it goes, with the change of the date from the antiquated use of Roman letters to the modern method of employing Arabic numerals (figures, 1776), and that the motto "Liberty and Prosperity" be officially adopted; therefore:

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

Description of Great Seal of New Jersey. 1. The Great Seal of this State be amended in description, and engraved as amended, on silver of the size and dimensions as heretofore; and that the arms be three ploughs in an escutcheon, azure; supporters, Liberty and Ceres. The Goddess Liberty to carry in her dexter hand a pole, proper, surmounted by a cap gules, with band azure at the bottom, displaying on the band six stars, argent; tresses falling on shoulders, proper; head bearing over all a chaplet of laurel leaves, vert; overdress, tenné; underskirt, argent; feet sandaled, standing on scroll. Ceres: Same as Liberty, save overdress, gules; holding in left hand a cornucopia, or, bearing apples, plums and grapes surrounded by leaves, all proper; head bearing over all a chaplet of wheat spears, vert. Shield surmounted by sovereign's helmet, six bars, or; wreath and mantling, argent and azure. Crest: A horse's head, proper. Underneath the shield and supporting the goddesses, a scroll azure, bordered with tenné, in three waves or folds; on the upper folds the words "Liberty and Prosperity;" on the under fold in Arabic numerals, the figures "1776." These words to be engraved round the arms, viz., "The Great Seal of the State of New Jersey."

New seal made. 2. A new seal be drawn in accordance with the above description, and, when so drawn, shall be certified thereon by the State House Commission as being correct, and when illuminated, the colors and tinctures shall conform thereto; that new seal be engraved on silver, according

to such description, and that a replica or copy thereof be made on steel for use in the office of the Secretary of State.

Appropriation.

3. For carrying this resolution into effect the sum of one thousand dollars or so much thereof as may be necessary is hereby appropriated for the purpose.

Approved March 26, 1928.

JOINT RESOLUTION No. 9.

Joint Resolution continuing the commission appointed pursuant to the provisions of Joint Resolution No. 4, entitled "Joint resolution for the creation of a commission consisting of two members of the Senate, to be named by the President thereof, two members of the House of Assembly to be named by the Speaker of the House, and two citizens to be selected by the Governor, who shall constitute a joint commission for the purpose of formulating a comprehensive plan of traffic rules and regulations, and to devise a uniform scheme of administration for the enforcement of the motor vehicle law and the State traffic act," approved March twenty-third, one thousand nine hundred and twenty-six.

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

Traffic commission continued.

1. The joint resolution created pursuant to the provisions of Joint Resolution No. 4, of the legislative session of one thousand nine hundred and twenty-six, is hereby continued for the purpose of formulating a comprehensive plan of traffic rules and regulations, and to devise a uniform scheme for the enforcement of the motor vehicle law and the State traffic act.

Appropriation. 2. For the purpose of carrying into effect the provisions of this joint resolution there is hereby appropriated the sum of ten thousand dollars, or so much thereof as may be necessary, when included in the annual appropriation bill.

Report. 3. Said commission shall embody its findings in an act or acts to be reported to the succeeding Legislature.

4. This joint resolution shall take effect immediately.

Approved April 3, 1928.

JOINT RESOLUTION No. 10.

Joint Resolution for the appointment of 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 thereof, and three counselors-at-law of this State to be selected by the Governor who shall constitute a joint commission for the purpose of revising the present mechanic's lien laws, and for the purpose of inquiring and ascertaining what legislative enactments are necessary concerning the laws relating to mechanics' liens.

Preamble. WHEREAS, "An act to secure to mechanics and others payment for their labor and materials in erecting any building and in making certain improvements to land" was enacted in 1898; and

Preamble. WHEREAS, Since that time numerous amendments and supplements have been made to said act which have lead to confusion in the interpretation of the original act; and

Preamble. WHEREAS, It is desirous that said various mechanic's lien laws be revised and a new mechanic's lien law be enacted; now therefore,

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

Commission to revise Mechanics' lien law.

1. That 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 of the House, and by the Governor, three counselors-at-law of this State, who shall constitute a joint commission for the purpose of revising the present mechanic's lien laws, and for the purpose of inquiring and ascertaining what legislative enactments are necessary concerning the laws relating to mechanics liens.

Organization.

2. Said commission shall organize by the selection of a chairman and a secretary.

3. Its findings shall be embodied in an act or acts to be reported to the next session of the Legislature.

Report.

4. For the purpose of carrying into effect this joint resolution there is hereby appropriated the sum of five hundred dollars.

Appropriation.

5. This joint resolution shall take effect immediately.

Approved April 3, 1928.

JOINT RESOLUTION No. 11.

Joint Resolution for the appointment of a commission to investigate and report concerning the need and advisability of the development of property in and near Newark bay, its tributaries and Arthur Kill in the counties of Bergen, Essex, Hudson, Passaic and Union for the promotion in said area of commerce, manufacturing and transportation.

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

Commission on development of property near Newark bay and in certain counties.

1. There shall be appointed by the President of the Senate three Senators, and one citizen of this State, and by the Speaker of the House of Assembly three members thereof and one citizen of this State, who shall constitute a joint commission for the purpose of investigating the subject of the proper development of property in and

Report.

near Newark bay, its tributaries and Arthur Kill; in the counties of Bergen, Essex, Hudson, Passaic and Union for the purpose of suggesting legislation relative to the use of such property for purposes of commerce, manufacturing and transportation. Said commission shall embody its recommendation in a report to be submitted to the present or succeeding session of the Legislature.

Appropriation.

2. For the purpose of carrying into effect the provisions of this joint resolution there is hereby appropriated the sum of five hundred dollars, or so much thereof as may be necessary, when included in any annual or supplemental appropriation bill.

3. This joint resolution shall take effect immediately.

Approved April 3, 1928.

JOINT RESOLUTION No. 12.

Joint Resolution for the creation of a commission consisting of eight citizens of the following classifications and number; two economists, one of whom shall be from the faculty of Princeton University and one from the faculty of Rutgers State University, one farmer, one banker, one manufacturer, one member of the State Board of Taxes and Assessment, to be appointed by the Governor; one Senator to be appointed by the President of the Senate; one Assemblyman, to be appointed by the Speaker of the House, who shall constitute a joint commission to be known as the tangible personal property tax commission for the purpose of studying the question of the tax on tangible personal property now imposed on industry, agriculture and trade in New Jersey to the end that farmers, manufacturers and merchants of New Jersey may compete on the same basis with the farmers, manufacturers and merchants of other States where the personal property tax has been repealed.

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

Commission on taxation of tangible personal property.

1. There is hereby created a commission consisting of eight persons to be appointed as follows: Two economists, one of whom shall be from the faculty of Princeton University, one from the faculty of Rutgers State University, one farmer, one banker, one manufacturer, one member of the State Board of Taxes and Assessment, to be appointed by the Governor; one Senator to be appointed by the President of the Senate; one Assemblyman, to be appointed by the Speaker of the House, all residents of this State to investigate and consider the question of the tax on tangible personal property now imposed on industry, agriculture and trade in New Jersey under "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," and to consider Assembly No. 248, which purports to relieve the tax on tangible personal property, as imposed in New Jersey at the present time and to make such recommendations as it may deem advisable with all convenient speed to the next session of the Legislature.

Report.

Organization.

2. The said commission shall organize by the selection of a chairman and a secretary and shall hold hearings in any part of the State and shall be authorized to employ legal, clerical and other assistance.

Appropriation.

3. For the purpose of carrying into effect this joint resolution there is hereby appropriated the sum of two thousand dollars.

4. This resolution shall take effect immediately.

Approved April 3, 1928.

JOINT RESOLUTION No. 13.

Joint Resolution authorizing the appointment of a committee consisting of the President of the Senate and three other members of the Senate to be named by the President of the Senate, and the Speaker of the House of Assembly and three other members of the House of Assembly to be named by the Speaker thereof, who shall constitute a joint committee to make a survey of all questions of public interest, to investigate violations of law and the conduct of any State official, State department, commission, board or body, and to ascertain what departments or activities of the State government may be curtailed or eliminated, and further, to make a general survey of the finances of the State, and making an appropriation therefor.

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

Commission on investigation of State affairs.

1. There shall be appointed a committee consisting of the President of the Senate and three other members of the Senate to be named by the President of the Senate, and the Speaker of the House of Assembly and three other members of the House of Assembly to be named by the Speaker thereof, who shall constitute a joint committee to make a survey of all questions of public interest, to investigate violations of law and the conduct of any State official, State department, commission, board or body, and to ascertain what departments or activities of the State government may be curtailed or eliminated, and further to make a general survey of the finances of the State, excluding, however, any investigation of the Department of Banking and Insurance authorized under the provisions of Joint Resolution No. 1, Laws of one thousand nine hundred and twenty-eight, approved January thirty-first, one thousand nine hundred and twenty-eight.

2. The members of said committee shall serve without salary but shall be entitled to receive reimbursement for necessary expenses. The committee shall select a chairman and a secretary and shall have power to employ necessary legal, clerical and other assistants. Expenses met. Organization.

3. Said committee shall sit at such times and places as the majority of the committee shall decide and shall have power to compel the attendance of witnesses and the production of books, papers and records by subpœna, and further, shall have power to administer oaths, to examine witnesses and to determine its own procedure. Sessions. Witnesses; subpœnas.

4. There is hereby appropriated the sum of twenty-five thousand dollars or so much thereof as may be necessary for the purpose of said investigation. Appropriation.

5. The said committee so constituted shall report the result of its survey and investigation, together with such recommendations as may seem to it advisable, to the present or succeeding session of the Legislature. Report.

6. This joint resolution shall take effect immediately.

Approved April 3, 1928.

JOINT RESOLUTION No. 14.

Joint Resolution for the creation of a commission consisting of six citizens, two to be appointed by the Governor, two to be appointed by the President of the Senate, and two to be appointed by the Speaker of the House, who shall constitute a joint commission to be known as the mortgage laws commission for the purpose of studying the laws concerning mortgages, their drafting, formation, recording, cancellation and foreclosure and of formulating a comprehensive and uniform scheme of drafting, forming, recording, cancellation and foreclosure of mortgages on real estate in the State of New Jersey.

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

Commission on mortgage laws.

1. There is hereby created a commission consisting of six persons to be appointed as follows: Two to be appointed by the Governor; two to be appointed by the President of the Senate; and two to be appointed by the Speaker of the House, all residents of this State, to investigate and consider all laws relating to mortgages, their drafting, forming, recording, cancellation and foreclosure, and the necessity, if any, to redraft and recodify same and if said recodification and redrawing be deemed necessary to cause the drawing and codification deemed advisable, embodying such act or acts in a report, together with such other recommendation as it may deem advisable with all convenient speed to the present or the next session of the Legislature.

Organization.

2. The said commission shall organize by the selection of a chairman and a secretary and shall hold hearings in any part of the State and shall be authorized to employ legal, clerical and other assistance.

3. This joint resolution shall take effect immediately.

Approved April 3, 1928.

JOINT RESOLUTION No. 15.

Joint Resolution for the appointment of a commission to ascertain and fix the boundary line between the township of Walpack and the township of Stillwater in the county of Sussex.

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

Commission to fix boundary between townships of Walpack and Stillwater.

1. There shall be appointed by the Governor of this State one citizen of this State resident of the township of Walpack, in the county of Sussex, and one citizen of this State resident of the township of Stillwater, in the county of Sussex, who, with one person, resident of

some other township in this or some other county of this State, shall constitute a joint commission for the purpose of ascertaining, determining and fixing the boundary line between the township of Walpack and the township of Stillwater, in the county of Sussex in this State.

Organization. 2. The commission shall organize by the selection of a chairman and secretary and is authorized to employ engineering, legal and other assistants.

Appropriation. 3. For the aforesaid purpose and further to effectuate this resolution there is hereby appropriated the sum of five hundred dollars or so much thereof as may be necessary.

Report. 4. The said commission shall embody its findings in an act to be presented to the Legislature.

5. This resolution shall take effect immediately.

Approved April 3, 1928.

JOINT RESOLUTION No. 16.

A Joint Resolution to amend a joint resolution entitled "Joint resolution creating 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 thereof, who shall constitute a joint commission to inquire into matters relating to the Department of Banking and Insurance," approved January thirty-first, 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. The title of said joint resolution of which this joint resolution is amendatory is amended so that henceforth it shall read as follows: Joint resolution creating a commission consisting of three members of the Senate to be appointed by the President of the Senate, and three

New title.

members of the House of Assembly to be appointed by the Speaker thereof, who shall constitute a joint commission to inquire into matters relating to the Department of Banking and Insurance; *and, further,* to investigate all matters concerning and pertaining to mergers and consolidations of banks and trust companies, the purchase of control of banks and trust companies by banks, other corporations and individuals; *and, further,* to investigate the subject of investment trusts, and all matters connected therewith.

Section 2 amended.

2. Section two of said joint resolution is hereby amended to read as follows:

Duties.

2. The commission shall be charged with the duty of inquiring into the practices and methods of the said department and/or any individual, firm or corporation having any connection therewith, concerning the issuance or rejection by the commissioner of said department of charters and/or approvals to trust companies, State banks and building and loan associations. The commission shall also have the power to investigate and inquire into any and all other matters relating to the Department of Banking and Insurance; *and, further,* to investigate all matters concerning and pertaining to mergers and consolidations of banks and trust companies, the purchase of control of banks and trust companies by banks, other corporations and individuals; *and, further,* to investigate the subject of investment trusts, and all matters connected therewith.

Section 4 amended.

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

Appropriation.

4. For the purpose of carrying into effect this joint resolution there is hereby appropriated the sum of twenty-five thousand dollars or so much thereof as may be necessary.

4. This joint resolution shall take effect immediately.

Approved April 3, 1928.

SPECIAL SESSION OF THE LEGISLATURE

Acts Passed by the Special Session of the Legislature Convened June 4, 1928

CHAPTER 1.

An Act to repeal an act entitled "An act to authorize the formation and regulation of corporations to construct, own and operate motor toll roads and facilities in connection therewith," approved April second, one thousand nine hundred and twenty-eight.

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

Act repealed.

1. An act entitled "An act to authorize the formation and regulation of corporations to construct, own and operate motor toll roads and facilities in connection therewith," approved April second, one thousand nine hundred and twenty-eight, be and the same is hereby repealed.

2. This act shall take effect immediately.

Approved June 4, 1928.

CHAPTER 2.

An Act to validate and confirm elections in school districts held for the purpose of authorizing the issuance of bonds.

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

Validating election for issuance of school bonds.

1. All elections heretofore held in school districts for the purpose of authorizing the issuance of bonds and any bonds issued or to be issued in pursuance of the

authority given by the legal voters at such election, are hereby validated and confirmed, notwithstanding that the polling places were not kept open for voting during the hours as required by law, and notwithstanding that in the published and posted notices of such election daylight saving time was designated; *provided,* the proposition to issue bonds was carried; *and provided, further,* that said polls were kept open for voting during the hours as stated in the published and posted notices.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved June 4, 1928.

PROCLAMATIONS

Proclamations by the Governor

PROCLAMATION.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

From figures furnished us by the National Board of Fire Underwriters, the fire losses of our country during the past year were $550,548,624.00.

In addition to the enormous waste of material wealth, thousands of lives were lost and thousands of persons were injured by burning.

In the State of New Jersey during the past year it is estimated by the National Board of Fire Underwriters that our losses have been approximately $21,981,253.00, most of which could have been prevented if reasonable care had been exercised.

THEREFORE, I, A. HARRY MOORE, Governor of the State of New Jersey, by the authority in me vested, do designate and proclaim the period from

OCTOBER 9 to 15, 1927,

AS

FIRE PREVENTION WEEK,

and I request that each and every one of our citizens would take an earnest, active interest in the occasion. Chambers of Commerce and other civic organizations, as well as business associations, school authorities, women's clubs and all other bodies interested in public welfare should assist in furthering this important observance with even greater energy than heretofore.

I hope that the newspapers and the churches will join hands in impressing upon the residents of our commonwealth the serious economic and humane aspects of the situation created by our unprecedented burning rate.

We must fight the mounting tide of fire destruction as we would an epidemic of disease.

Given under my hand and the Great Seal of the State of New Jersey, this fourth day of
[SEAL.] October, A. D. one thousand nine hundred and twenty-seven, and in the Independence of the United States the one hundred and fifty-second.

(Signed) A. HARRY MOORE,
Governor.

By the Governor:
(Signed) JOSEPH F. S. FITZPATRICK,
Secretary of State.

PROCLAMATION.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, By an act of the Legislature of New Jersey, entitled "An act to provide for submitting proposed amendments to the Constitution of this State and to the people thereof," approved March thirty-one, one thousand nine hundred and twenty-seven, certain proposed amendments in the said act of the Legislature particularly recited and set forth, were submitted to the people at a special election held in the several townships, cities and municipalities of this State on the twentieth day of September, last past, as directed and provided by the said act; and

WHEREAS, The Board of State Canvassers, convened by the Governor for the purpose of canvassing and estimating the votes given for and against each of said amendments, did, on the eighteenth day of October, A. D. nineteen hundred and twenty-seven, meet and canvass, and estimate the votes aforesaid, and did determine the result of the said election, in accordance with the provisions of aforesaid act, and did make and file, in the office of the Secretary of State, their certifi-

cate and determination by which it appears that one of the proposed amendments to the Constitution of this State, submitted to the people at the said special election, which said amendment is in the words following, to wit:

"3. To section six of Article IV of the State Constitution add a new paragraph to be known as paragraph 'five,' which shall read as follows:

"5. The Legislature may enact general laws under which municipalities, other than counties, may adopt zoning ordinances limiting and restricting to specified districts and regulating therein, buildings and structures, according to their construction, and the nature and extent of their use, and the exercise of such authority shall be deemed to be within the police power of the State. Such laws shall be subject to repeal or alteration by the Legislature"

Has received in its favor a majority of all the votes cast in the State for and against the said proposed amendment by the electors qualified to vote thereon under the Constitution.

NOW, THEREFORE, I, A. HARRY MOORE, Governor of the State of New Jersey, do hereby, as further provided in the said act, issue this my proclamation, declaring that the said proposed amendment above set forth has been adopted, approved and ratified by the people, by a majority of the electors qualified to vote for members of the Legislature voting thereon, and that the same has become a part of the Constitution of this State.

Given under my hand and the Great Seal of the State of New Jersey, at Trenton, this [SEAL.] eighteenth day of October, in the year of Our Lord nineteen hundred and twenty-seven.

A. HARRY MOORE,
Governor.

By the Governor:
(Signed) JOSEPH F. S. FITZPATRICK,
Secretary of State.

PROCLAMATION.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

Again it is our privilege to pay tribute to the veterans of the World War by a fitting celebration of Armistice Day.

The joy with which the world greeted the first Armistice Day found its expression in spontaneous celebration, and while the feelings of immense relief and gladness which were peculiar to that first celebration are not to be duplicated in these calmer times of peace, as the years go by we come to a deeper realization of how much we owe to those who took part in this great conflict, and we welcome an opportunity to show our appreciation of the sacrifices they so gallantly made, and to demonstrate that we have not forgotten their deeds of valor.

THEREFORE, I, A. HARRY MOORE, Governor of the State of New Jersey, do hereby designate and proclaim Friday, November eleventh, as Armistice Day, and I respectfully urge that the day be observed with patriotic exercises and memorial services, and that two minutes of absolute silence be observed by all of the people of our State at the eleventh hour of the day, in accordance with a custom which now prevails throughout the world, and I further urge that part of these two minutes of silence be spent in prayer for universal peace.

Given under my hand and the Great Seal of the State of New Jersey, this seventh day of
[SEAL.] November, A. D. one thousand nine hundred and twenty-seven, and in the Independence of the United States the one hundred and fifty-second.

A. HARRY MOORE,
Governor.

By the Governor:
JOSEPH F. S. FITZPATRICK,
Secretary of State.

PROCLAMATION.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

Again we have come to that season of the year when it is the duty and privilege of the Governor to call upon the people of New Jersey to return thanks to Almighty God and forget not all His benefits.

We have been free from epidemics and widespread disaster. Our people are generally prosperous and happy. The closing year has marked the beginning of the great bridge across the Hudson River, the opening of the new vehicular tunnels, the inauguration and completion of other engineering and industrial achievements, and augurs well for the continued and greater material prosperity of this State.

While there is much to be thankful for in the contemplation of our material progress and well-being, we should be even more thankful for the fine spirit of helpfulness ever increasingly apparent throughout our State, and which, after all, is to be expected from a people whose God is the Lord.

It is eminently fitting and proper that we, as a State, and as individuals, should give expression of our gratitude to the great God from Whom all blessings flow.

THEREFORE, I, A. HARRY MOORE, Governor of the State of New Jersey, do hereby set apart

THURSDAY, the twenty-fourth of the present month,

as a day of

THANKSGIVING,

and I call upon all our people and urge that on that day they take time from their customary tasks and gather in their several places of worship to offer up thanksgiving to Him through Whom we live and move and have our being.

Given under my hand and the Great Seal of the State of New Jersey, this tenth day of

[SEAL.] November, A. D. one thousand nine hundred and twenty-seven, and in the Independence of the United States the one hundred and fifty-second.

A. HARRY MOORE,
Governor.

By the Governor:
JOSEPH F. S. FITZPATRICK,
Secretary of State.

PROCLAMATION.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

For several years past one Sunday of the year has been designated as Law and Order Sunday, at which time the people are asked to give thought to the necessity of maintaining a proper respect for law and order.

At no time in the history of our country have the laws of God and man been held so lightly by many as at present, when irreverence for the moral and civil law is made so flagrantly manifest by the commission of numerous crimes of violence throughout the country.

Realizing the necessity of calling the attention of the people to their duty as citizens in upholding the Constitution and statutes, and supporting those charged with their administration,

I, A. HARRY MOORE, Governor of the State of New Jersey, do hereby proclaim

JANUARY TWENTY-SECOND

AS

LAW AND ORDER SUNDAY,

and respectfully suggest that appropriate mention be made concerning the need for a proper respect for law and order and a proper reverence for our institutions on that day.

Given under my hand and the Great Seal of the State of New Jersey, this nineteenth day [SEAL.] of January, A. D. one thousand nine hundred and twenty-eight, and in the Independence of the United States the one hundred and fifty-second.

A. HARRY MOORE,
Governor.

By the Governor:
JOSEPH F. S. FITZPATRICK,
Secretary of State.

PROCLAMATION.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

The New Jersey Audubon Society is conducting a campaign for the purpose of securing more adequate public support of its wild life conservation work.

Many varieties of beautiful birds are becoming scarce in this State, and unless proper protection is assured, will soon become extinct. We can ill afford to lose these beautiful little creatures, who contribute so much to the joy of life and who are of so much value to the farmer.

I am sure that the appeal of the Audubon Society will be heeded, and in order that the importance of the conservation of bird life may be especially emphasized,

I, A. HARRY MOORE, Governor of the State of New Jersey, do hereby proclaim the week beginning

SUNDAY, FEBRUARY FIFTH,

AND ENDING

SUNDAY, FEBRUARY TWELFTH,

AS

BIRD WEEK,

and ask that the people do all in their power to assist in making this campaign an unqualified success.

Given under my hand and the Great Seal of the State of New Jersey, this thirtieth day of
[SEAL.] January, A. D. one thousand nine hundred and twenty-eight, and in the Independence of the United States the one hundred and fifty-second.

A. HARRY MOORE,
Governor.

By the Governor:
JOSEPH F. S. FITZPATRICK,
Secretary of State.

PROCLAMATION.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The Comptroller did, on the twenty-eighth day of January, nineteen hundred and twenty-eight, under the provisions of an act entitled, "An act to amend an act entitled 'A further supplement to an act entitled "An act to provide for the imposition of State taxes upon certain corporations and for the collection thereof," approved April eighteenth, one thousand eight hundred and eighty-four,' which supplement was approved June third, one thousand nine hundred and five," which amendment was approved March eleventh, one thousand nine hundred and fourteen, report to the Governor a list of all corporations coming under this act; and

WHEREAS, The following named corporations so reported have, for the two years preceding such report, failed, neglected or refused to pay the State taxes assessed against them for the year 1925, 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 1925.

A & A Candy Company,
A B C Laundry,
A. B. C. Motors, Inc.,
Abraham Grushkin, Inc.,
Abram R. Forbes Realty Corporation,
Abramson-Krumme Realty Co., Inc.,
Ace Construction Co.,
Acme Pants Company,
Acme Supply Company,
Acree Colloid Chemical Co., Inc.,
Adair Realty Company,
Adam David Contracting Company,
Adams-Morgan Co., Inc., No. 1,
Adolph Blondeel, Inc.,
A. Dombrowski and Company,
Advertiser's Service Corporation,
Advertising Protective Association of New Jersey,
A. E. Anderson Realty Company,
Agmar Construction Co., Inc.,
Agricultural Products Company,
A. & H. Trucking Co., Inc.,
Aime Laviviere, Inc.,
Airoma Co., Inc.,
A. J. Barnum Company, Inc.,
A. J. Cunningham, Inc.,
A. J. Hastings & Co.,
A. J. Meyer Manufg. Company,
A. J. Stevens Grease and Oil Company,
Alba Silk Company,
Albert J. Meyers Company,
Alden Products Co., Inc.,
A. L. DeVoe & Co., Inc.,

Alexander, Morrison & Company, Inc.,
Alexander's Clothes Shop, Inc.,
Alladin Electric Sign Co.,
Allair Meat Market,
Allesnik Oil Burner Co.,
Alliance Electric Co.,
Allies Building Company,
Alpha Building Co.,
Alston Realty and Development Co.,
Altman Realty Company,
Amalgamated Furnished Rooming Houses Corp.,
A. M. Cooper Co.,
American Agency Association,
American Art Sales Co.,
American Bakeries Corporation,
American Bottling Company,
American Brand Corporation, Inc.,
American Brokers, Incorporated,
American Cattle Company,
American Chemical Products Co., Inc.,
American Color Works, Inc.,
American Combustion Co.,
American Construction Co., No. 1,
American Consumers Association,
American Fluoride Company,
American Indemnty-Investment Company of New Jersey,
American Key Bolt Co.;
American Land Co.,
American Metal and Cornice Works,
American Purchasing Syndicate,
American Seed and Seedtape Company,
American Soap & Chemical Co., Inc.,
American Splint Corporation,
American Tank and Welding Co.,
American Throwing Co.,
American Transportation Co.,
American Tube & Bending Company, Inc.,
American Window Cleaning Co., Inc.,
Americolite Company, Inc.,
Amherst Realty Co.,
Ampere Engineering Laboratories, Inc.,
Ampere Realty Co.,

Amusement Finance Company,
Anade Realty Co., Inc.,
Anderson and May, Inc.,
Anderson Winding Machine Company,
Andrew O. Kiefer Company,
Angelo Romano and Co.,
Anglesea Bottling Company,
Ansonia Sanitary Manufacturing Co.,
A. O. Baumann Company,
A. 1 Trading Company,
Apex Electrical Specialty Co.,
Apex Engineering Company,
Apex Radio Specialty Co.,
Apex Realty Co.,
Apollo Restaurant Corporation,
Applied Roofing Company,
Aquaseal Incorporated,
Aquila Fireworks Co.,
Arcade Billiard Academy, Inc.,
Arch Bake Shop, Inc.,
A. R. Construction Co.,
A R. Distributing Co.,
Ardito Construction Company,
Arica Chemical Company,
Arkay Corporation,
Arlington Belting Company,
Arlington Homes Company,
Arlington Pearl Company,
Arrow Checker Cab Company,
Arrow Lake Realty Corporation,
Arrow Music Publishing Co.,
Art Comb & Novelty Works, Inc.,
Art Fashion Stores,
Arthur Leslie Smith, Incorporated,
Arthur Moore Company,
Art Jewelry Finding Co., Inc.,
Art Textiles, Inc.,
A. S. Aungst Realty Company,
Asbestos, Ltd.,
Asbury Pines, Inc.,
A. Stamler, Inc.,
Astor Realty Company,

Atkin Dress Co., Inc.,
Atlantic Auto Accessories Co.,
Atlantic Coast Manufacturing Co.,,
"Atlantic Construction Co.,"
Atlantic 5c to $1.00 Stores,
Atlantic Highlands and Highlands Baseball Club,
Atlantic Laundry Service, Inc.,
Atlantic Leather Co.,
Atlantic & Pacific Beef Company,
Atlantic Sash & Door Co.,
Atlantic Tar & Chemical Works, Ltd.,
Atlantic City Development Co.,
Atlantic City Estate Co.,
Atlantic City Production Co.,
Atlas Engineering Co.,
Atlas Silk Jobbing Company, Inc.,
Atz Ice & Beverage Company,
Audubon Theatrical Enterprises, Inc.,
Aurora Paper Products Co.,
Automatic Coin Change & Record-Machine Co.,
Automatic Heat & Temperature Control Corp.,
Automatic Lock-Nut Company,
Automobile Protective Service Association,
Automatic Tool Company,
Automobile Center, Inc.,
Automobile Exchange Building Company,
Automotive Devices Sales, Inc.,
Automotive Maintenance & Inspection Co.,
Automotive Service Garage, Inc.,
Auto Sales Company of Passaic, N. J., Inc.,
Auto Signal Sales Company,
Auto Signal Sales & Mfg. Company,
Avalon Ice and Cold Storage Company,
Avon Laundry,
Avon Realty Company,
Avon Sheet Metal Works, Inc.,
A. Winokur's 5-10-25c Store & Up,
Aymsby Construction Co.,
Ayone Construction Co.,
Babin-Raynor, Inc.,
Baby Guard Co.,
Babylon Silk Co.,
Bahls Restaurant Co.,

Baldus and Morgan, Inc.,
Balk & Fiertag, Inc.,
Balsas Valley Co.,
Baltic Mercantile Co., Inc.,
Bancroft Realty and Investment Co., Inc.,
Bankers' Associates in Publicity, Inc.,
Barbarino Motor Car Corporation,
Baresi & Di Dionisio, Inc.,
Barnegat Realty Corporation,
Barnett Cap Works,
Barrett Construction Company,
Basch Realty Company, Incorporated,
Bascom Realty Co.,
Bass Silk Co.,
Baxter Rubber Glove Corporation,
Bayshore Contracting Co.,
Bayside Amusement Corporation,
Bayway Merchandise Store,
B & C Realty Company,
Beach Converter Corporation,
Beaux Arts Cafe, Inc.,
Beaver Finance Corporation,
Beckett, Incorporated,
Beekman & Co., Limited,
Beemerville Feed and Supply Company,
Bellair Meat Market,
Bellarlington Heights, Inc.,
Belleville Construction Co.,
Belleville Dye Works,
Belleville-Lyndhurst Bus Co.,
Belleville Printing Company,
Bello Realty Co.,
Bell Taxi Cab Co.,
Belmont Knee Pants Mfg. Co., Inc.,
Belmont Sash and Door Co., Inc.,
Belmore Broad Silk Mills, Inc.,
Belvedere Beach Dock and Steamboat Co.,
Ben. A. Rosen & Bro., Inc.,
Benjamin Buckley's Son, Inc.,
Ben. L. Gelitzeiler, Inc.,
Benson School of Esperanto,
Bercola Sales Service Corporation,
Berea Realty Co.,

Berfelden Mills,
Bergen Credit Company,
Bergen Drug Company,
Bergen Pharmacy,
Berger Manufacturing Company of New Jersey,
Berkins Home Equipment Company,
Berkins Oil Burner Co., Inc.,
Berkowitz Construction Co.,
Berkshire Silk Corporation,
Bernardsville Concrete Products Corporation,
Bertrand F. Miller Co.,
Berven Company, Inc.,
Berwin Chemical Products, Inc.,
Best, Inc.,
Betterbuilt Construction Co.,
Better Made Shirt Co.,
Beverly Improvement Corporation,
Beverly Land Company,
Beyer and Mahnken, Inc.,
B & G Pants Contracting Co., Inc.,
B. H. and S. Auto Wreckers,
Bidawee Realty Company,
Big Four Realty Company,
Billingsport Hotel Company,
Biltmore Meat Market,
Bi-Metallic Radio Parts Corporation,
Black Cross Navigation & Trading Co., Inc.,
Black and White Taxi Company,
Blair Products Company,
Bleecker Realty Co.,
Blood-Orange Surprise Co.,
Bloomfield Electrical Contracting Company, Inc.,
Bloy Estates, Inc.,
Blue Bird Cab Co.,
Blue Bird Cab Operating Co., Inc.,
Blue Eagle Taxi Co.,
Blue Mountain Construction Co.,
Blue Ribbon, Coat, Apron and Towel Supply Co., Inc.,
Blue Ridge Manufacturing Co.,
Blustein and Mesnick, Inc.,
B. Marks, Inc.,
B & M Finishing Products Co., Inc.,
Boardwalk Motor Car Corporation,

Boardwalk Realty and Development Company, Inc.,
Bodof Investment Co.,
Bogart Brothers Company,
Boland & Walsh, Inc.,
Boonton Construction & Realty Co., Inc.,
Boonton Flint Corporation,
Borough Auto and Supply Co.,
Borough Drug Co.,
Boston Cloak Stores Corporation,
Bottle Hill Tea Shop, Inc.,
Boulevard Sales & Service, Inc.,
Boulevard and Thirty-third Street Apartment House Co.,
Bowne-Derrom Freight Service Corporation,
Boyer, Kienle Co., Inc.,
Braco, Inc.,
Bradley Beach Awning Co., Inc.,
Bradley Beach Realty Co.,
Braid Mill of N. Y., Inc.,
Branford Finance Corporation,
Brauer Bros., Inc.,
Brezin-Schaefer Silk Co.,
Brick Church Motors, Inc.,
Brigantine Development Co.,
Brigantine Improvement Co.,
Brigantine Transportation Co.,
Brighton Gardens of Atlantic City,
Brilliant Novelty Co., Inc.,
Bristol Lunch,
Britton Service Corporation,
Broad & Astor, Inc.,
Broad & East Jersey Music Co.,
Broad St. Drug Co.,
Broad Top Coal Co.,
Broadway Loan Co.,
Broadway Mortgage and Development Co.,
Broadway Tire Jobbers, Inc.,
Brocker & Georgi, Inc.,
Brodie & Stern, Inc.,
Brook Inn,
Brooklake Club, Inc.,
Brotherhood Press, Incorporated,
Brown & Franke, Inc.,
Browning's, Inc.,

Browns Mills Garage,
Brozyna Tool and Machine Manufacturing Co.,
Brunswick Steel Construction Co.,
Bryant and Shelton Co.,
B. T. S. Corporation,
Builders Corporation,
Burchard Developing Corporation,
Burd & Co., Inc.,
Burd Construction Co.,
Bureau of Organization Engineers, Inc.,
Burke's Garage, Inc.,
Button Manufacturing Corporation,
B & W Realty & Construction Co.,
Cabot Chemical Corporation,
Caffaro Real Estate Company,
Caldes Bros., Inc.,
Camden City Company,
Camden County Holding Co.,
Camden Iron Works,
Camden Moon Motor Cars Co.,
Cameo Cafeteria System, Inc.,
Campbell Corporation,
Campbell Investment Co.,
Campbell Shoe Co.,
Canton Luggage Corporation of New Jersey,
Cape May Sanitorium,
Capital City Brewing Co.,
Capital Operating Co., Inc.,
Capitol Brick Co.,
Capitol Cleaners and Dyers, Inc.,
Cardinal and Becker, Inc.,
Carell Hotel and Realty Co.,
Carl Mau Company,
Carlton Amusement and Realty Co.,
Carman Formichella Co.,
Carnahan Steel Wheel Corporation of New Jersey,
Carris & Watson, Inc.,
Carroll Construction Co.,
Carter and Company, Incorporated,
Carton Can Corporation of New Jersey,
Carton Motor Company, Incorporated,
Casteline Realty Corp.,
Cedar Lake Park, Incorporated,

Cedarwold Park Corporation,
Centerville Realty Co.,
Central Agency, Inc.,
Central Baby Carriage Co.,
Central Cab Co.,
Central Garage of Montclair, Inc.,
Central Garage of Rahway,
Central Holding Co.,
Central Optical Company,
Central Pennsylvania Coal Co.,
Central Woodworking Company,
Century-Plainfield Rubber Co.,
C. F. Albert Lumber Co.,
C. G. Alford and Company,
Champion Products Mfg. Company,
Chandler Sales Company of Newark, Inc.,
Charles Ahr Forge Products Co.,
Charles Bogert & Sons Company, Inc.,
Chas. Freedman Co., Inc.,
Charles H. Flach, Inc.,
Charles L. Hutter, Inc.,
Charles Meat Market, Inc.,
Charles P. Bainbridge and Bros., Inc.,
Chas. Rosin & Son, Inc.,
Charlton Realty Company,
Charter Refining Co.,
Chatham Laundry Company,
Chelsea Finance and Realty Co.,
Chelsea Land and Improvement Company,
Chester Cadillac Company,
Chester Company,
Chester-Pollard Amusement Company,
Chesterton Cooperage and Lumber Company,
C & H Food Products Co., Inc.,
Childs Wayside Lunch, Inc.,
Cimirro Construction Co., Inc.,
Cinalta Co.,
City Auto Sales Corp.,
City Eye Clinic,
City Finance and Loan Company,
City Poultry Farms, Inc.,
C. and K. Amusement Company,
Claremont Manufacturing Co.,

Clark Manufacturing Company,
Clark Restaurant Company,
Claude Waters Chemicals, Inc.,
Clementon Amusement Co.,
Cleveland, LaFon and Reiner Co.,
Cliffwood Lumber and Wrecking Co.,
Clifton Apartments, Inc.,
Clifton Clothing Co., Inc.,
Clifton Concrete Company,
Clinton Farms, Inc.,
Clinton Heights Apartments, Inc.,
Clinton Hill Plumbing Co.,
Clothiers Contracting Corporation,
Clover Ice Cream Co.,
Coffee Pot,
Cohen Building Co.,
Coit Chemical Co., Inc.,
Cokefair, Henderson & Company, Inc.,
Cole Construction Co.,
Coleman-Bray-Lawrence, Inc.,
Collieries Supply and Equipment Company,
Colonial Contracting Co.,
Colonial Furniture Co.,
Colonial Motion Pictures Corporation,
Colonial Sweet Shoppe, Inc.,
Colt Silks, Inc.,
Columbia Amusement Realty Co.,
Columbia Mixer Company,
Columbia Realty and Construction Co.,
Columbia Reel Company,
Columbia Warehouse & Deposit Co.,
Columbian Bronz & Foundry Co.,
Columbus Building Corporation,
Columbus Theatre, Inc.,
Comfee Investment Corporation,
Commerce Clearance Corporation,
Commercial Finance Corporation,
Commercial Garage, Inc., No. 1,
Commercial Mortgage and Realty Co.,
Commercial Publishing Co., Inc.,
Commodore Garage, Inc.,
Commonwealth Coal Corp. of New Jersey,
Commonwealth Contracting Co.,

Commonwealth Country Club,
Commonwealth Paper Corporation,
Community Pastry Shop,
Compass Motor Transportation, Inc.,
Concrete Block Machine Co.,
Connolly Motor Corporation,
Consolidated Loan Society,
Construction Associates,
Continental Agency, Inc.,
Continental Dyeing & Finishing Co.,
Continental Market Co., Inc.,
Contractors Supply Co., Inc.,
Conveyor Manufacturing & Supplies Co., Inc.,
Co-operative Silk Co., Inc., Paterson, New Jersey,
Cop-Go Auto Products Corporation,
Corcella Corporation,
Cosmopolitan Realty Construction Co.,
Couch & Dean, Incorporated,
Coughlin Brothers, Incorporated,
Court House Realty Co.,
Court Reports Corporation,
Coven Realty Co.,
C. P. Kautzmann Company, Inc.,
Cranford Supply Co.,
Crescent Automobile Co.,
Crescent Contracting Co.,
Crescent Electric, Inc.,
Crescent Orchards Telephone Co.,
Crown Company,
Crown Realty Co.,
Crown Sales Co., Inc.,
Crystal Cleaners and Dyers, Inc.,
Crystal Dairy Co.,
Crystal Spring Valley House, Inc.,
C. and S. Realty Company,
Cumberland Farm Agency,
Cumberland Fertilizer and Lime Co.,
Cumberland Fruit Farms,
Cumberland Loan Corporation,
Cumberland Shoe Co.,
Currentator Manufacturing Corporation,
Curtis & Berau, Inc.,
Curtis Holding Co.,

C. W. Co., Inc.,
C. W. S. Corporation,
Daily Fashion Dress House, Inc.,
Da 'Lav Chemical Co., Inc.,
Dalessio Bros., Inc.,
Dalite Lamp Company of New Jersey, Inc.,
Dandy Broom Co., Inc.,
Darlington Development Corporation,
Darlington Golf & Country Club,
Daves & Hill Trucking Co., Inc.,
Davis Electric Motor Co., Inc.,
David F. Hill and Co.,
David Jacobs & Co.,
David McKibbin Company,
David Rosenbaum & Sons, Inc.,
Davis Jentis and Co.,
Davis Radio Co.,
Dawson, Shurr & Co.,
Day-Elder Realty Corporation,
Day-Trewhella Realty Co.,
D. D. S. Corporation,
Deal Park Development Co.,
Debenham, Gardiner and Company, Limited,
Decker Bros., Inc.,
DeElles Electric Co.,
Deiller Machine Co.,
De Jiannes,
Delaware Lumber Co.,
Delaware River Power Co.,
Delaware Union Telephone Company of New Jersey,
De Luxe Air Service, Inc.,
Demeter Electric Co.,
Dempsey Motor Co.,
Dennis Mullins (Incorporated),
Dependable Loan Association,
Dermody-Wall Radio Co., Inc.,
De Roy, Incorporated,
De Roy Radio Corporation,
Development Realty Company,
Devlin and Sons Company, Inc.,
Diamond Spring Corporation,
Difaro Realty Company,
Differential Transmission Co.,

D. I. Muddell, Inc.,
Dinty Moore, Inc.,
Dischert's Palace Orchestra,
Dispatch Printing Co.,
Dispatch Trucking Co.,
D. L. Lasher, Inc.,
D. L. & N. Realty Co.,
Dr. Giuliana Cancer Institute, Inc.,
Dr. J. G. Bethune Co., Inc.,
Dr. L. Friedner, Inc.,
Dominick Russo and Company,
Doremus Land Improvement Company,
Doriety Contracting Co.,
Double-Service Washing Machine Company,
Douglas Brown & Company, Incorporated,
Douglass-Boyd, Inc.,
Dover Drug Company,
Dover Tire Corporation of Dover, New Jersey,
Drake Farms, Inc.,
Driver-Wilsey Co.,
Dryland Realty Company,
D. S. Furman Construction Co., Inc.,
D & S Home Baking Company,
Duggan Toy Company,
Dumont Land & Construction Co.,
Duncan Amusement Co.,
Dunellen Clear Ice Manufacturing Co.,
Dunellen Pants Co., Inc.,
Dux Hed Sport Wear, Inc.,
Dwelling Building Company,
Dye, Drug & Chemical Corporation,
Dykman-Tucker, Inc.,
Dynerton Tube Corporation,
Eagle Chemical Works, Inc.,
Eagle Electric Porcelain Co.,
Eagle Packing Co.,
Eagle Wool Stock Co., Inc.,
Earle Radio Service, Inc.,
Earl Nicholls Company,
East Hollsman Iron and Metal Company, Incorporated,
E. A. Stoveken & Bro.,
East Rutherford Service Garage, Inc.,
East Side Body Builders, Inc.,

Eastern Bergen Development and Construction Co.,
Eastern Dry Cleaning Co.,
Eastern Introduction & Sales Co.,
Eastern Products Corp. of New Jersey,
Eastern Wrecking & Lumber Co., Inc.,
Easy Payments Homes Corporation,
Eaton, Brown and Simpson, Inc.,
Eatontown Publishing Company,
E. B. Oil Co., Inc.,
Eckrode Rubber Co.,
Economy Chevrolet Sales Company, Inc.,
Economy Garage Co. of Newark, N. J.,
Economy Investment Co.,
E. C. S. Remedies, Inc.,
Edgar P. Harrison & Son, Inc.,
Edgewood Coal Co.,
Edward Beck Realty Corp.,
Edward F. Bradley, Inc.,
Edward Mathieu & Company,
Edwards and Davis, Inc.,
Edwards-Kirkpatrick, Inc.,
Edward Spitz Realty Co.,
Edward W. Sauer, Inc.,
Edwin Realty Co.,
E. E. Steiner and Company,
E. Fairclough Coal Co.,
Efandee Realty Corporation,
Ehrich Furniture Company,
Eighth Ward Realty Co.,
Ekstedt Manufacturing Co., Inc.,
Electra Radio Molding Corporation,
Electric Glass Novelty Co., Inc.,
Electro Industrial Corporation,
Elenay Cap Company,
Elias Lowenthal & Co., Inc.,
Elizabeth Advertising Service Bu-Ro, Inc.,
Elizabeth Clothing Manufacturing Co.,
Elizabeth-Hillside and Newark Bus Co.,
Elizabeth Sand and Supply Co.,
Elliott Company,
Elluise Exploration & Development Corporation,
Elm Drug Co.,
Elmar Furniture Co.,

Elmwood Land and Development Co.,
Embroidery Manufacturers, Incorporated,
E. M. Frankel, Inc.,
Emko Radio Mfg. Co.,
Emma Markwith, Inc.,
E. Moebius Co.,
Emory Company,
Empire Plumbing and Heating Co.,
Employees Protective Association of New Jersey,
Endom Aero Covering Corporation,
Engineering Products Co.,
Englewood Business Institute, Inc.,
Englewood Motor Transit Co.,
Englewood Stadium Corporation,
Englewood Theatrical Enterprise, Inc.,
English Garage Company,
Enkay Investment Co.,
E. O'Hara Realty Co.,
E. P. Lund, Inc.,
Equitable Construction Co.,
Equity Construction Finance Co., Inc.,
Ernest Confectionery Co.,
Esanel Theatre Company,
Esbe Merchandise Co.,
Esempe Realty Company,
Esetroc Mfg. Co. of Newark, N. J.,
Esko Products Company,
E. S. Mason & Son, Inc.,
Esor Mfg. Co. of Newark, N. J.,
Essgee Co., Inc.,
Eureka Electric Sign Company.
Eureka Improvement Co. of Roselle, N. J.,
European Feather Import Co., Inc.,
Eveland Electric Riveter Co.,
Ever Ready Fire Extinguisher Company,
E. V. Manufacturing Co.,
Ewen Tile Manufacturing Corporation,
Excavating and Material Handling, Inc.,
Excello Auto Paint Corporation,
Excello Press, Inc.,
Excelsior Water Heater Co., Inc.,
Exclusive Service Agency, Inc.,
Export Manufacturing Co.,

E. Y. E. Manufacturing Co.,
Eysmann Products Corporation,
F. A. Clauberg & Co., Inc.,
Factory Placement Co.,
Fair, Inc., (No. 1),
Fairlawn Homes Company, Inc.,
Fairlawn Manor Homes Co.,
Fairview Dry Goods Company,
F. Alfano and Company,
Faling Land Co.,
Faralin, Inc.,
Farman & Co., Inc.,
Farmers Trucking Company,
F. C. Daves, Incorporated,
F. C. Lautz, Inc.,
F. D. Bradley, Inc.,
Fearon, Daniel & Co., Inc.,
Federal Bag & Suitcase Co.,
Federal Building Corporation,
Federal Corporation,
Federal Handkerchief Co.,
Federal Manufacturing Co., Inc.,
Feigelstein Silk Company,
Fern Knitting Mills, Inc.,
Ferzar Realty Co.,
F. Harry Schefers & Co., Inc.,
Fialk Painting Co.,
Fiber Silk Company,
Fiber Stone & Tile Works, Inc.,
Fidelity Amusement Corporation,
Fidelity Building Co.,
Fidelity Investment Co., of Newark, N. J.,
Fidelity Mortgage Co.,
Fidelity Oil Company of New Jersey,
Fiestal Iron & Steel Co.,
Fifth Avenue Productions Corporation,
Financial & Commercial World, Inc.,
Fine Arts,
Firemen's Investment Association of Hanover,
Fire-O-Cide Chemical Corporation,
Fire Protection Corporation of California,
Fire Protection Corporation of New Jersey,
Fire Protection Corporation of Ohio,

Fi-Re-Sist Products Corporation,
First Co.,
Fischer Corporation,
Fitrite Clothing Co., Inc.,
F. Joseph Hollritt, Incorporated,
Fleming Farms, Inc.,
Flemington Dairy Association,
Flett Co.,
Flint Furniture Co., Inc.,
Flint-Stone Co.,
Float-Jet Carburetor Co.,
Flora Amusement Corporation,
Florose Realty Co.,
Fogelson Brothers,
Fonda Espagnola, Inc.,
Food Sales Corporation,
Forest Hills Development Co.,
Formontes Laboratory Corporation,
Fortgrove Company,
Fort Mercer Gas Co.,
Fort Mercer Water Co.,
Foust Camera Company,
Francis H. Tippett, Inc.,
Franco-American Poultry Co.,
Frank Brown and Company, Inc.,
Frank Ciardi & Co.,
Franke Bros., Inc.,
Frank H. G. Shimp & Son, Inc.,
Frank Krayer & Son, Inc.,
Franklin Coal Co., Inc.,
Franklin Corporation of Realty Investments,
Franklin Leather Goods Corporation,
Franklin Service Corporation,
Franklin Stores, Incorporated,
Franklin Zinc Company,
Frank W. Snook, Inc.,
Fransher Merchandise Co., Inc.,
Frasier, Millward, Inc.,
Fraternal Realty Co., Inc.,
Fred F. Gloeckner, Incorporated,
Fred Wolff, Inc.,
Fred W. Wells, Inc.,
Frederick Douglass Film Co.,

Frederick G. Ross and Co.,
Frederick Thom Land Company,
Freedman & Shub Moving, Express and Trucking Co.,
Freeland Realty Co.,
Frepo Oil and Development Co.,
Frobac Silk Co., Inc.,
Frontenac Sales Co.,
Frotana Cigar Co., Inc.,
Fulton Motors, Inc.,
Fulton Sales and Supply Co.,
Furnace Oil Burner Corporation,
Gait-Way Filling Stations,
G. A. Kerr, Incorporated,
Gambo Pet Shop,
Garden Apartment Co., No. 2,
Garden State Motors Co.,
Garfield Auto & Equipment Co.,
Garrison Real Estate Exchange,
Garrison & Wilson, Inc.,
Garside Motors Co.,
Garstin Sales Organization, Inc.,
Gary Silk Co.,
Gayety Amusement Co., Inc.,
Gazzoli & Company,
Gehman & Weinert,
General Business Co.,
General Construction and Realty Corporation,
General Electrical Engineering Co.,
General Export and Import Corporation,
General Grinding Co., Inc.,
General Mortgage Company of New Jersey,
General Motor Finance Corporation,
General Refining Corporation,
General Roofing Co.,
General Wrecking and Salvage Co.,
Geneva Mfg. Co., Inc.,
Genuine Remedies Company,
George B. Ray, Inc.,
George B. Smitheman,
George F. Bradstreet Company,
George Hartman & Co.,
George Ogden and Son Co.,
George Street Garage Co.,

George T. Bussinger, Inc.,
G. & G. Waste Co.,
Gilbert and Bacon,
Gilbert Furniture Corporation,
Gilroy Steel Co., Inc.,
Gismond Motor Corporation,
Glassboro Knee Pants Co.,
Glass-Lined Products Co., Inc.,
Glee Boat Amusement Company,
Glendale Farms Dairy, Inc.,
Glen Ridge Pharmacy,
Glen Rock Beverage Co.,
Glenwood & Dodd Realty Co.,
Globe Laundry Co., Inc.,
Globe Radio Manufacturing Co., Inc.,
Gloria Silk Co., Inc.,
Gloucester County Development Co.,
Glove Silk Corporation,
G. M. Agreen Co.,
G & N Silk Company,
Goff Candy Company,
Goff Gravity Boiler Feed Co.,
Goldberg & Berman, Inc.,
Gold Seal Company,
Gold Seal Electrical M'F'G' Co.,
Gold Seal Laundry Service,
Gonzales Surmont & Son, Inc.,
Goodwear Silk Mills, Inc.,
Goodwear Slipper Manufacturing Co.,
Goreth Realty Corporation,
Grace Independent Paper Co.,
Graham Ave. Transportation Co., Inc.,
Grand Dried Fruits & Nut Co.,
Grass Metal Products Corporation,
Gray Electro Chemical Laboratories, Inc.,
Gray Sales Corporation,
Greenbaum Company,
Green Cab Co.,
Green Cab Finance Co.,
Greenhal Realty Co.,
Greensand Marl Corporation,
Greenwood Motors, Inc.,

Gruin & Karl, Inc.,
G. S. Treglown, Inc.,
Guarantee Finance Corporation, No. 1,
Guarantee Realty Co.,
Guarantee Roofing Co.,
Hackensack Flint Co., Inc.,
Hackensack Laundry Service Co.,
Hackensack Loan Association,
Hackensack Paper Stock Co.,
Haggerty-Cook Company,
Haines Reinlieb Co.,
Halden-Kelley Company of New Jersey,
Hallock House, Inc.,
Hamilton Boat Company,
Hamilton Development Co.,
Hamilton Lunch, Inc.,
Hamilton's Apparel Co.,
Hammond Safety Auto Lock Company,
Hanfords, Inc.,
Hanna & Brady, Inc.,
Hanover Estates, Inc.,
Harford Hotel Company,
Harmon Construction Co.,
Harmonia Co-operative Forest School Association,
Harmonia Realty Company,
Harrie Furniture Co.,
Harrington Park Villa Sites,
Harrison Heights Improvement Company,
Harrison Men's Shop,
Harry A. Simons & Co.,
Harry Ganns, Inc.,
Harry Mahlenbrock, Inc.,
Har Sinai Development Co.,
Hartmann Construction Co.,
Hatch Bros., Inc.,
Hattersley Realty Co.,
Hauert-Lewis-Furniture Company, Inc.,
Hausman Decorating Co., Inc.,
Haven Realty Co.,
Hawthorne News Printing & Publishing Co.,
Hawthorne Realty Co.,
Hawthorne Silk Co.,
Hayes and Rowe, Inc.,

Hazel Brewing Co., Inc.,
Heart of the Gardens Development Co.,
Hedges New Education Process Corporation,
H. E. Flood Construction Co.,
Heller Products Co.,
Heller-Rickards, Incorporated,
Hemhauser Realty Co.,
Henry D. Greenstein, Inc.,
Heppe Bros. & Kean, Inc.,
Herbert "Action" Segal, Inc.,
Herbert & Herbert, Inc.,
Herbert Investment Co.,
Hesco Products, Inc.,
H & H Radio Co.,
Hickey Contracting Company,
Higgins Brothers,
Higgins & Grischele, Inc.,
High-Am-O-Phone Company,
Highland Worsted Company,
Highway Emergency Service, Inc., of N. J.,
Hildinger Amusement Company,
Hill Needle Company,
Hilmont Worsted Mills,
Hilton Brass Foundry,
Himain Realty Corporation,
Hi-Power Company of New Jersey,
Hiram Watch, Inc.,
Hofbrau Company,
Hofmann Weaving Co., Inc.,
Holbrook Tire & Rubber Co., Inc.,
Holly Park Bathing Beach, Inc.,
Homade Delicatessens, Inc.,
Home Builders Development Company, Inc.,
Home Builders Realty Co.,
Home Electric Lighting Co.,
Home Furnishing Co.,
Home Industries Co., Inc.,
Home Mortgage Corporation,
Home Realty Company,
Homestead Building Co.,
Honduras Mining & Exploration Company,
Hopewell Color & Chemical Co.,
Hopewell Factory Inducement Company,

Horne Electric and Manufacturing Co.,
Horowitz-T-Mills,
Horstman & Walsh, Inc.,
Hotel Baldwin, Inc.,
Hotel Jersey,
Hotel Roosevelt Co.,
Houck Silk Co., Inc.,
Howard Realty and Investment Company, Inc.,
Howe Tire & Rubber Corporation,
H. P. F. Manufacturing Co.,
H and R Service, Inc.,
H. Smith Glass Company,
Hudson County Carpet Cleaning Works, Inc.,
Hudson Engineering Co.,
Hudson-Englewood Realty Company,
Hudson & Essex Building & Construction Co.,
Hudson Highlift Hoist & Body Co.,
Hudsonia Development Co.,
Hudson Jewish News,
Hudson Piece & Skein Dye Works,
Hudson Realty Construction Co.,
Hudson Tailoring Co.,
Hudson Theatre Co., Inc.,
Hunt & Melick, Incorporated,
H. W. Schrimpf & Company,
Hyatt Manufacturing Co.,
Hydrola Heater Corporation,
Hydro-Oil Burner Co.,
Hypex Motor Corporation,
Iannuzzi and Meola Artificial Silk Dyeing Co.,
I. Belluscio & Son, Inc.,
I. Borer, Inc.,
Ice Service, Inc.,
Ideal Camping Company,
Ideal Construction and Realty Co.,
Ideal Fire Detector Co.,
Ideal Food Company,
Ideal Holding and Investment Co.,
Ideal Homes Mortgage Corporation,
Ideal Metal Products Co., Inc.,
Ideal Music Company,
Ideal Tailoring Co.,
Idyl Hour Hotel, Inc.,

Immerman Warping Company, Inc.,
Imperial Cloak & Suit Co.,
Imperial Utilities Co.,
Importers and Manufacturers Clearing House, Incorporated,
Independent Manufacturing & Importing Co.,
India Co.,
Individual Laundry Service of New Jersey,
Industrial Art Institute, Inc.,
Industrial Development Corporation,
Industrial Materials Exchange, Inc.,
Industrial Material Supply Co.,
Industrial Motors Corporation of America,
Infants Wear Co., Inc.,
Ino Realty Co.,
Insurers Service Co., Inc.,
Intercoastal Lumber Terminals, Inc.,
International Auto Equipment Co.,
International Combustion Corporation,
International Development Co.,
International Drug Products Corporation,
International Fur Dressing Co.,
International Kazbek, Inc.,
International Star Detective Agency,
International Traders Agency,
Interurban Land Company,
Investment and Security Co.,
Investors Mortgage Loan Co.,
Iona Shoe Stores, Inc.,
I. Paletz, Incorporated,
Irco Laboratories, Incorporated,
Iris Silk Mills, Inc.,
Ironbound Motor Corporation,
Irvington Concrete Block Co.,
Irvington Cooperage,
Irvington Flint Co., Inc.,
Irvington Garage and Sales Co., Inc.,
Irvington Plating and Tool Company,
Irvington Soap Manufacturing Company,
Irvington Tube and Bending Company,
I. Schwartz Shoe Company,
Isidore Chernin, Inc.,
Isidore R. Simon & Son, Inc.,

Italian Restaurants Corporation,
Italian Union Bakery Company,
Ithaca Boot Shop,
Ivory Manufacturing Company,
I-X-L Company, Inc.,
Jack Frost, Inc.,
Jackson Cap Works,
Jacob Botvenick, Inc.,
Jacobson Farms, Inc.,
Ja-Co Shirt Co., Inc.,
Jacquard Weaving Associates,
Jagels,
J. Alexander Neill Company,
James A. Muir Co., Inc.,
Jamesburg Ice Company,
Jamesburg Trucking Co., Inc.,
James J. Mathews Company,
James Roberts and Sons, Inc.,
James R. Skinner Company,
Jame Stores, Inc.,
James Wilson Co., Inc.,
J. Arthur Holding Company,
Jasspon Manufacturing Co., Inc.,
Jay Mortgage Corporation,
J. Bach Specialty Company,
J. and B. Cosgrove's Sons,
J. Ben Horsfall Company,
J-B Garage, Incorporated,
J. B. M. Theatre & Amusement Corporation,
Jefferson Coal Company,
Jefferson Restaurant, Inc.,
J. E. Leonard, Inc.,
J. E. McDonald and Company,
Jersey City Excursion Line, Inc.,
Jersey City Preparatory School,
Jersey City Soap Works, Inc.,
Jersey Biscuit Company,
Jersey Construction and Realty Company,
Jersey Industrial Corporation,
Jersey Motors, Inc.,
Jersey Radio Corporation,
Jersey Stores Builders, Inc.,
Jewish Morning Star Publishing Company,

J. F. Brandeis Corporation,
J. Heidingsfeld Company,
J. H. Ladew Company,
J. H. Martin Construction Company,
J. J. Henry Muller, Inc.,
J. J. Sussmuth, Inc.,
J. L. Dougherty, Inc.,
John Bergholt and Co., Inc.,
John F. Schrink and Son,
John H. F. Voss, Inc.,
John J. Glazier Company,
John W. Cook and Company, Inc.,
Jolen Company,
Joseph A. DeStefano Co., Inc.,
Joseph Harrison & Sons,
Joseph Soldner, Inc.,
J & R Realty Company,
Julius Bohm, Inc.,
Kab-Scent Mfg. Co., Inc.,
Kamper-Sedan Corporation,
Kane Realty Company,
Kan-O-Pep Corporation,
Kanster Finkel Mfg. Co., Inc.,
Katzenbach and Bullock Company,
Katz Market Company,
Kayaness Building & Construction Corporation,
Kay Company,
Kayess Manufacturing Co., Inc.,
K. B. Realty Company,
K. D. G. Construction Company,
Keansburg Garage,
Keansburg Realty Company,
Kearny Comb & Novelty Company,
Kearny Heights Land Company,
Keeler Transportation Line,
Keesey Hosiery Company,
Kehr & Odermatt, Inc.,
Kelbay Corporation of New Jersey,
Keller & Baia, Inc.,
Keller Company,
Kellogg Repair Sleeve Company,
Kelly-Goetz & Keener, Inc.,
Kelsey Motor Company,

Kemozone Laboratories, Inc.,
Kempson Brothers, Inc.,
Kern Music Company,
K and G Advertising Company,
Kil-Tone Company,
Kimble Farms, Inc.,
Kimpton, Haupt & Co., Inc.,
Kindle Sewage Separator Company,
King Iron Ore Company,
King Manufacturing Company,
King Radio Products, Inc.,
King's Inc.,
Kingsland Manufacturing Corporation,
Kirn-Reinicke Company,
Kleen-All Products, Inc.,
Klingkote Enameling Company,
Kloman Motor Corporation,
Knapp Motor Sales Corporation,
Knitted Elastic Products, Inc.,
Knockdown Radio Cabinet Corp.,
Knodel's Express,
Kno-Then Realty Corporation,
Kohler Clothes Shop,
Kollag Corporation of America,
Korn Co., Inc.,
Kornhoff & Co.,
Kriegel Mishkin, Inc.,
Krom and Ferguson Corporation,
Lackawanna Line, Inc.,
Lackawanna Real Estate Mortgage and Investment Company,
Lackawanna Terminal Storage & Distributing Company,
Ladd & Broderson,
Lake Hopatcong Gardens,
Lake Lackawanna Holding Company,
Lake Lackawanna Securities, Inc.,
Lake Shore Alcohol Corporation,
Lakeview Clothing Company, Inc.,
"Lakeview Construction Company,"
Lakewood Flint Company,
Lakewood Free Press, Inc.,
Lakewood Hotel and Health Institute,
Lamb-Fish Lumber Company,

La Monte Toilet Supply Co., Inc.,
Land Buyers' League, Incorporated,
La Rose Waist Stores, Inc.,
Lawless Nelson & Co., Inc.,
Lawrence Novelty Co., Inc.,
Lawrence Products Co., Inc.,
Lawyers Mortgage Corporation,
Leader,
Leader Amusement Company,
League of Home Builders, Inc.,
Leak Proof Inner Tube Company,
Lebovitz Market,
LeCato Realty Company,
Lees Hotel and Pavilion,
Leiderman & Nash Building Co., Inc.,
Leo Weiner Manufacturing Company,
Lesbro Silk Company,
Lewis and Hellman, Inc.,
Lew Zigs Auto Supplies,
Leygrand and Company,
L. George Horowitz Company,
Liberty Auto Wrecking Company,
Liberty Movies, Inc.,
Liberty Park Realty Company,
Liberty Taxi Service, Inc.,
Licker's Pharmacy, Inc.,
Lighthouse Amusement Company,
Lignite Company of New Jersey,
Lilly Stone Company,
Lincoln Heights Realty Company,
Lincoln Investment Company,
Lincoln Loan Company,
Lincoln Packing Company,
Lindholm Metal Stamping Company,
Lippin Trucking Co., Inc.,
Littauer Oil Company,
Little Falls Chemical Company,
L. K. & W. Realty Company,
Llewellyn Apartment Company,
L. M. Smith & Sons, Inc.,
Loan Reporting Co., Inc.,
Lock Bolt Manufacturing Co.,
Locke, Inc.,

Lockwood Realty Corporation,
Locust Print Shop, Inc.,
Locustwood Land Company,
Lolley Fishing Rod Co., Inc.,
Lombardy's, Inc.,
Long Branch Clothing Company, Incorporated,
Lorraine Oil Company,
Louis I. Bergman, Inc.,
Louis O. Faulhaber, Inc.,
Lourose Hotel Co., Inc.,
Lowndes, Gomez & Lowndes, Inc.,
L. R. Donehue Lumber Co., Inc.,
L & S Amusement Company,
Luna Boat Company,
L. Wortzel, Inc.,
Lyndhurst Trucking Co.,
Machinery Purchasing Corporation,
Mack & Rice Auto Co.,
MacMillan Sales Corporation,
Madison Seed Company,
Magnesia-Lax Co.,
Magnesite Stucco & Products Corporation of N. J.
Main Dried Fruit & Nut Co.,
Maine Avenue Land Co.,
Maisel Building Co.,
Maisel Construction Co.,
Ma-King Products Co.,
M. A. Kreps Company,
Maloratsky & Sons, Inc.,
Maltose Co.,
Manasquan River Estates,
Manganese Steel Rail Co.,
Manhattan Commercial Art Works Corporation,
Manhattan Dress Co., Inc.,
Maniton Shirt Company,
Manor Farm Restaurant,
Manufacturers' Auto Supply Co., Inc.,
Manville Homes and Land Co.,
Maple Leaf Underwriters, Inc.,
Maplewood Building and Construction Co.,
Marbelike Manufacturing Co.,
Marble Bakery & Restaurant Co., Inc.,
Mardin Silk Co.,

M. A. Realty Co.,
Marengo Realty Co.,
Margaret Realty Co.,
Margarite Shops, Inc.,
Marie Ahrberg and Co., Inc.,
Marine Freezing Company,
Marine Transportation Co.,
Marion Lumber Company, Inc.,
Marion Owen Estates,
Marion Silk Company, Incorporated,
Marksboro Land & Improvement Company,
Marshall Garage, Inc.,
Marshall-Gassler Building Co., Inc.,
Marshall-Gassler Realty Co., Inc.,
Martin and Bernstein Co.,
Martin Chemical Co.,
Martin and Henderson Realty Co.,
Martin Metals Foundries, Inc.,
Marvelo, Inc.,
Mar-Vent Finance Company,
Mary Blicharz, Inc.,
Mason Furniture Company,
Massiff Furniture Co., Inc.,
Master Lubricator, Inc.,
Mastertube Radio Co., Inc.,
Mausolus Advertising Co.,
Maxfield Fruit Co., Limited,
Max Sash & Door Co.,
Maxwell Jewelry Company,
Maxwil Hardware Co., Inc.,
McGuinness & Swann, Inc.,
McKiernan's Ready to Wear Shop, Inc.,
M & C Trucking Co.,
Mechanics Laundry Co.,
Meister, Lullman & Stretch, Inc.,
Mercedes Corporation,
Mercer Assurance Agency, Inc.,
Mercer Development Company,
Mercer Perfumes Manufacturing Co.,
Merchantville Aluminum Brass Works,
Mercury Electric Co.,
Mercury Radio Products Co.,
M. E. Rice & Co.,

Merklen Soap Co., Inc.,
Mermaid Hair Goods Co.,
Metal Fabrics Company,
Metals, Inc.,
Metro Flower Corporation,
Metropolitan Coal Co.,
Metropolitan Construction Co., Inc.,
Metropolitan Land Co.,
Metropolitan Loan Co., Inc.,
Metropolitan Service Garage,
Mexican Electric Vehicle Co.,
Meyer's Drapery Shop, Inc.,
M. F. Ross Jr., Inc.,
M. & G. Silk Co., Inc.,
Michael Imber, Inc.,
Middlesex Duco Company, Incorporated,
Middletown Water Co.,
Midland Linseed Products Co. of New Jersey,
Milburs, Inc.,
Milerate Transportation Corporation,
Miles Chemical Company,
Milford Building Company,
Millar & Volker,
Millburn Park Corporation,
Miller Poultry Farm, Inc.,
Mineral Products Corporation of New Jersey,
Miner P. Wetmore, Inc.,
Mines Protection Co., Inc.,
Misteltoe Silk Mills,
Mitchell-Allen Machinery Co., Inc.,
Mitchell Co.,
Mitropa Importing Corporation,
M-J-R Candy Company,
M. Levy Co., Inc.,
M. Metz Company,
M-N Co.,
M. N. Smith and Son, Inc.,
Mock and Bensen Corporation,
Model Construction Corporation,
Model Laundry, Inc.,
Model Millinery Co.,
Model Pharmacy,
Modern Business Service, Incorporated,

Modern Investment Co.,
Modern Omnibus and Service Co.,
Modern Realty Co.,
Modern Roofing Company,
Modern Taxicab Co.,
Moffat, Cover & Company,
Mogul Checker Cab, Inc., of Passaic County,
Molnar Products Co.,
Monarch Textile Mills, Inc.,
Monitor Investment Co.,
Monmouth County Horse Show Association,
Monmouth Motor Car Co.,
Monmouth Sales Co.,
Montclair Builders, Inc.,
Montclair-Crescent Corporation,
Montclair Yellow Cab Co.,
Monticello Amusement Co.,
Montpelier Hotel Co.,
Moonachie Brick Yards, Inc.,
Moon Newark Co.,
Moore Brothers Co. of Wildwood,
Moore & Klein, Incorporated,
Moore, Purcell Co.,
Morgan Construction Company,
Morris County Clothing Co.,
Morris Hat Company,
Moss Iron & Steel Co.,
Moten Realty and Investment Co.,
Motion Picture Patents Co.,
Motor Ade Corporation,
Motor Bus Sales Corporation,
Motor Sales & Supply Co.,
Mountain Lakes Manufacturing Co.,
Mountain Ridge Realty Co.,
Mount Royal Gardens, Inc.,
Mrs. King Medical Co.,
M & S Merchandising Co.,
Mulberry Textile Mills,
Multiple Sales Corporation,
Municipal Development Co.,
Murray-Harris Wire Co.,
Murray Holding Co., Inc.,
Murtre Realty Co.,

Mutual Dairy Co., Inc.,
Mutual Express Co.,
Mutual Furniture Co.,
Mutual Home Building Corporation of New Brunswick, N. J.,
Mutual Leather & Finishing Co.,
Mutual Real Estate Co.,
Mutual Realty & Holding Co.,
Mutual Securities Co.,
Mutual Service Advertising Agency, Inc.,
Mutual Silk Co.,
M. Weintraub, Inc.,
Myranit Dress Co.,
Myrtle Realty Co., Inc.,
Nardello's Italian Burial Co., Inc.,
National Art Players, Inc.,
National Art Pottery Co.,
National Chemical Co.,
National Coal Corporation,
National Corporation of Finance,
National Floral Corporation,
National Laboratories, Inc.,
National Laundry, Inc.,
National Lodges, Inc.,
National Metal & Anode Corporation,
National Park Water Co.,
National Patent Protective Corporation,
National Sales Co.,
National Sandwich Co.,
National State Realty Co.,
National Store Fixture Co., Inc.,
National Structural Supply Co., Inc.,
National Swimming Pools Corporation,
National Tin Company,
National Touring Service Bureau,
National Woodstaining Corporation,
National Woolen Exchange, Inc.,
Nesbit Construction Co.,
Never-Fail Lamp Corporation,
Nevins Products Corp.,
Newark Aeroplane Amusement Co.,
Newark Baseball Club, Inc.,
Newark Bay Realty Co.,

Newark & Boston Steamship Co., Inc.,
Newark Brass and Bronze Foundry Co., Inc.,
Newark Cash Register Exchange, Inc.,
Newark Cornice and Skylight Works,
Newark Electrical Contracting Co., Inc.,
Newark Flint Co.,
Newark Housing Corporation,
Newark-Jersey City Bus Co.,
Newark Lighting Wares, Inc., of Newark, N. J.,
Newark Machine Co.,
Newark Metal Findings Company, Inc.,
Newark Moulding Co.,
Newark Novelty and Furniture Co.,
Newark Poultry Show, Inc.,
Newark Realty Corporation,
Newark Shirt Shops, Inc.,
Newark Stadium Co., Inc.,
Newark Steam-Auto Corporation,
Newark Steel & Iron Works, Inc.,
Newark Sugar Refining Co.,
Newark U-Drive and Garage, Incorporated,
Newark Variety Stores, Inc.,
New Brunswick Paige-Jewett Co.,
New Brunswick Plate Glass Co., Inc.,
New Brunswick Real Estate Company,
New Era Brokers, Inc.,
New Jersey Apparel Co., Inc.,
New Jersey Auto Re-Nu-Al Corporation,
New Jersey Bonding & Mortgage Corporation,
New Jersey Brick Company, Incorporated,
New Jersey Bridge Development Co.,
New Jersey Building Co.,
New Jersey Bulb & Rose Co.,
N. J. Clothing Co., Inc.,
New Jersey Coast Water Co.,
New Jersey Construction and Cement Blocks Co.,
New Jersey Contracting and Supply Co.,
New Jersey Farm Land and Home Corporation,
New Jersey Finance Service Co.,
New Jersey Guaranteed Mortgage Company,
N. J. Home Builders Corporation,
New Jersey Lamp Manufacturing Co., Inc.,
New Jersey Limestone Corp.,

New Jersey Lubricating Service Co.,
New Jersey Packing Co.,
New Jersey Plumbing & Heating Co.,
New Jersey Seashore Company,
New Jersey Sightseeing Co.,
New Jersey Used Car Statistical Bureau,
Newman Brothers, Inc.,
New Milford Building Supply Co., Inc.,
Newstone Realty Co.,
New Temple Theatre Company,
New Wall Paper House, Inc.,
New Way Laundry Service Co. (No. 1),
New York Ice Cream and Confectionery Co., Inc.,
New York and New Jersey Investment Co.,
New York Suburbs Corporation,
New York Throwing Co., Inc.,
New York Voting Machine Co.,
Nibble Shoppe, Inc.,
Nick Laboratories, Inc.,
Niesen Brothers, Inc.,
Nitol Products Co.,
Nixon-Nirdlinger Vaudeville Agency,
Noll Manufacturing Company,
No-Mark Laundry Equipment Company,
Nonpareil Motors Corporation,
Non-Slip Belt Co.,
Normal Developing Co.,
Normal Lighting Fixture Co., Inc.,
Normandy Dyeing & Finishing Co.,
Norman S. Tice Company,
North American Development Co.,
North American Realty Co.,
Northampton-Easton and Washington Traction Co.,
North Arlington Land Co.,
North Brunswick Realty Co.,
Northeastern Securities Corporation,
North Grove Garage, Incorporated,
North Hudson Ice Co., Inc.,
North Hudson News Co.,
North Hudson Realty Security Co.,
North Hudson Wall Paper & Paint Co.,
North Merchantville Land Association,
North Jersey Engineering and Construction Co.,

North Jersey Housing Co., Inc.,
North Jersey Iron Ore Co.,
North Jersey Lodges, Inc.,
North Jersey Nugas Co.,
North Jersey Ore & Concentrating Co., Inc.,
North Jersey Rural Gas Unit Co.,
North Jersey Utilization and Sewerage Disposal Plant, Inc.,
Northern Shearling Tanning Co.,
Norwood Field Club,
Norwood Home Builders, Inc.,
Nosher and Gwynne,
Nowon Silk Co.,
Nuhome Construction Co.,
Nutley and Avondale Realty Co.,
Nutley Bus Line,
Nutley Transportation Co.,
Nutrasal Laboratories, Inc.,
Oakland Terrace Land Company,
Oaks Land Corporation,
Oak Valley Holding Corporation,
O'Brien Apartment House Company,
Ocean County Electric Co.,
Ocean Power Company,
Oceanview Athletic Association of Long Branch, New Jersey,
Oelbaum Bros. & Elbaum, Inc.,
Offenbach's, Inc.,
Oil Burner Engineering Co.,
O. K. Trucking Co.,
Olden Beverage Company,
Old Homestead Farm and Hatchery,
Old Mill Company,
Old Union Construction Co., Inc.,
Olkins Pharmacy, Inc.,
Olympic Heights Construction Company,
O'Neill Motor Parts Co.,
Operators Realty Corporation, Inc.,
Oppill Co., Inc.,
Orange Bearing Company,
Orange Painting & Decorating Co.,
Orange Valley Bus Co.,

Orient Theatre Corporation,
Orlando Realty and Construction Co.,
Orpheum Amusement Co.,
Ortygia Hall Association,
Osborne Construction Co.,
Osborne Drug Company,
Oscar Agel Throwing Company,
Osterweil Bros., Inc.,
Ost Pharmacy,
Ostrow Iron Works,
Oswalds Variety Store,
Ottens Harbor Fish Co.,
Otto Silverman, Inc.,
Overton Realty Company,
Owners Service, Inc.,
Oxford Building Company,
Padderatz Concrete Products Company,
Padelford & Co., Inc.,
Palisades Corporation,
Palisade and West Shore Bus Co.,
Pallerine Company,
Palm Realty Company,
Palmyra Knitting Company,
Pamrapo Building Co.,
Paper Mills & Cord Co., Inc.,
Paragon Corporation,
Paramount Malting and Beverage Co., Inc.,
Paramount Radio Corporation,
Paratex Rubber Co.,
Park Avenue Construction Co.,
Parker Brothers Glass Manufacturing Company,
Park Motor Sales, Inc.,
Park View, Incorporated,
Parkway Realty Co.,
Parmley Realty Co.,
Pason Investment Co.,
Passaic-Bergen Auto Sales Co., Inc.,
Passaic Jordan Co.,
Passaic and North Newark Bus Co.,
Passaic-Wallington-East Rutherford Bus Co.,
Paterson Clothing Co., Inc.,
Paterson Concessions Co., Inc.,
Paterson Contracting Co.,

Paterson Motors, Incorporated,
Paterson-Singac Transportation Corporation,
Paterson Westwood Bus Co.,
Patterson Hydro-Positive Transmission Co.,
Pauls' Restaurant, Inc.,
Pearce and Preston Leather Co.,
Pearl Realty Company,
Pearlwin Theatre Co.,
Pecazone Corporation of Newark, New Jersey,
Peck Building Co.,
Peerless Auto Products Corporation, Inc.,
Peerless Concrete Block Co., Inc.,
Peerless Construction Company,
Peerless Finance Corporation,
Peerless Foundry Co., Inc.,
Penn Fruit Co.,
Penn-Jersey Stevedoring Co.,
Penn Land Co.,
Penns Grove Lumber Co.,
Penn State Finance Company,
Peont Realty Co.,
Peoples Coal Co.,
Peoples' Dairy of Lakewood, Inc.,
Peoples Exchange and Loan Corporation,
People's Improved Housing Corporation,
People's Loan and Finance Corporation,
Pequannock Ice Co.,
Pequest Paint & Color Co.,
Percoplate Boiler Sales Company,
Perfection Welding Company,
Perth Amboy Bag and Burlap Corporation,
Perth Amboy Foundry and Machine Co.,
Perth Amboy Milk Company, Inc.,
Perth Amboy Oil & Terminal Co.,
Peterson's Bakery, Inc.,
Petroleum Producers and Products Company,
Petz Construction Company,
P. & G. Realty Co.,
Philadelphia Automatic Shoe Shiner Corp.,
Philadelphia College of Chiropractic,
Philadelphia Pottery Co.,
Philadelphia and Suburban Ice Co.,
Philip Scibilia Construction Co.,

Philmar Construction Corp.,
P. H. Lawless Lumber Co.,
Pianarosa Manufacturing Co.,
Pier Co. of Wildwood, N. J.,
Pierre Vidvard Cie, Inc.,
Pierre Vidvard Sales and Demonstration Co., Inc.,
Pilson Printery, Inc.,
Pinals Holding Co., Inc.,
Pine-O-Sal Chemical Co.,
Pine Spring Building Company,
Pioneer Shirt Co., Inc.,
Pitman Heights Development Company,
Pivot Realty Co.,
Plainfield Crystal Sanitary Laundry,
Plainfield Flint Co., Inc.,
Plastics Development Company,
Plating Press Works,
Playhouse, Incorporated,
Plaza Cafeteria, Inc.,
Plaza Dining Room,
Plaza Garage and Sales Company, Inc.,
Plaza Restaurant Company,
P & L Co.,
Plews & Hutchinson Corporation,
Plymouth Construction Co.,
Plymouth Sales Corporation,
P & M Glass, Sash & Door Co., Inc.,
Pneumatic Coal Conveyor Co.,
Polish Messenger Publishing Co.,
Polish National White Eagle Corporation,
Pompeian Construction Co.,
Pools Construction Corporation,
Poslin Oil Co., Inc.,
Potosi and Rio Verde Construction Company,
Potter Realty & Construction Company,
P. Phillips and Co.,
Precision Products Corporation,
Premont Specialty Manufacturing Co., Inc.,
Preston & Bachman, Incorporated,
Price & Arnold, Inc.,
Printcraft Press,
Progressive Agency of New Jersey,
Progressive Automobile Company,

Progressive Jewelry Co., Inc.,
Progressive Model Coat Shop, Inc.,
Prospective Realty Co.,
Protective Land Company of Grantwood, New Jersey,
Protecto Safety Appliance Corporation,
Provident Sales & Service Co.,
Prudential Development Company, Inc.,
Prudential Paper Box, Inc.,
Public Opinion,
Public Opinion Publishing Co.,
Public Service Health Corporation,
Public Supply Co., Inc.,
Pulmonary Cure Co.,
Pure Food Restaurant and Delicatessen, Inc.,
Puritan Laboratory, Inc.,
Pyo Foe Laboratories, Inc.,
Pyrolectric Instrument Company,
Quackenbush-Martin Company,
Quality Garage, Inc.,
Quality Molded Products, Incorporated,
Quality Shoe Shop,
Queen City Coach Co.,
Queen City Drug Co., Inc.,
Queen Dress Co., Inc.,
Quiet-Tone Hosiery Co.,
Quinn Oil Burner Sales Corporation,
Radio Bugs of America,
Radio, Inc.,
Radio Manufacturers Sales Corp.,
Radio Research Corporation,
Radio Silk Co.,
Railroad Contracting Corporation,
Rainbow, Inc.,
Raleigh Realty Company,
Ramapo Land Co.,
Ramer and Schefrin Auto Sales Co., Inc.,
Ramona Health Springs,
Ramsey Confectionery Co.,
Randall Agency, Inc.,
Ransom-Whitcomb, Inc.,
Raritan Building Co.,
Raritan Housing Corporation,
Raritan Motors Co.,

R. C. Fisher Co.,
Reade Manufacturing Company,
Realty Construction & Holding Co.,
Recreation Pier Corporation,
Red Book Directory Publishing Corporation of New Jersey,
Redcliffe Realty Company,
Red Seal Realty Co., Inc.,
Red Top Stands, Inc.,
Reed Wire Specialties Co., Inc.,
Reeves-Ross Motor Co.,
Regal Card & Paper Co.,
Regan Construction Co., Inc.,
Rehfield & Burns, Inc.,
Reids,
Reilly Storage & Transportation Co.,
Reinecke-Roth Co.,
Reinhardt's Store of Novelties, Inc.,
Reliable Home Construction Co.,
Reliable Pharmacy, Inc.,
Reliance Club Home Association,
Reliance Company,
Reliant Saw Works of New Jersey,
Renibar Laboratories, Inc.,
Reno College,
Resolute Silk Mills,
Rexodyne Corporation,
Rexsine Co., Inc.,
R & F Realty & Investment Co.,
R. H. B. Motor Sales,
Rialto Sightseeing Company of New Jersey, Inc.,
Richman Electric Co.,
Richmond Realty Corp., Inc.,
Ridgefield Concrete Manufacturing Corporation,
Ridgefield Development Corp.,
Ridgewood Auto and Taxi Co.,
Ridgewood Lumber Co.,
Ridgewood Taxi Company,
Riley Chevrolet Sales Co.,
Rinlan Corporation,
Ritter & Sons Company,
Ritz Chocolate Shop,
Ritz Tool Manufacturing Co.,

Riverside Bus Owners, Inc.,
Riviera Court Co.,
Riviera Drug Co.,
Rivoli Restaurant, Inc.,
R. J. Laytham, Inc.,
R. K. Auto Co.,
R & K Plumbing & Heating Co., Inc.,
Robbins Coal Co.,
Robert C. VanNess, Inc.,
Roberti Jewelry Co.,
Robert S. English Corporation,
Robert Treat Baths,
Robinson-Rosenthal Co.,
Rogers Construction Co.,
Rollin-Passaic Motor Corporation,
Romond & Hinkle, Inc.,
Rooba Textile Company,
Roselle Home Development Company,
Rosemary Funeral Homes Corporation,
Rosenblum Realty Company,
Rosenblum Store, Inc.,
Rosenbluth Pharmacy,
Rose Throwing Co., Inc.,
Roseville Finance Corporation,
Roseville Holding Co.,
Rotary Plow Manufacturing Co.,
Royal Checker Cab, Inc.,
Royal Clothing Company,
Royal Coat Apron and Towel Supply Co.,
Royal Corporation,
Royal Dress Co.,
Royal Furniture Co. of Perth Amboy,
Royal Holding Company,
Royal-Kendall Fuel Saver, Inc.,
Royal Motor Car Co.,
Royal Sparkle Bottling Co., Inc.,
R & R Realty & Construction Corp.,
R. Scheu Realty Co.,
Rubbercraft Corporation,
Rubber Products Sales Company,
Rubin Realty & Construction Corp.,
Ruby Realty Co., Inc.,
Russkoe Narodnoe Obshestvo Lev Tolsty, Inc.,

Russomanno Contracting Co.,
R. W. Burroughs, Inc.,
Ryan Leather Co.,
Saddle River Estates,
Safety First and Efficiency Publishers,
Safety Transit Company of New Jersey,
Sagel-Axe Realty Co.,
Sage-Sanford Manufacturing Co.,
St. Charles Pharmacy, Inc.,
St. Clair Lunch, Inc.,
Sales Savings Co., Inc.,
Sample Furniture Co.,
Samuel Bellsey, Inc.,
Samuel Kaplan, Inc.,
Samwil Silk Mfg. Co., Inc.,
Sanitary Laundry Service,
Sanitary Mop Corporation,
Sanitary Specialty Company of Newark, N. J.,
Santeramo Realty Co., Inc.,
San Toy Fabrics, Inc.,
Sargent Service, Inc.,
Savage Rubber Corporation,
Sawtek Products Co.,
S. B. Whinery Corporation,
Scenic Tours Corporation,
Schaefer Motor Sales Corp.,
Schenectady Contracting Company,
Schertel & Co., Inc.,
Schickerling Products Manufacturing Company, Inc.,
Schlegel Manufacturing Co.,
Schreiber Realty Co.,
Schulman-Soroka-Rothbard Realty Corporation,
Schwartz-Herrmann Steel Works, Inc.,
Schwartzman Realty & Investment Co.,
Schwartz Realty Company,
Scott and White, Incorporated,
Scranton-New York Carrier Corporation,
Scutellaro Construction Co.,
S. C. W. Company,
Seaboard Distributing Company, Limited,
Seacoast Automobile Co.,
Seacoast Auto Sales Co.,
Seacoast Gas Co.,

Seacoast Paper Mills, Inc.,
Sea Girt Flying Club, Inc.,
Sea Isle City Fish Co.,
Sea Isle Realty Co.,
Seashore Construction Co.,
Seaton-Backman Co.,
Secaucus Cabinet Works Co.,
Secure Realty Corporation,
Securities Investing Corporation,
Securities Sales Corporation,
Seeler Ring Co.,
Select Tobacco Co., Inc.,
Self Loading Truck Co.,
Seminole Colors Corporation,
Senate Boat Company,
Sepoy Color and Chemical Company,
Service Appliance Co., Inc.,
Service Construction Co.,
Service Finance Corporation,
Service Loan Corporation of America,
Service Novelty Co., Inc.,
Seton View Company,
Sexton Brothers and Woolley Co.,
Seymour Realty Co.,
S & F Building Co.,
Sharlin's Art Lighting Studios Company,
Sharpe-Philippi Company,
Shaw Cab Operators, Inc.,
Shea Service Station, Inc.,
Sherman Hat Company, Inc.,
Shields Pictures Corporation,
Shinn Farms, Inc.,
Shore and Lukoff, Inc.,
Shore Radio & Battery Co.,
S. & H. Restaurant Co.,
S. H. Robinson Company,
S. H. S. Realty Co.,
Sibilia Realty Co., Inc.,
Siggins-Mandall & Co.,
Signet Mills, Inc.,
Silica Brick and Products Co.,
Silk City Raw Silk Trading Co., Inc.,
Silver Road Service, Inc.,

Simon & Diamond Coal and Lumber Co.,
Simon Mack & Sons, Incorporated,
Simon Pure Bottling Co.,
Sirius Manufacturing Co., Inc.,
S. and J. Silk Co.,
S. & L. Construction Co., No. 1,
Slip-On Cigar Lighter Co., Inc.,
Smith Bros, Inc.,
Smith and Linnett Shirt Company,
Smith Visible Typewriter Co.,
Solan Company, Incorporated,
Solowey Corporation,
Sommer Realty Co.,
Sonet Realty Co.,
Sorrentino, Inc.,
South Cove Dry Dock & Repair Company of Jersey City,
South Orange Investment Co.,
Southside Transportation Company,
South Jersey Building Corporation,
South Jersey Clothing Co.,
South Jersey Distributing Co.,
South Jersey Provision Company,
South Jersey Real Estate Co.,
Southern Farmers and Fishermen's Co-operative Marketing Co.,
Spanish-American Fruit Co.,
Spartan Rubber Co.,
Spartan Rubber Tire Co.,
Specialty Shops Corporation,
Spectro-Chrome Institute,
Spensers Silverlite Corporation,
S. P. Realty Co.,
Spring Brook Improvement Co.,
S & S Construction Co.,
S & S Corporation,
S & S Corset Company,
S. Smith, Inc.,
S. S. S. Estates, Inc.,
Stacy Trent Hotel Garage, Inc.,
Stafford Roller Bearing Car Truck Corporation,
Stamm Silk Co., Inc.,
Standard Cab Corporation,

Standard Co., Inc.,
Standard Dairy,
Standard Development Company,
Standard Home Company,
Standard Indicator Company, Inc.,
Standard Lamp Works, Inc.,
Standard Music Roll Co.,
Standard Non Slip Safety Tread Co.,
Standard Roller Screen Company,
Standard Steel Co., Inc.,
Staple Products Corporation,
State Engineering & Construction Co.,
State Materials Co.,
State Publishing Co.,
State Taxi,
Station Pharmacy, Inc.,
Steam Car Service Corporation,
Stearns Motor Co.,
Steel Billiard Academy, Incorporated,
Steel Products Co.,
Steel Wool Mit Company,
Steenland Motor Co.,
Sterling Bus Line, Inc.,
Sterling Cycle Company, Inc.,
Sterling Furniture Company, No. 1,
Sterling Shoe Shop,
Sterling Switchboard Co.,
Stern and Richards, Incorporated,
Stonecrafters, Inc.,
Storm Spark Plug Corporation of America,
Strand Amusement Co.,
Strand Building Corporation,
Strand Shop,
Strand Theatre Co.,
Strandwitz & Scott, Inc.,
Stratford Undergarment Co.,
Streamline Filter Corporation,
S & T Sales Corporation,
Student Educational Records, Inc.,
Stuyvesant Pharmacy,
Style Clothes Shop,
Style-Plus Undergarment Co., Inc.,
Suburban Laundry and Carpet Cleaning Co.,

Suburban Laundry Co.,
Sulfex Corporation,
Summit Tube Garage, Inc.,
Sundmacker and Irwin,
Sun Electric Lamp Company,
Sun Investment Co.,
Superior Artificial Silk Throwing Company,
Superior Laundry Co.,
Superior Products Manufacturing Corporation,
Supreme Player Action Corporation,
Supreme Silk Company,
Suresnap Co.,
Surf Bathing Corporation,
Sussex Farm Products, Inc.,
S. & W. Construction Co.,
S. W. Ferguson Construction Co.,
Tailors Service Corporation,
Taylor and Rose, Inc.,
T. and B. Automatic Embroidery Works,
T. and C. Lamp Co.,
Tennent Products Company,
Terry Fabric Co.,
Testrite Insulated Wire Co., Inc.,
Textile Appliance Co.,
Textile Embroidery Works, Inc.,
Textile Sales Corporation,
Theodore Hahn, Inc.,
"39 N. Fullerton, Inc.,"
Thomas A. Zimmerman, Inc.,
Thomas B. Betty, Inc.,
Thomas F. Barry Manufacturing Co.,
Thomas F. Dolan, Incorporated,
Thomas L. Smith, Inc.,
Thomas P. Dilkes & Company,
Thompson and Carter, Inc.,
Thompson and Rasche Trucking Co.,
Thoroughfare Realty Co.,
Thrift, 5-10-25 Cent Department Store, Inc.,
Thrifty Investment Co.,
Tiffany Co.,
Tilton Construction Co., Inc.,
Times Realty Corporation,
Tintex Silk Co.,

Tioga Silk Company,
Tip-Toe Inn,
Tire Service Company,
T. J. O'Halloran Corp.,
T. M. and G. Chemical Co.,
T-M Manufacturing Co.,
Toluol Products Corporation,
Tower Realty Co.,
Transport Motors Corporation,
Travelers' Shoe Form & Last Co.,
Traymore Bake Shop, Inc.,
Tredinnock, Incorporated,
Trenton Army & Navy Store,
Trenton Base-Ball Club,
Trenton French Pastry Baking Corp.,
Trenton Homes Association,
Trenton House Garage,
Trenton Raincoat Co., Inc.,
Trenton Sales Company,
Trenton Taxicab Co.,
Triangle Co.,
Triangle Investment Co.,
Triangle Laundry Service, Inc.,
Triangle Service Station, Incorporated,
Triangle Trucking and Contracting Co.,
Tri-City Dairy, Inc.,
Trinacria Realty and Development Co.,
Triplex Gas Engine Co.,
Tri-State Building Co.,
Trojan Construction Co., Inc.,
Troy Realty Co.,
T & T Realty and Investment Co.,
Tuckahoe Light and Fuel Co.,
Turner Machine Co.,
Twentieth Century Amusement Co.,
Twin City Investment Co.,
Twin Taxi, Inc.,
Twinvolute Pump and Manufacturing Company,
T. W. Jackson Co.,
Two Mile Beach Co.,
Uffen Co.,
U. Floreani,
Ulin Construction Company,

Ulrich Trucking & Contracting Co.,
Underwood Construction Co.,
Underwriters Holding Company,
Uneeda Housing Corporation,
Uneeda Rubber Heel Co.,
U-Need-Us Company,
Union Busy Bee Corporation,
Union Chemical Company,
Union County Construction Corporation, Inc.,
Union County Theatres Co.,
Union Development Co.,
Union Lamp Company,
Union Realty Company, Inc.,
Union Steel & Tube Co., Inc.,
Union Store Co.,
Unitco Pottery Company,
United American Collieries, Inc.,
United Coffee Roasters of Elizabeth, N. J.,
United Commercial & Supply Corporation,
United Hardware and Plumbing Supply,
United Hudson Bakeries, Inc.,
United Ice Company's of Asbury Park,
United Laundries, Inc.,
United Metal Products, Inc.,
United Motor Car Company,
United Pants Co., Inc.,
United Radio Service Stores, Inc.,
United Stationery Co., Inc.,
United Theatre of Freehold,
United Thrift Realty Co.,
U. S. Candies, Inc.,
U. S. Cement Block and Contracting Co.,
United States Golf Ball Marker, Inc.,
United States Mint Co.,
United States & South American Finance Corp.,
United States Storage Battery Co., Inc.,
United States Window Glass & Machine Co.,
Unity Dress Corporation,
Unity Investment Company,
Universal Art Corporation,
Universal Electric Co.,
Universal Finance Corporation,
Universal Finance Corp. of Essex County,

Universal Manufacturing Co., Inc.,
Universal Radio Laboratories, Inc.,
Universal Realty Development Corporation,
Universal Tanning Co.,
Universal Tool Company,
Universal Window Shade & Drapery-Holder Co.,
Uno Cosmetics, Inc.,
Urban Estates, Inc.,
Vacuum Cleaner Service Co.,
Van Dyke Shoe Shop, Inc.,
Van Emburgh and Conley, Inc.,
Van Houten Avenue Realty Co.,
Vanity Store,
Van-Le Corporation,
Van Orden Company,
Van Ripers Limited, Inc.,
Van Winkle Co.,
Velrose Bootery,
Velvet Soap Products, Inc.,
Venice Spumoni Co.,
Ven-Mar Company, Incorporated,
Vernon Hosiery Mills,
Versatile Bumper Corporation,
Victor D. Lindeman Co., Inc.,
Victor Home Building & Development Co.,
Victor Hotel Company,
Victor Lens Manufacturing Co.,
Victor Radio Shop,
Victoria Realty Co.,
Victory Corporation,
Victory Dress Corporation,
Victory Film Corporation,
Victory Fur Skin Dressing Company, Inc.,
Victory Heating Co., Inc.,
Victory Silk Company,
Vigilant Construction Co.,
Vigorito-Lucibello, Inc.,
Village Auto Service, Inc.,
Virginia Contractors Equipment Co.,
Vitafort Company,
V. I. V. Theatre Company, Incorporated,
Vogels, Inc.,
Vogue Shop,

Vollm-Shock Detective Agency,
Waberg Clothing Co., Inc.,
Wagner Construction & Repair Co.,
Wagner Patents Co., Inc.,
W. A. Holcomb Co.,
Wallace & Boyd Co.,
Wallace Buying Corporation,
Waller Stores, Inc.,
Wallington Bus Co., Inc.,
Walnut Textile Co.,
Walser-Moore Construction Co.,
Walter S. Wheeler, Inc.,
Walton Motors, Inc.,
Warburton Stationery Co.,
Warehouse Service Corporation,
Warranty Secured Mortgage Co.,
Washington Clothing Co., Inc.,
Washington Market Association of the City of Trenton,
Waterbury Machinery Co.,
Watson Garage, Inc.,
W. C. Miller Co., Inc.,
Weber-Ruppe Building Co.,
Weequahic Heating and Plumbing Co.,
Weequahic Park Apartments, Inc.,
W. E. Heffner Company,
Weitzel, La Rue Flooring Co.,
Weitz & Houseman, Inc.,
Wel-Bilt Construction Co.,
Weldon Realty Co.,
Wellmade Silk Co.,
West Belmar Water Co.,
West Collingswood Laundry,
West Electric and Engineering Co., Inc.,
West End Amusement Co.,
West Hudson Building Co., Inc.,
West Hudson Transit Co.,
Western Leather Goods Co.,
Westminster Knitting Company, Inc.,
West Paterson Realty Co.,
West View Holding Co.,
Westwood Builders, Inc.,
Wethling-Bekley Lock Corporation,
Wethling-Stegman Service, Inc.,

W. H. Drummond Co.,
Whirlway Electric Corporation,
Whistle Bottling Works, Inc.,
White Cat Shoe Repairing Co.,
White Swan Laundry,
Wicks Construction Co., Inc.,
Wiegand and Company,
Wildwood Advertising Service,
Wildwood Ocean Pier Co.,
William A. Pratt & Co., Inc.,
Wm. F. Ryke Co., Inc.,
Wm. F. Taylor Barrel Co.,
William H. Gutschmidt, Inc.,
William J. Mock, Inc.,
William Walser, Inc.,
Willite Road Construction Co. of Pennsylvania,
Willwin Realty Corporation,
Wilson A. Philips, Inc.,
Wilson Bros., Inc.,
Winchester Shoe Co.,
Winton Realty Corporation,
Wisco Company,
Witlaw Plan, Inc.,
Wittman Jewelry Co., Inc.,
W. K. Lovett Sand Co.,
Wladyslaw Malusz Co., Incorporated,
W. M. Realty Company,
Wolf & Opper, Inc.,
Wollman and Bauer Building Co.,
Woodland Steamboat Co.,
Wood and Metal Art Co.,
Working Men's Building and Realty Co.,
Worksman's Department Store, Inc.,
World Construction Corporation,
W. P. Davidson Electric Co.,
W. P. Thompson Stores Co.,
Wuethrich Sons, Inc.,
Wulach-Bressman Realty Co.,
X. L. Products Co., Inc.,
Yale Piston Ring Company,
Yankee Wireless Industries, Inc.,
Ye Olde Tyme Rustic Furniture Co.,

Youells Exterminating Co.,
Young and Bortic Coal Company,
Zacharias Garage Co.,
Zeffer-Krausz Co.,
Zigenfus Farms, Inc.,
Zinka Realty Co.,
Zorn's Tire Exchange, Inc.,
Zubalsky Realty Co., Inc.,
Zucker & Fishman, Inc.,
Zwiebel & Venokur, Inc.,
Zynol Chemical Products Corporation,
are void, and all powers conferred by law upon such corporations and each of them, are hereby declared inoperative and void.

Given under my hand and the Great Seal of New Jersey, this twenty-eighth day of January, [SEAL.] A. D. one thousand nine hundred and twenty-eight, and in the Independence of the United States the one hundred and fifty-second.

A. HARRY MOORE,
Governor.

By the Governor:
JOSEPH F. S. FITZPATRICK,
Secretary of State.

PROCLAMATION.

The President has issued a proclamation designating the week beginning April 22d and ending April 28th as American Forest Week, and has recommended to the Governors of the various States that they also designate this week for special observance by all the people.

This week is set apart for a contemplation and discussion of the questions of forest production and forest conservation, about which the great body of our citizens are still uninformed or uninterested. So much that is vital to our existence depends upon an adequate forest supply and the protection thereof that it is essential that

public opinion be aroused to the necessity of safeguarding the forests we already have and providing for the future.

It is perhaps not generally known that almost half the State of New Jersey is forest land, and the area of wild land is increasing every year. We already have 400,000 acres of abandoned farms, and agriculture is still moving closer to the markets and using smaller areas, under more intensive methods. The problem, therefore, is not shrinking, but growing all the time. Wild land in this State must be timber land or be idle.

To reclaim this idle land and make it productive by reforestation, to insure the future against a shortage of timber, to build up a thriving lumber industry in our State, to conserve the water supply, to aid in rural settlement by making deserted tracts productive, to provide areas for out-of-door recreation—all these are questions which are engaging the attention of those who realize the great possibilities of an adequate forest supply and the absolute necessity of protecting and conserving this valuable resource.

Any forestry program must of necessity comprehend a campaign of education in the prevention of forest fires. Fire is the greatest enemy of the forest, and adequate protection from this menace presents the most urgent forestry problem. Throughout the State the work of fire prevention and control is being efficiently carried on by the New Jersey Forest Fire Service. On the State forests this work is being supplemented by intensive protective measures. The great damage still being done each year makes it imperative that people be educated to the criminality of carelessness with fire in the woods, and that they come to a realization of the value of the forest, not only as a source of material wealth, but as an agency contributing to the public health and enjoyment.

THEREFORE, I, A. HARRY MOORE, Governor of the State of New Jersey, do hereby designate the week beginning

APRIL TWENTY-SECOND
AND ENDING
APRIL TWENTY-EIGHTH
AS
AMERICAN FOREST WEEK

and urge that through the press, through civic organizations, and in the schools the attention of the people be called to the necessity of caring for the present and providing for future forest growth.

Given under my hand and the Great Seal of the State of New Jersey, this fourteenth day of
[SEAL.] April, A. D. one thousand nine hundred and twenty-eight, and in the Independence of the United States the one hundred and fifty-second.

A. HARRY MOORE,
Governor.

By the Governor:
JOSEPH F. S. FITZPATRICK,
Secretary of State.

PROCLAMATION.

WHEREAS, I have been requested to convene a special session of the Legislature for the purpose of considering the repeal of Chapter 131 of the Laws of 1928, being "An Act to authorize the formation and regulation of corporations to construct, own and operate motor toll roads and facilities in connection therewith," and it appearing to me that the matter is of sufficient importance to the State to warrant my granting the request.

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 Legislature of this State to meet in special session at the State House, Trenton, New Jersey, on Monday, the fourth day of June, A. D. 1928, at ten o'clock, A. M. (standard time), for the purpose of considering the repeal of said Chapter 131 of the Laws of 1928.

Given under my hand and the Great Seal of the State of New Jersey, this seventeenth day [SEAL.] of May, A. D. 1928, and in the Independence of the United States the one hundred and fifty-second.

A. HARRY MOORE,
Governor.

By the Governor:
JOSEPH F. S. FITZPATRICK,
Secretary of State.

Decrees of Dissolution

Decrees of Dissolution

IN CHANCERY OF NEW JERSEY.

In pursuance of Chapter 185 of the Laws of 1896, copies of decrees of dissolution of the charters of the following corporations have been filed in the office of the Secretary of State:

Name.	*Filed.*
New Jersey Valve & Fitting Co.	Sept. 13, 1927.
Dairymens League, Incorporated	Oct. 20, 1927.
Consolidated Iron Works	Dec. 29, 1927.

Change of Corporate Title of Municipalities

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 Mayor and Council of the Borough of Harvey Cedars" has changed its name to "The Borough of Harvey Cedars," filed October 21, 1927.

"The Town of Bloomfield in the County of Essex" has changed its name to "The Town of Bloomfield," filed February 15, 1928.

Statements of Results of Municipal Elections

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:

At a special election held in the township of Piscataway, April 6, 1926, "An Act to incorporate the borough of South Plainfield in the county of Middlesex," was adopted. Filed October 6, 1927.

At a special election held in the borough of Belmar on October 25, 1927, the commission form of government was adopted. Filed October 28, 1927.

An ordinance annexing land in the township of Princeton, Mercer county, to the borough of Princeton, was adopted by the borough council of Princeton, January 4, 1928. Filed January 9, 1928.

At a special election held in the city of Trenton, June 20, 1911, the commission form of government was adopted. Filed April 17, 1928.

At an election held on November 4, 1919, in the city of Trenton, "An Act authorizing cities to lay out and open highways over and along non-navigable natural streams, etc.," was adopted. Filed April 17, 1928.

At a special election held in the township of Hanover, county of Morris, May 9, 1928, "An Act to incorporate the township of East Hanover, in the county of Morris," was adopted. Filed June 13, 1928.

At a special election held in the township of Hanover, county of Morris, "An Act to incorporate the township of Parsippany-Troy Hills, in the county of Morris," was adopted. Filed June 13, 1928.

ERRATUM.

On page 339, Chapter 172, in Section 2, fifth line, read "every" for "ever."

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